

CASE SUMMARY

APPLICATION TYPE: REZONING

EAST COUNTY SECTOR PLAN AMENDMENT



File Number: 6-C-18-RZ **Related File Number:** 6-A-18-SP
Application Filed: 4/26/2018 **Date of Revision:** 6/18/2018
Applicant: KEN GILREATH

PROPERTY INFORMATION

General Location: South side Strawberry Plains Pike, east of E. Governor John Sevier Hwy.
Other Parcel Info.:
Tax ID Number: 84 114 OTHER: PORTION OF 097-00103 ZONED A **Jurisdiction:** County
Size of Tract: 6.82 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Automobile sales lot
Surrounding Land Use:
Proposed Use: Automobile sales lot **Density:**
Sector Plan: East County **Sector Plan Designation:** LDR
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 5626 Strawberry Plains Pike
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural) and F (Floodway)
Former Zoning:
Requested Zoning: CA (General Business) and F (Floodway)
Previous Requests: None noted
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential) and SP (Stream Protection)
Requested Plan Category: GC (General Commercial) and SP (Stream Protection)

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Michael Brusseau

Staff Recomm. (Abbr.):

DENY the rezoning to CA (General Business) / F (Floodway) zoning, consistent with the denial recommendation for the associated sector plan amendment.

Staff Recomm. (Full):

This site is located too far away from the established commercial node to the west to be appropriate for CA zoning. Also, there are two nearby sites, one to the west, zoned PC and one to the east, zoned CA, that are unused, making it unnecessary to rezone more property in the area to commercial, which is not consistent with the sector plan proposals for the area.

Comments:

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. This site is outside of the established commercial node proposed by the sector plan to the west, so is not appropriate for CA zoning.
2. There is an unused CA zoned property to the east and unused PC zoning to the west, that could be used for the proposed use. There is no need to rezone additional property to commercial in this area.
3. There is no justification to amend the sector plan for this property, in order to consider CA or any other commercial zoning.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The requested CA zoning is for general retail businesses and services but not for manufacturing or for processing materials.
2. Based on the above description and intent and with unused commercial properties nearby, this property is not appropriate to be rezoned to CA, as requested.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. The low density residential plan designation and Agricultural zoning should be maintained for this property.
2. Allowing general commercial use of this property could have a negative impact on the established agricultural properties on all sides.
3. Public water and sewer utilities are available in the area, but may need to be extended to serve the site.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The requested CA zoning is in conflict with the adopted sector plan. With approval of the requested East County Sector Plan amendment to GC, the requested CA zoning would be consistent with the sector plan.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. The current zoning does not present any apparent conflicts with any adopted plans, and should be maintained.

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the

amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.

2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

Action: Approved **Meeting Date:** 9/13/2018
Details of Action: Recommend the Knox County Commission APPROVE rezoning to PC (Planned Commercial) and F (Floodway) zoning.
Summary of Action: Recommend the Knox County Commission APPROVE rezoning to PC (Planned Commercial) and F (Floodway) zoning.
Date of Approval: 9/13/2018 **Date of Denial:** **Postponements:** 6/14/2018-8/9/2018
Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission
Date of Legislative Action: 10/22/2018 **Date of Legislative Action, Second Reading:**
Ordinance Number: **Other Ordinance Number References:**
Disposition of Case: Approved **Disposition of Case, Second Reading:**
If "Other": **If "Other":**
Amendments: **Amendments:**
Date of Legislative Appeal: **Effective Date of Ordinance:**