

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 7-D-23-RZ Related File Number: 7-A-23-PA
Application Filed: 5/10/2023 Date of Revision:
Applicant: VIRGINIA G BURTON

PROPERTY INFORMATION

General Location: South side of Chapman Hwy, east of Ellis Rd, west of Anderson Dr
Other Parcel Info.:
Tax ID Number: 124 I E 029 Jurisdiction: City
Size of Tract: 1.11 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Single Family Residential
Surrounding Land Use:
Proposed Use: Density:
Sector Plan: South County Sector Plan Designation: LDR (Low Density Residential), HP (Hillside Protec
Growth Policy Plan: N/A (Within City Limits)
Neighborhood Context:

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

Street: 6609 CHAPMAN HWY
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)
Former Zoning:
Requested Zoning: C-H-2 (Highway Commercial)
Previous Requests:
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential), HP (Hillside Protection)
Requested Plan Category:

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: Jessie Hillman

Staff Recomm. (Abbr.): Deny the C-H-2 (Highway Commercial) district because it is incompatible with surrounding land use and infrastructure.

Staff Recomm. (Full):

Comments: PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

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. The City of Knoxville annexed the subject property in 1991. At that time, C-3 (General Commercial) zoning was recommended because it was equivalent to the previous County CA (General Business) zoning on the property. However, this recommendation was denied by City Council in favor of the R-1 (Low Density Residential) district because the immediate area had been used residentially for a number of years.
2. There have been no significant changes to this area since that rezoning occurred. Existing commercial establishments to the northwest have remained unchanged or have declined over the years. The adjacent properties west and south of the subject parcel are still single-family residential. These conditions do not support additional C-H-2 (Highway Commercial) zoning at this location.

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

1. C-H-2 zoning is intended for high-intensity commercial uses of a predominantly auto-oriented character. Uses include retail, rental and service establishments.
2. The subject property abutts single family residential properties, which are among the least intensive land uses. The property is also located along a significant curve of Chapman Highway where there are no turn lanes. These environmental factors are not consistent with the auto-centric intent of the C-H-2 district, which could increase traffic flow to a residential area where there is limited sight distance and lacking infrastructure to support turning traffic.

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

1. The proposed rezoning could have an adverse impact on adjacent residential properties in the form of noise, light, fumes and other aspects of intensive commercial operations.
2. An increase in turning vehicles at this location from potential retail uses could negatively impact traffic flow and safety along Chapman Highway.

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 C-H-2 zoning among residential properties is inconsistent with the General Plan's development policy 8.4 to protect residential areas from encroaching commercial development and other incompatible uses.
2. C-H-2 zoning is in conflict with the One Year Plan and the South County Sector Plan's LDR (Low Density Residential) land use classification for this area south of Chapman Highway.

ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

1. This section of Chapman Highway would benefit from a turn lane and shoulders before considering

additional commercial zoning.

OTHER COMMENTS:

1. The possibility of O (Office) zoning at this location was discussed with the applicant as an alternative district of less intensity. However, O zoning would not permit the use being considered on the property.

Action: Denied **Meeting Date:** 7/13/2023

Details of Action:

Summary of Action: Deny the C-H-2 (Highway Commercial) district because it is incompatible with surrounding land use and infrastructure.

Date of Approval: **Date of Denial:** 7/13/2023 **Postponements:**

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Date of Legislative Action: **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:**