

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT NORTHEAST 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

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

File Number: 7-E-12-SP **Related File Number:** 7-C-12-RZ
Application Filed: 5/10/2012 **Date of Revision:**
Applicant: JAMES A. BENNETT AND SPOUSE, TAMMY S. BENNETT

PROPERTY INFORMATION

General Location: Northwest side Apache Rd., northwest of Rutledge Pike
Other Parcel Info.:
Tax ID Number: 51 G A 021 **Jurisdiction:** County
Size of Tract: 1.03 acres
Accessibility: Access is from Apache Rd., a local street with 27' of pavement width within 50' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residence
Surrounding Land Use:
Proposed Use: Automotive repair **Density:**
Sector Plan: Northeast County **Sector Plan Designation:** Low Density Residential
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context: This site is located along a local street that provides access from Rutledge Pike to a residential neighborhood to the east, zoned A. There is an RV sales business to the south, zoned CA, that has direct access to Rutledge Pike. Two industrial businesses are located to the west, having access to Rutledge Pike, and zoned I.

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

Street: 1825 Apache 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: Yes, extension of C from the south
History of Zoning: None noted for this site. County Commission approved C and CA on site to south, on appeal, in 2007 (4-E-07-RZ/4-C-07-SP).

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)

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.): DENY C (Commercial) sector plan designation.

Staff Recomm. (Full): This site has access only to Apache Rd., a local street that provides access from Rutledge Pike into the neighborhood to the east. The site is not appropriate for commercial development, due to its limited access and close proximity to a residential neighborhood.

Comments: BACKGROUND
It is staff's understanding that an auto repair business has already been established on the subject property. The applicant is seeking rezoning to CA in order to bring the business into zoning compliance. The CA zoning proposal also requires a sector plan amendment to commercial. There is no zoning history on the subject property. It has always been zoned Agricultural. In 2007, the site to the south, which is currently occupied by an RV sales business, was approved for a C sector plan designation and conditional CA zoning. Staff and MPC had recommended denial of the requests on 4/12/2007, but the decision was appealed to Knox County Commission. Commission approved the appeal, establishing CA zoning on the site, with the following conditions: eliminating any possibility of access to Apache Rd. and providing fencing and planting 20% of property with trees. Upon field review of the site, it appears that a fence has been placed along the perimeter of the property and there is no access to Apache Rd. However, staff did not observe any trees planted on the entire site. That site has direct access to Rutledge Pike, making it more suitable for commercial development than the subject property.

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No road improvements have been made recently to Apache Rd. or Rutledge Pike. Apache Rd. is a local, neighborhood-serving street that is not appropriate to provide access to commercial development.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The plan appropriately calls for LDR development at this location.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

There have not been significant changes that have taken place to justify amendment of the sector plan. Despite County Commission's conditional approval of a C sector plan amendment and CA zoning on the site to the south, MPC and staff had recommended denial of the requests. Staff maintains that commercial uses are not appropriate along Apache Rd., especially on this site, which does not have direct access to Rutledge Pike.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

There are no apparent trends that warrant an amendment to the sector plan.

Action: Denied

Meeting Date: 7/12/2012

Details of Action:

Summary of Action: DENY C (Commercial) sector plan designation.

Date of Approval:

Date of Denial: 7/12/2012

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: