

CASE SUMMARY

APPLICATION TYPE: REZONING

NORTHWEST COUNTY SECTOR PLAN AMENDMENT

KNOXVILLE-KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N

T E N N E S S E E

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File Number: 6-D-14-RZ **Related File Number:** 6-B-14-SP
Application Filed: 4/28/2014 **Date of Revision:**
Applicant: RON WORLEY (WORLEY BUILDERS INC.)

PROPERTY INFORMATION

General Location: North side Dutchtown Rd., east side Bob Kirby Rd.
Other Parcel Info.:
Tax ID Number: 118 E L 005 **Jurisdiction:** County
Size of Tract: 0.6 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: Neighborhood commercial **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** Low Density Residential
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

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

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RA (Low Density Residential)
Former Zoning:
Requested Zoning: CN (Neighborhood Commercial)
Previous Requests: Rezoned from A to RA in 2013 (10-G-13-RZ).
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)
Requested Plan Category: NC (Neighborhood Commercial)

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.:

MPC ACTION AND DISPOSITION

Planner In Charge: Michael Brusseau

Staff Recomm. (Abbr.): RECOMMEND that County Commission APPROVE CN (Neighborhood Commercial) zoning.

Staff Recomm. (Full): CN is an extension of zoning from the west on the opposite side of the intersection and is consistent with the sector plan recommendation for the property.

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. CN zoning is appropriate for this expansion of the commercial crossroads at this intersection of minor arterial and minor collector streets.
2. The intersection of Bob Kirby Rd. and Dutchtown Rd. is appropriate for the establishment of a small neighborhood commercial node.
3. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.
4. CN is an extension of zoning from the west on the opposite side of Bob Kirby Rd.

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

1. The requested CN zoning district provides the opportunity to locate limited retail and service uses in a manner convenient to and yet not disruptive to established residential neighborhoods. It is intended to provide for recurring shopping and personal service needs of nearby residential areas. Development should be compatible with the character of the adjacent neighborhood. This zoning should generally be placed at street intersections that include either a collector or arterial street, as close to the edge of the neighborhood as possible. The range of permitted uses is limited to those that are generally patronized on a frequent basis by neighborhood residents. Development performance standards are provided to maximize compatibility between commercial uses and adjacent residential uses.
2. The subject property clearly fits the criteria spelled out in the above general description of the CN zone from the Knox County Zoning Ordinance.
3. The development criteria contained within the CN zone are essential to minimize the impacts to adjacent residential uses and lead to compatible development. Staff is not likely to support any BZA variances to these development standards for this site, especially to the landscaping, setback and signage standards, as they would undermine the compatibility with surrounding properties and dilute the effectiveness of the CN zone.

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 proposal will have no impact on schools and the traffic impact will depend on the type of commercial uses that are established.
2. CN zoning is compatible with surrounding development and should have a minimal impact on adjacent properties. Also, the CN zone requires substantial landscaping throughout the perimeter of the site and parking areas, requires sidewalks to connect with adjacent neighborhoods, permits only indirectly illuminated, monument signs and contains criteria to prevent site lighting spillover to adjacent properties.
3. Many uses allowed within the CN zone, such as restaurants, fueling stations (with or without convenience stores), child day care centers and any use which includes drive-through or drive-in facilities, requires use on review approval by MPC prior to construction. This will provide the opportunity for MPC and County Engineering staff to review the plan and address issues such as traffic circulation, layout, access, landscaping, drainage and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.

4. Public water and sewer utilities are available to serve the site.
5. No other area of the County will be impacted by this rezoning request.

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 Northwest County Sector Plan currently proposes low density residential uses for the site. With the recommended plan amendment to NC, CN 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. Approval of this request may lead to future requests for CN zoning on surrounding properties zoned Agricultural. However, any future requests on adjacent properties would also require an amendment to the sector plan, as most surrounding property is designated for low density residential use.
4. The proposal does not present any apparent conflicts with any other adopted plans.

Action: Approved **Meeting Date:** 6/12/2014

Details of Action:

Summary of Action: RECOMMEND the Knox County Commission APPROVE CN (Neighborhood Commercial) zoning.

Date of Approval: 6/12/2014 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 7/28/2014

Date of Legislative Action, Second Reading: 10/27/2014

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Postponed

Disposition of Case, Second Reading:

If "Other": Postponed 7/28, 8/25, 9/22/14

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: