CASE SUMMARY

APPLICATION TYPE: REZONING

NORTHEAST COUNTY SECTOR PLAN AMENDMENT

File Number: 9-C-12-RZ Related File Number: 9-C-12-SP

Application Filed: 7/20/2012 Date of Revision:

Applicant: ROBERT A. MAPLES



Suite 403 • City County Building 4 0 0 M a i n S t r e e t 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: Southeast side Three Points Rd., southwest of Mascot Rd.

Other Parcel Info.:

Tax ID Number: 51 D B 011 Jurisdiction: County

Size of Tract: 0.45 acres

Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Residence

Surrounding Land Use:

Proposed Use: Commercial use Density:

Sector Plan: Northeast County Sector Plan Designation: Low Density Residential

Growth Policy Plan: Planned Growth Area

Neighborhood Context:

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

Street: 8532 Three Points Rd

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RA (Low Density Residential)

Former Zoning:

Requested Zoning: CA (General Business)

Previous Requests: None noted

Extension of Zone:

History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)

Requested Plan Category: C (Commercial)

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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 OA (Office Park) zoning. (Applicant requested CA.)

Staff Recomm. (Full): For this site, OA is the most appropriate non-residential zone for the subject property. There is already

a substantial amount of CA zoned land in the vicinity of the site, all of which has direct access to either Mascot Rd. or Old Rutledge Pike, and it is underutilized. OA zoning gives the applicant reasonable

use of the property and establishes a transition between commercial and residential uses.

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. OA is the most appropriate non-residential zone for this site, which only has access to Three Points Rd., a local residential street.
- 2. CA zoning is not appropriate at this location because of the limited access from a local street only, and because there are numerous other properties in the area that are already zoned CA, and are underutilized. Many of the CA zoned properties in the area are used only for residential purposes at this time.
- 3. Establishment of OA zoning at this location will create a transitional area between commercial and residential uses and will discourage further unnecessary extension of CA zoning to the west along Three Points Rd.

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

- 1. The requested CA zoning district is for general retail business and services, but not for manufacturing or for processing materials.
- 2. The recommended OA zoning district is intended for office and other uses of similar intensity. It is a zone that is intended to allow uses that are compatible with surrounding residential areas and to serve as a transitional area from residential to other less compatible areas.
- 3. The subject property is more appropriate for OA uses than CA 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. Public water is available to serve the site. Sanitary sewer is available in the area, but may have to 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. Office uses generate much less traffic than commercial uses. Three Points Rd. is too narrow to provide access to commercial uses and is classified as a local street.
- 3. OA 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 from LDR to O, OA zoning would be consistent with the Northeast County Sector Plan. In order to consider the requested CA zoning, the sector plan would have to amended to C.
- 2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
- 3. Approval of these requests could lead to future requests for office, commercial or similar zoning in the surrounding area. Each request would have to be considered on a case by case basis, based on its own merits.

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4. The proposal 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: 9/13/2012

Details of Action:

Summary of Action: RECOMMEND the Knox County Commission APPROVE OA (Office Park)

Date of Approval: 9/13/2012 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: 10/22/2012 Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Approved Disposition of Case, Second Reading:

If "Other":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

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