

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 6-J-22-RZ

Related File Number: 6-B-22-SP

Application Filed: 4/27/2022

Date of Revision:

Applicant: WAYNE KLINE

PROPERTY INFORMATION

General Location: North of Oak Ridge Hwy., west side of Pennell Ln.

Other Parcel Info.:

Tax ID Number: 78 J E 037

Jurisdiction: County

Size of Tract: 1.15 acres

Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use:

Surrounding Land Use:

Proposed Use:

Density:

Sector Plan: Northwest County Sector Plan Designation: LDR

Growth Policy Plan: Planned Growth Area

Neighborhood Context:

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

Street: 6909 Pennell Ln.

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RA (Low Density Residential)

Former Zoning:

Requested Zoning: CA (General Business)

Previous Requests:

Extension of Zone:

History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)

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:

Liz Albertson

Staff Recomm. (Abbr.):

Deny CA (General Business) zoning because it is not compatible with the adjacent residential neighborhood.

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) While there have been some relatively recent rezonings to CA in this area, it has mostly remained west of the tributary of Beaver Creek, adjacent to the business park area around Karns Crossing Lane, providing a natural buffer to the adjacent residential neighborhood.
- 2) The small CA zoned lots across Pennell Lane to the east are currently used as single family residential homes and the commercial zoning for those properties likely occurred between the 1950s and 1970s.
- 3) The other properties along Pennell Lane are zoned RA and are single family homes.
- 4) A condition of the 2008 rezoning to CA on a portion of parcel 078 15401 (6927 Pennell Lane) for case 7-H-08-RZ recognized the residential character of the properties adjacent to Pennell Lane. The conditions states "that there shall be no access to the commercial use from Pennell Ln. Alternative access to this site through adjacent CA zoned areas must be obtained for commercial use to be permitted."

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

- 1) The CA zone district is for general retail business and services, however, houses and duplexes are permitted in the zone district as well.
- 2) Other permitted uses in CA include motor vehicle repair, hotels, restaurants and other more intensive commercial uses that could negatively impact the existing residential neighborhood along Pennell Lane.

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) Rezoning to CA expands the potential for larger commercial development to occur in this area, which could have adverse impacts for the existing residential neighborhood.
- 2) Pennell Lane is a local street surrounded primarily by single family residential homes. It dead ends approximately 1,200 feet off of Oak Ridge Highway and has an average pavement width of 19-ft without a paved turnaround facility (e.g. cul-de-sac or hammerhead).
- 3) Right-of-way acquisition for a widening project of Oak Ridge Highway in this area is not anticipated to begin until mid-2026, with actual construction not occurring for probably 5 to 7 years from now.

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 proposed amendment is not consistent with the sector plan for this area, which notes that expansions of the GC land use classification should not occur because GC is a land use designation primarily for previously developed strip commercial corridors, the area surrounding Pennell Lane is primarily a single family residential neighborhood.

Action:

Denied

Meeting Date: 6/9/2022

Details of Action:

Summary of Action: Deny CA (General Business) zoning because it is not compatible with the adjacent residential neighborhood.

Date of Approval:

Date of Denial: 6/9/2022

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:** 6/13/2022

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 7/25/2022

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: