

CASE SUMMARY

APPLICATION TYPE: REZONING

SOUTH 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: 7-A-14-RZ **Related File Number:** 7-A-14-SP
Application Filed: 5/23/2014 **Date of Revision:**
Applicant: JMB INVESTMENT CO. LLC

PROPERTY INFORMATION

General Location: South side Kimberlin Heights Rd., southeast of Boling Ln.
Other Parcel Info.:
Tax ID Number: 126 15301 **Jurisdiction:** County
Size of Tract: 1.19 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Residence
Surrounding Land Use:
Proposed Use: General retail **Density:**
Sector Plan: South County **Sector Plan Designation:** Ag
Growth Policy Plan: Rural Area
Neighborhood Context:

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

Street: 2200 Kimberlin Heights Rd
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: None noted
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: AG (Agricultural)
Requested Plan Category: C (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 CR (Rural Commercial) zoning. (Applicant requested CA-General Business zoning.)

Staff Recomm. (Full): CR zoning is appropriate at this location to serve residents who live in the vicinity of the site, as well as commuters travelling on Kimberlin Heights Rd. CR zoning will allow limited retail and service uses to be developed on the site. The zone includes considerable landscaping and other development performance standards to maximize compatibility between commercial uses and surrounding rural areas, and to maintain the rural character of 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. CR zoning is appropriate at this small, established commercial node in the Rural Area.
2. The surrounding area is developed with a mix of agricultural and rural residential uses. Rural commercial uses are appropriate to serve surrounding residents and commuters through the area.
3. With the performance standards included in the CR zone, the proposal is compatible with the surrounding development and zoning pattern.

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

1. The requested CR zoning district provides the opportunity to locate limited retail and service uses in a manner convenient to outlying rural areas. It is intended to provide for the recurring shopping and personal service needs of nearby rural residential areas. Development should be compatible with the character of the adjacent neighborhood. This zoning should be placed on properties that are located at or near intersections of arterial and/or collector streets in order to maximize accessibility from surrounding areas. The range of permitted uses is limited to those that are generally patronized on a frequent basis by area residents. Development performance standards are provided to maximize compatibility between commercial uses and surrounding rural areas, and to maintain the rural character of these areas.
2. The subject property fits the criteria spelled out in the above general description of the CR zone from the Knox County Zoning Ordinance.

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. Public water is available to serve the site. Sanitary sewer is available in the area, but may have to be extended, if necessary, to serve this site.
2. The proposal will have no impact on schools and the traffic impact will depend on the type of commercial uses that are proposed.
3. CR zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.

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. With the amendment from Ag to RC, the requested CR zoning would be consistent with the South County Sector Plan.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map. CR zoning is an acceptable zone for consideration within the Rural Area.
3. Approval of these requests could lead to future requests for rural commercial or similar zoning in the surrounding area. Each request would have to be considered on a case by case basis, based on

its own merits.

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:** 7/10/2014

Details of Action: RECOMMEND that County Commission APPROVE CA (General Business) zoning, subject to one condition.
1. Install Type 'A' landscaping screen along east property line.

Summary of Action: RECOMMEND the Knox County Commission APPROVE CA (General Business) zoning, subject to installing a Type 'A' landscaping screen along the eastern property line.

Date of Approval: 7/10/2014 **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, Second Reading:	
Date of Legislative Action:	8/25/2014	Other Ordinance Number References:	
Ordinance Number:		Disposition of Case, Second Reading:	
Disposition of Case:	Approved	If "Other":	
If "Other":		Amendments:	
Amendments:		Effective Date of Ordinance:	
Date of Legislative Appeal:			