

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 7-N-23-RZ

Related File Number: 7-B-23-SP

Application Filed: 5/30/2023

Date of Revision:

Applicant: DALE AKINS

PROPERTY INFORMATION

General Location: North side of Hardin Valley Rd, east of Westcott Blvd

Other Parcel Info.:

Tax ID Number: 104 084.08

Jurisdiction: County

Size of Tract: 2.95 acres

Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Rural Residential

Surrounding Land Use:

Proposed Use:

Density:

Sector Plan: Northwest County Sector Plan Designation: O (Office), SP (Stream Protection)

Growth Policy Plan: Planned Growth Area

Neighborhood Context:

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

Street: 10105 HARDIN VALLEY RD

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural), F (Floodway), OB (Office, Medical, and Related Services)

Former Zoning:

Requested Zoning: F (Floodway);CA (General Business)

Previous Requests:

Extension of Zone:

History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: O (Office), SP (Stream 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:

Mike Reynolds

Staff Recomm. (Abbr.):

Approve the CA (General Business) zone for the area outside the F (Floodway) zone because it is a minor extension of the commercial node and is not anticipated to create any adverse impacts, subject to one condition. The F (Floodway) zone will be retained.

Staff Recomm. (Full):

1. The portion of the site in the F (Floodway) zone district or the FEMA 500-year floodplain shall be left undisturbed, as delineated in Exhibit B.

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 COUNTY GENERALLY:

1. Commercial uses are on the adjacent properties to the east and west, with the hardware store construction to the east being completed in 2020.

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

- 1. The CA (General Business) zone is intended to provide for general retail business and services but not for manufacturing or for processing materials other than farm products.
- 2. The usable area of this property is small, limiting the usefulness to retail and service-oriented businesses.
- 3. The F (Floodway) zone is being retained.

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. The extension of commercial zoning onto this property is not anticipated to cause any adverse impacts on the surrounding properties. Beaver Creek is on the northern portion of the property. Staff recommends a condition that restricts further disturbance within the F (Floodway) zone and the FEMA 500-year floodplain. A small portion of these areas was previously disturbed.
- 2. An addition to the recommended conditions above, the Knox County stormwater regulations have a 25-ft non-disturbance buffer from the edge of streams and an additional 25-ft buffer that can be averaged.

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 to the Northwest County Sector Plan amending this parcel to the GC land use classification would support the requested CA zone.
- 2. This request is consistent with General Plan policy 7.6, to restrict development on slopes greater than 15% and along streams and rivers; non-residential uses on slopes over 15% (via a planned development zone); and limiting uses to 50% of the flood fringe area.
- 3. With the recommended zoning condition, the rezoning request is consistent with the SP (Stream Protection) designation.

Action:

Approved with Conditions

Meeting Date: 7/13/2023

Details of Action:

Summary of Action:

Approve the CA (General Business) zone for the area outside the F (Floodway) zone because it is a minor extension of the commercial node and is not anticipated to create any adverse impacts, subject to one condition. The F (Floodway) zone will be retained.

Date of Approval: 7/13/2023

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: 8/28/2023

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: