

CASE SUMMARY

APPLICATION TYPE: REZONING

NORTHWEST COUNTY SECTOR PLAN AMENDMENT



File Number: 8-H-20-RZ Related File Number: 8-C-20-SP
Application Filed: 6/25/2020 Date of Revision:
Applicant: I-40/75 BUSINESS PARK, LLC

PROPERTY INFORMATION

General Location: Southwest side of Everett Rd., between Buttermilk Rd. & El Camino Ln.
Other Parcel Info.:
Tax ID Number: 141 028, 02805, 02806 & 02802 OTHER: (PARTS OF) Jurisdiction: County
Size of Tract: 118 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use:
Surrounding Land Use:
Proposed Use: Density:
Sector Plan: Northwest County Sector Plan Designation: O (Office) & AG (Agricultural)
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

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

Street: 13206 & 0 Buttermilk, 0 Everett Rd.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PC (Planned Commercial) CA (General Business) & AG (Agricultural)
Former Zoning:
Requested Zoning: CB (Business and Manufacturing) & RB (General Residential)
Previous Requests: 1-L-89-RZ, 3-B-94-RZ, 3-O-94-RZ, 11-S-95-RZ & 6-A-99-RZ
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: O (Office) & AG (Agricultural)
Requested Plan Category: GC (General Commercial) & MDR (Medium Density Residential)

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: Liz Albertson

Staff Recomm. (Abbr.): Deny CB and RB because it is not consistent with the Northwest County Sector Plan or the surrounding development and could cause adverse impacts to neighboring properties.

Staff Recomm. (Full):

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. There have been no recent, significant changes in this area that would prompt a rezoning.
2. Previous attempts to rezone the area to CB in 1994 and 1999 both were denied at Planning Commission however, a portion of the area was rezoned to PC (Planned Commercial) on appeal to Knox County Commission in 1994 and 1999.

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

1. The CB (Business and Manufacturing) zone district is intended to provide for a wide range of business and manufacturing uses. The nature of such businesses is to attract large volumes of automobile and truck traffic and to have adverse effects on surrounding properties. Hence, they are not properly associated with, nor compatible with residential or institutional uses or with other uses that require an environment free of noise, odors and congestion. Uses permitted in the CB, Business and Manufacturing Zone are intensive users of roads, sewers and other public facilities.
2. The RB (General Residential) zone district is intended to provide for medium population density. The principal uses of land may range from houses to multi-dwelling structures or developments. Certain uses which are more compatible functionally with intensive residential uses than with commercial uses are permitted. Other related uses in keeping with the residential character of the zone may be permitted on review by the planning commission.
3. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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. This rezoning to CB for approximately 92 acres along Everett Road could have significant adverse impacts due to the higher intensity of commercial uses permitted by the CB zone district. Plan review by the Planning Commission is also not a requirement of the CB zone district, except for a few uses permitted on review, as described in 5.23.03.
2. The rezoning to RB for approximately 26 acres with frontage along Buttermilk Road could have significant adverse impacts due to the increased density of residential development that would be permitted and that would not be in character with the surrounding rural, residential and agricultural areas.
3. Additional truck and car and traffic could cause adverse impacts to the existing road infrastructure, and could adversely impact neighboring property owners and the surrounding rural, agricultural character of the area.
4. Steep slopes and forested hillsides would likely have to have significant clearing and grading to accommodate the uses permitted by a rezoning to CB and RB for this 118 acre area. Images demonstrating the adjacent CB zoned development along El Camino Lane near the I-40 interchange are provided in Exhibit A.

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 current sector plan designation does not support CB (Business and Manufacturing) zoning.
2. The current sector plan designation does not support RB (General Residential) zoning.
3. Amending the Northwest County Sector Plan and rezoning these parcels for more intense commercial and residential uses is not consistent with the adopted plans of Knox County.

Action: Approved **Meeting Date:** 8/13/2020

Details of Action: Approve CB (Business and Manufacturing) and RB (General Residential) zoning.

Summary of Action: Approve CB (Business and Manufacturing) and RB (General Residential) zoning.

Date of Approval: 8/13/2020 **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: 9/28/2020 **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:**