

CASE SUMMARY

APPLICATION TYPE: REZONING

NORTHEAST COUNTY SECTOR PLAN AMENDMENT

File Number: 9-A-12-RZ **Related File Number:** 12-B-12-SP
Application Filed: 6/27/2012 **Date of Revision:**
Applicant: JACK WALKER

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
8 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
w w w • k n o x m p c • o r g

PROPERTY INFORMATION

General Location: Northeast side Tillett Ln., northeast of Corryton Rd.
Other Parcel Info.:
Tax ID Number: 6 M B 00303 OTHER: PORTION ZONED RB **Jurisdiction:** County
Size of Tract: 1.5 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Commercial and vacant
Surrounding Land Use:
Proposed Use: Commercial uses permitted under CR zoning **Density:**
Sector Plan: Northeast County **Sector Plan Designation:** NC and Ag/RR
Growth Policy Plan: Rural Area
Neighborhood Context:

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

Street: 7604 Tillett Ln
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RB (General Residential)
Former Zoning:
Requested Zoning: CR (Rural Commercial)
Previous Requests: None noted
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: NC (Neighborhood Commercial) and AG/RR (Agricultural/Rural Residential)
Requested Plan Category: RC (Rural 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.): RECOMMEND that County Commission APPROVE CR (Rural Commercial) zoning on the recommended portion of the site (See attached MPC recommendation map).

Staff Recomm. (Full): For this site, CR is the most appropriate commercial zone that is permitted within the Rural Area of the Growth Policy Plan. A large portion of the subject parcel is already zoned CA and developed with a business, part of which is in an RB zoned area. The sector plan already proposes neighborhood commercial uses for the portion of the site that is recommended for approval of CR zoning.

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. CR is the most appropriate commercial zone that can be considered for this site, which is located within the Rural Area designation on the Growth Policy Plan, limiting eligible commercial zones.
2. CR zoning will allow expansion of the existing commercial use onto the subject property.
3. CR zoning is not recommended to be extended onto the approximately 70' wide panhandle that makes up the easternmost portion of the site. That width is not large enough to allow for commercial development, in addition to the screening that will be required between it and the adjacent residential zones. There is a residence that is located about 60' north of the panhandle portion of the site. The CR zone requires substantial landscape screening along its perimeter.

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

1. The requested CR zoning district provides the opportunity to locate limited retail and service uses in a manner convenient to outlying rural areas. It is intended to provide for the recurring shopping and personal service needs of nearby rural residential areas. The range of permitted uses is limited to those which are generally patronized on a frequent basis by area residents. Development performance standards are included to maximize compatibility between commercial uses and surrounding rural areas, and to maintain the rural character of these areas.
2. Based on the above description, the recommended portion of the site is appropriate for CR zoning.

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. Public water is available to serve the site. Sanitary sewer is not currently available in the area, but could be extended, if necessary, to serve this site.
2. The proposal will have no impact on schools, and the traffic impact will depend on the type of uses that are proposed.
3. CR zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.

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. With the recommended amendment of the NC area to RC, CR zoning would be consistent with the Northeast County Sector Plan. Staff recommends that the panhandle in the eastern portion of the site, which is designated as Ag/RR on the sector plan and zoned RB, remain unchanged.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map, which limits the types of commercial and other zones that can be proposed. CR is a zone that may be considered within the Rural Area.
3. The recommended zoning change does not present any apparent conflicts with any other adopted plans.

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

Action: Approved **Meeting Date:** 12/13/2012

Details of Action:

Summary of Action: RECOMMEND the Knox County Commission APPROVE CR (Rural Commercial) zoning on the recommended portion of the site.

Date of Approval: 12/13/2012 **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: 5/28/2013

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved

Disposition of Case, Second Reading:

If "Other": Postponed to 2/25/13, 3/25/13, 4/29/13,
5/28/2013

If "Other":

Amendments:

Amendments:

Referred back to MPC to include all of site and be heard with sector plan amendment 12-B-12-SP

Date of Legislative Appeal:

Effective Date of Ordinance: