

CASE SUMMARY

APPLICATION TYPE: REZONING

NORTHEAST COUNTY SECTOR PLAN AMENDMENT



File Number: 6-G-21-RZ Related File Number: 6-C-21-SP
Application Filed: 4/26/2021 Date of Revision:
Applicant: PAVEL AND EMILIA GUSHTYUK

PROPERTY INFORMATION

General Location: Southwest side of Roberts Road, northwest side of Rutledge Pike
Other Parcel Info.:
Tax ID Number: 42 029 **Jurisdiction:** County
Size of Tract: 1.34 acres
Accessibility: Access is via Rutledge Pike, a major arterial street with 4 lanes and a center median within 250 ft of right-of-way; and Roberts Rd., a minor arterial with a 22-ft pavement width within a 70-ft of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land; the single family dwelling on the site was removed.
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: Northeast County **Sector Plan Designation:** NC (Neighborhood Commercial)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This area has developed with large-lot single family residential uses and a few commercial uses scattered along Rutledge Pike near its intersection with Shipetown Road, a minor collector.

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

Street: 8819 Rutledge Pk.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
Former Zoning:
Requested Zoning: CA (General Business)
Previous Requests:
Extension of Zone: No
History of Zoning: None noted for this property

PLAN INFORMATION (where applicable)

Current Plan Category: NC (Neighborhood Commercial)
Requested Plan Category: GC (General 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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Michelle Portier

Staff Recomm. (Abbr.): Deny CA (General Business) zoning because it is not consistent with the Northeast County Sector Plan designation and could cause adverse impacts for neighboring residential properties.

Staff Recomm. (Full):

Comments: PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6.30.01, THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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. As stated previously, TDOT is adding a right turn lane on Roberts Road at its intersection with Rutledge Pike. However, the traffic improvement would not warrant a sector plan amendment to the GC land use class since the GC land use is not to be extended per the Land Use Classification Table. The requested CA zone would require a plan amendment.

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

1. The CA (General Business) zone is intended for general retail business and services but not for manufacturing or for processing materials other than farm products, except that portable sawmills are allowed.
2. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses. There are several uses in the CA zone that would not be compatible with the adjacent single-family development, such as hotels, motor vehicle repair shops, service stations, school bus storage, self-service storage facilities, commercial mulching operations, composting facilities, and contractor's storage yards.
3. This property is at the intersection of two arterials and is adjacent to residential properties on the west and south, making it more appropriate for CN (Neighborhood Commercial) zoning at this commercial node. CN zoning is intended to service nearby residential areas and provide needed services within a smaller radius.

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. Rutledge Pike contains a mix of uses along its length. However, this property is located in a pocket of single-family homes between Three Points Road and Rutledge Pike. Rezoning this property to GC would likely cause more properties to seek CA zoning nearby, which could have adverse impacts on these residential properties due to the intensity supported by the CA zone.
2. This particular area serves as a Neighborhood Commercial node to serve the nearby residences.

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. CA zoning is not consistent with the current Northeast County Sector Plan's NC land use designation, nor would a sector plan amendment to GC (General Commercial) be appropriate at this location.
2. This property does not meet the description or location criteria prescribed for the General Commercial land use classification in the Land Use Classification Table (as listed above), adopted as part of the sector plan.

Action: Denied

Meeting Date: 6/10/2021

Details of Action:

Summary of Action: Deny CA (General Business) zoning because it is not consistent with the Northeast County Sector Plan designation and could cause adverse impacts for neighboring residential properties.

Date of Approval:

Date of Denial: 6/10/2021

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: ☐ **Action Appealed?:** 7/12/2021

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 8/23/2021

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Denied

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Appeal was denied

Date of Legislative Appeal:

Effective Date of Ordinance: