

▶ **FILE #:** 2-R-06-RZ

AGENDA ITEM #: 68

AGENDA DATE: 2/9/2006

▶ **APPLICANT:** PIPELINE CONSTRUCTION COMPANY

OWNER(S): KENNETH B. & MABEL E. BONDS

TAX ID NUMBER: 72 017 (NORTH PORTION) MAP ON FILE AT MPC

JURISDICTION: County Commission District 8

▶ **LOCATION:** South side Asheville Hwy., west of Patty Rd.

▶ **APPX. SIZE OF TRACT:** 3 acres

SECTOR PLAN: East County

GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)

ACCESSIBILITY: Access is via Asheville Hwy., a major arterial street with 4 travel lanes and a center median within 180' of right of way.

UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board

▶ **PRESENT ZONING:** A (Agricultural)

▶ **ZONING REQUESTED:** CB (Business and Manufacturing)

▶ **EXISTING LAND USE:** Residence and vacant land

▶ **PROPOSED USE:** Utility contractor's office and storage yard

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Asheville Hwy. - Marine and tractor businesses / C-3 (General Commercial)

South: Vacant land / A (Agricultural)

East: Dwelling / A (Agricultural)

West: Dwelling / A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of residential and commercial uses along this 4 lane section of Asheville Hwy. Surrounding zoning includes A, CA, CB, C-3, C-4, RA, I and O-1 zoning.

STAFF RECOMMENDATION:

▶ **APPROVE CB (Business & Manufacturing) zoning.**

CB zoning is compatible with the surrounding zoning pattern, is consistent with the sector plan proposal and is appropriate along a major arterial highway.

COMMENTS:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The recommended CB zoning is compatible with the scale and intensity of the surrounding zoning pattern.
2. There is CB zoned property to the west of the site and CA zoned property to the east on the same side of Asheville Hwy. There is substantial C-3 and C-4 zoning to the north and Industrial zoning to the east.
3. CB zoning will allow the proposed utility contractor's office and storage, which is similar to other uses along Asheville Hwy. in the area.
4. The proposal is consistent with the sector plan designation for the site.

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. Asheville Hwy. is a major arterial street that should have the capacity to handle additional trips that would be generated by commercial development of this site.
3. The recommended CB zoning is compatible with surrounding development and zoning and will have a minimal impact on adjacent properties.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The East County Sector Plan designates this area as a Planned Development Area. CB zoning is acceptable within this mixed use sector plan designation.
2. This site is located within the Urban Growth Area of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This request may lead to future rezoning requests for various uses in the immediate area, consistent with the sector plan proposal for the area.

If approved, this item will be forwarded to Knox County Commission for action on 3/27/2006. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**2-R-06-RZ
REZONING**

Petitioner: Pipeline
Construction Company

Map No: 72

Jurisdiction: County



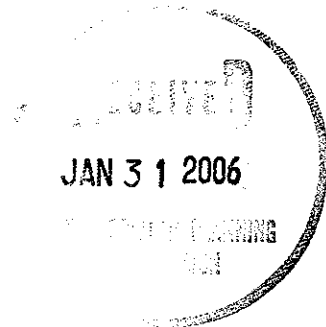
From: A (Agricultural)
To: CB (Business and Manufacturing)

Original Print Date: 01/25/06 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

ANNA MAE PETTY
6712 Ashville Highway
Knoxville, TN 37924

Via Facsimile

Knoxville/Knox County Metropolitan Planning Commission
Suite 403, City/County Building
400 Main Street
Knoxville, Tennessee 37902



Re: MPC Case No 2-R-06-RZ

Dear Ladies and Gentlemen:

I am temporarily out of town and cannot attend the meeting on February 9, 2006. I therefore need to ask for your attention on this matter. This is my home and rezoning this property will have many adverse effects on me. The following are just a few of them:

1. The peace and tranquility that I enjoy now will be gone.
2. The property up for rezoning is not on sewer and the septic on the property cannot be expanded to hold an office full of people, not to mention the waste the manufacturing process will generate.
3. My property values will plummet.
4. The manufacturing process will adversely effect the environment. The increase in noise and pollutants will negatively impact water, gardens and livestock, along with human beings.
5. The properties share a legal single driveway, which was jointly paved and will be destroyed with large trucks and traffic. The access to my home, which is legally recorded and to which I have a right, will be blocked.

I ask that you please reject this rezoning. This is a strip of private residences which will be ruined if this rezoning is allowed to happen.

Thank you for your attention to this matter.

Sincerely,

Anna Mae Petty