

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

NORTHWEST 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: 8-E-08-SP **Related File Number:** 8-I-08-RZ
Application Filed: 7/9/2008 **Date of Revision:**
Applicant: CARPENTER'S CHAPEL INCORPORATED

PROPERTY INFORMATION

General Location: Southeast side Solway Rd., southwest side Oak Ridge Hwy
Other Parcel Info.:
Tax ID Number: 89 B D 016 **Jurisdiction:** County
Size of Tract: 9 acres
Accessibility: Access is via Dogwood Rd., a local street with a 20' pavement within the Pellissippi Parkway right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Church campus
Surrounding Land Use:
Proposed Use: Church campus with thrift store **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** LDR
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This church site is part of a rural residential area that has developed under RA, A, and PR zones. Commercial development is found to the northeast within CA zones.

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

Street: 10613 Dogwood 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: No
History of Zoning: None noted

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential) & SLPA (Slope Protection)
Requested Plan Category: C (Commercial) & SLPA (Slope Protection)

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:

Ken Pruitt

Staff Recomm. (Abbr.):

DENY the C (Commercial) designation plan amendment

Staff Recomm. (Full):

Commercial designation of this property will place incompatible commercial zoning adjacent to established and proposed residential uses and zoning. The present commercial boundary's relationship to surrounding established uses has minimal adverse impact on nearby land uses. Approval of this request will extend the commercial boundary across Solway Rd., and Dogwood Rd. into both an established and proposed low density residential development area that would result in further additional commercial expansion to reestablish a suitable commercial/residential land use boundary for the area.

Comments:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The proposed CA zoning is not compatible with the scale and intensity of the surrounding zoning pattern. Approval of CA zoning for this site would be a spot zoning on the south side of Solway Rd., giving the applicant certain development rights that do not exist on any of the adjacent properties. CA zoning would allow uses that should not be extended into this area. The applicant's church use of the property may also allow the proposed thrift store as part of the church ministry under the current A zoning. This issue may be taken to the Knox County Board of Zoning Appeals for a determination that such is the case.
2. The current A zoning allows the church use of the property and is consistent with the sector plan designation for the site.
3. There are no CA zoned properties south of Solway Rd., or west of Dogwood Rd.,

THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. The proposal will have no impact on schools. Solway Rd. is a minor collector street that has the capacity to handle additional trips that would be generated by commercial development.
3. The current Agricultural zoning is compatible with surrounding development and zoning and has a minimal impact on adjacent properties.
4. Approval of this request will result in the location of retail uses that would set an undesirable precedent around this intersection. In addition, approval of this request could lead to future requests for CA on other available parcels along the north side of this intersection.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan proposes low density residential uses for this site, consistent with the existing A zone.
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request may lead to future sector plan and rezoning requests for CA zoning on nearby properties.

MPC Action:

Approved

MPC Meeting Date: 11/13/2008

Details of MPC action:

Summary of MPC action:

APPROVE Resolution 8-E-08-SP amending the Northwest County Sector Plan to C (Commercial) & SLPA (Slope Protection) and recommend the Knox County Commission adopt by resolution the amendment.

Effective as of June 13, 2008, T.C.A. 13-3-303 has been amended to require thirty (30) day publication notice prior to the adoption of any amendment to the General Plan. This request was previously acted upon by MPC after the effective date of the new rule and, as a result, the previous actions by MPC are not valid. To rectify this situation, this plan amendment and rezoning request has been readvertised

consistent with the 30 day requirement for ratification and reconfirmation of the previous MPC action on 8/14/2008 and County Commission action on 9/22/2008.

Date of MPC Approval: 11/13/2008

Date of Denial:

Postponements: 8/14/2008 First
Heard

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 12/15/2008

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:

Acknowledged & withdrew Sept2008

Date of Legislative Appeal:

Effective Date of Ordinance: