



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION  
PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 11-E-08-RZ  
11-A-08-SP

**AGENDA ITEM #:** 66  
**AGENDA DATE:** 11/13/2008

▶ **APPLICANT:** DANIEL BRUCE CROWE  
OWNER(S): CROWE DANIEL BRUCE

TAX ID NUMBER: 47 E B 022  
JURISDICTION: Commission District 7

▶ **LOCATION:** Northeast side Dry Gap Pike, southeast side Cunningham Rd.

▶ **TRACT INFORMATION:** 0.44 acres.

SECTOR PLAN: North County  
GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Dry Gap Pike, a three lane major collector street and Cunningham Rd. a major collector street within a 70' right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District  
Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / A (Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** C (Commercial) / CA (General Business)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Any use permitted by CA zone

EXTENSION OF PLAN DESIGNATION/ZONING: Property to the south and west, across Dry Gap Pike, is designated for commercial use.

HISTORY OF ZONING REQUESTS: None noted for this site; however, property to the south, across Dry Gap Pike, has been rezoned CA for commercial development.

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING  
North: Landscape business / A (Agricultural)  
South: Residence & vacant / A (Agricultural) & CA (General Business)  
East: Residences / A (Agricultural)  
West: Auto repair & convenience store / CA (General Business) & CB (Business & Manufacturing)

NEIGHBORHOOD CONTEXT: This site is in a rural residential area that has developed under A and CA zoning and has recently seen expansion of commercial and residential uses within CA and PR zones.

**STAFF RECOMMENDATION:**

▶ **APPROVE RESOLUTION 11-A-08-SP, amending the North County Sector Plan and recommend County Commission approve the amendment.**

Commercial expansion of this site is consistent with the existing commercial development that has occurred on the other three quadrants of this intersection. The resolution is attached as Exhibit A.

► **RECOMMEND that County Commission APPROVE CA (General Business), consistent with the Sector Plan as amended.**

CA zoning is appropriate at this intersection which has already developed with commercial uses. This site is also located at the intersection of two major collector streets which makes it less appealing for uses allowed under the current agricultural zoning.

**COMMENTS:**

**SECTOR PLAN SPECIFIC COMMENTS:**

**CHANGES OF CONDITIONS WARRENTING AMENDMENT**

**NEW ROAD OR UTILITY IMPROVEMENTS** - Dry Gap Pike and Cunningham Rd. are both classified as major collector streets and can handle the additional traffic generated by development under CA zoning.

**ERROR OR OMISSION IN CURRENT PLAN** - The plan proposes LDR uses for this site, but it is located at the intersection of two major collector streets which makes it less appealing for uses allowed under agricultural zoning. There is an automobile repair shop/convenience store located across Dry Gap Pike zoned CA and CB and in August of 2008, MPC recommended approval to amend the sector plan to commercial on the property to the southwest (8-K-08-RZ/8-F-08-SP).

**CHANGES IN GOVERNMENT POLICY** - MPC approved rezoning the property directly across Dry Gap Pike to the southwest to CA in August of 2008 based on the argument that commercial uses are appropriate at this intersection.

**CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS** - Being located at the intersection of Dry Gap Pike and Cunningham Rd. with the other three quadrants developed with commercial uses, makes this lot less desirable for agricultural development. Commercial uses would provide for more compatible and marketable use for the property.

**REZONING REQUIREMENTS:**

**NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA, OR THE COUNTY GENERALLY:**

1. CA zoning is an extension of the CA and CB zoning across Dry Gap Pike from the subject property.
2. Since the other three corners of the intersection of Dry Gap Pike and Cunningham Rd. are zoned commercial, or operate commercial businesses, the subject property would be more suitable for commercial zoning.

**CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE**

1. The recommended CA zoning is compatible with the scale and intensity of the surrounding zoning pattern. Approval of CA zoning would be consistent with the recently approved CA zoning to the south and the CB zoning to the west across Dry Gap Pike.
2. The recommended CA zoning allows the commercial use of the property in a manner 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. Dry Gap Pike and Cunningham Rd. are both collector streets that have the capacity to handle additional trips that would be generated by commercial development.
3. Approval of the staff recommendation will result in a logical pattern of retail uses around this intersection and provide a logical boundary to discourage support for additional CA zoning extension to the east along Cunningham Rd. and to the south along Dry Gap Pike.

**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

1. The requested North County Sector Plan amendment would need to be approved to permit the requested or recommended CA zone change.
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.

**ESTIMATED TRAFFIC IMPACT:** Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 12/15/2008. 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.

**KNOXVILLE-KNOX COUNTY  
METROPOLITAN PLANNING COMMISSION  
A RESOLUTION AMENDING THE NORTH COUNTY SECTOR PLAN**

*WHEREAS, the Knoxville-Knox County Metropolitan Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make and adopt plans for the physical development of Knoxville and Knox County; and*

*WHEREAS, the Metropolitan Planning Commission pursuant to state statute has prepared the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

*WHEREAS, the Metropolitan Planning Commission has prepared the North County Sector Plan, consistent with the requirements of the General Plan; and*

*WHEREAS, Daniel Bruce Crowe, has submitted an application to amend the Sector Plan from LDR to C for certain property; and*

*WHEREAS, the Metropolitan Planning Commission staff recommended approval of the requested amendment to the North County Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector; and*

*WHEREAS, the Metropolitan Planning Commission, at its regularly scheduled public hearing on 11-13-2008, after consideration of the staff recommendation and testimony from those persons in support and opposed to the sector plan amendment, approved the amendment for the subject property as requested.*

**NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION:**

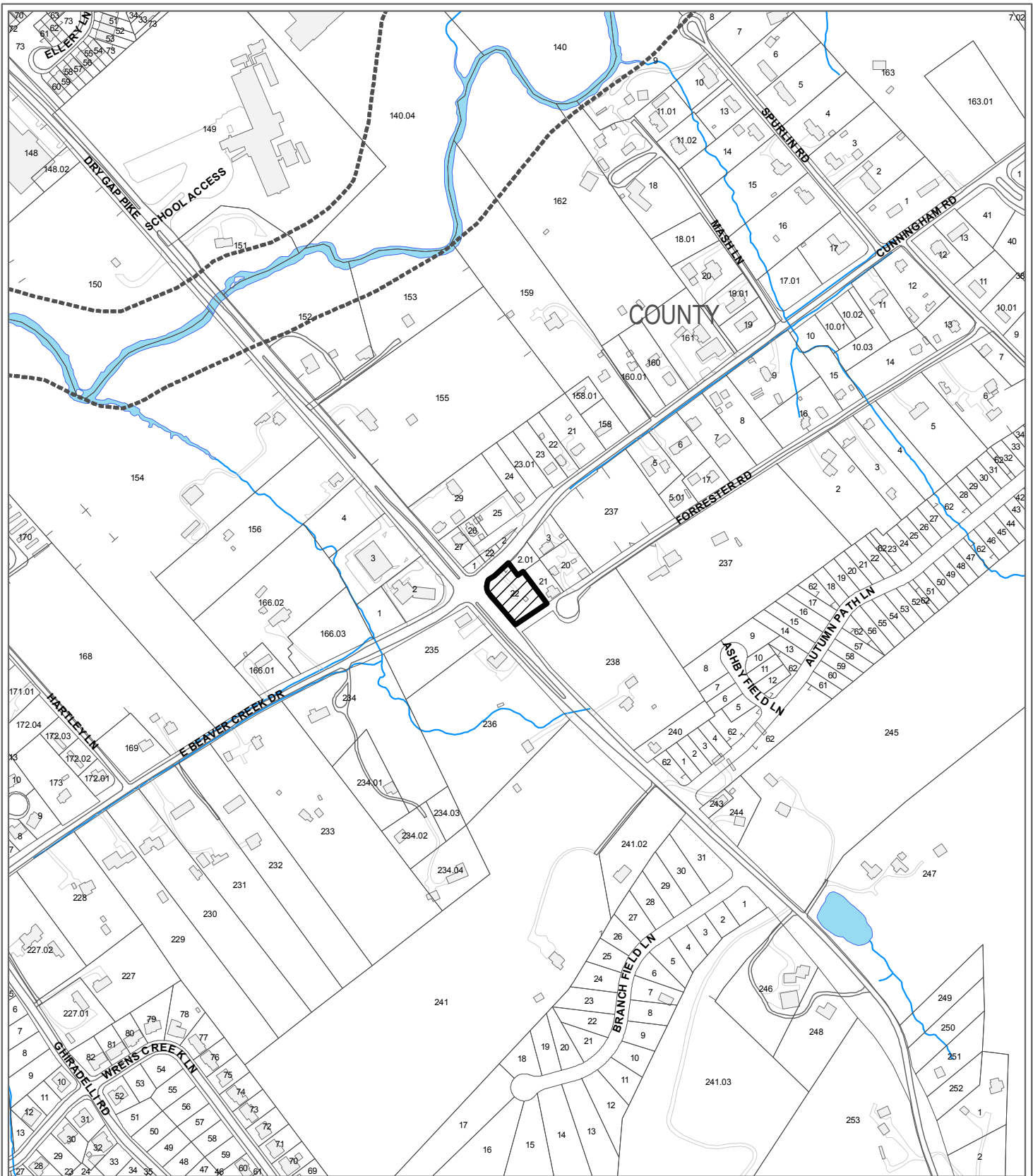
*SECTION 1: The Commission hereby adopts the amendment to the North County Sector Plan, dated, 11-13-2008 with its accompanying, staff report and map, file # 11-A-08-SP.*

*SECTION 2: This Resolution shall take effect upon its approval.*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Chairman*

\_\_\_\_\_  
*Secretary*



**11-A-08-SP / 11-E-08-RZ  
PLAN AMENDMENT**

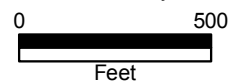
From: LDR (Low Density Residential)  
To: C (General Commercial)



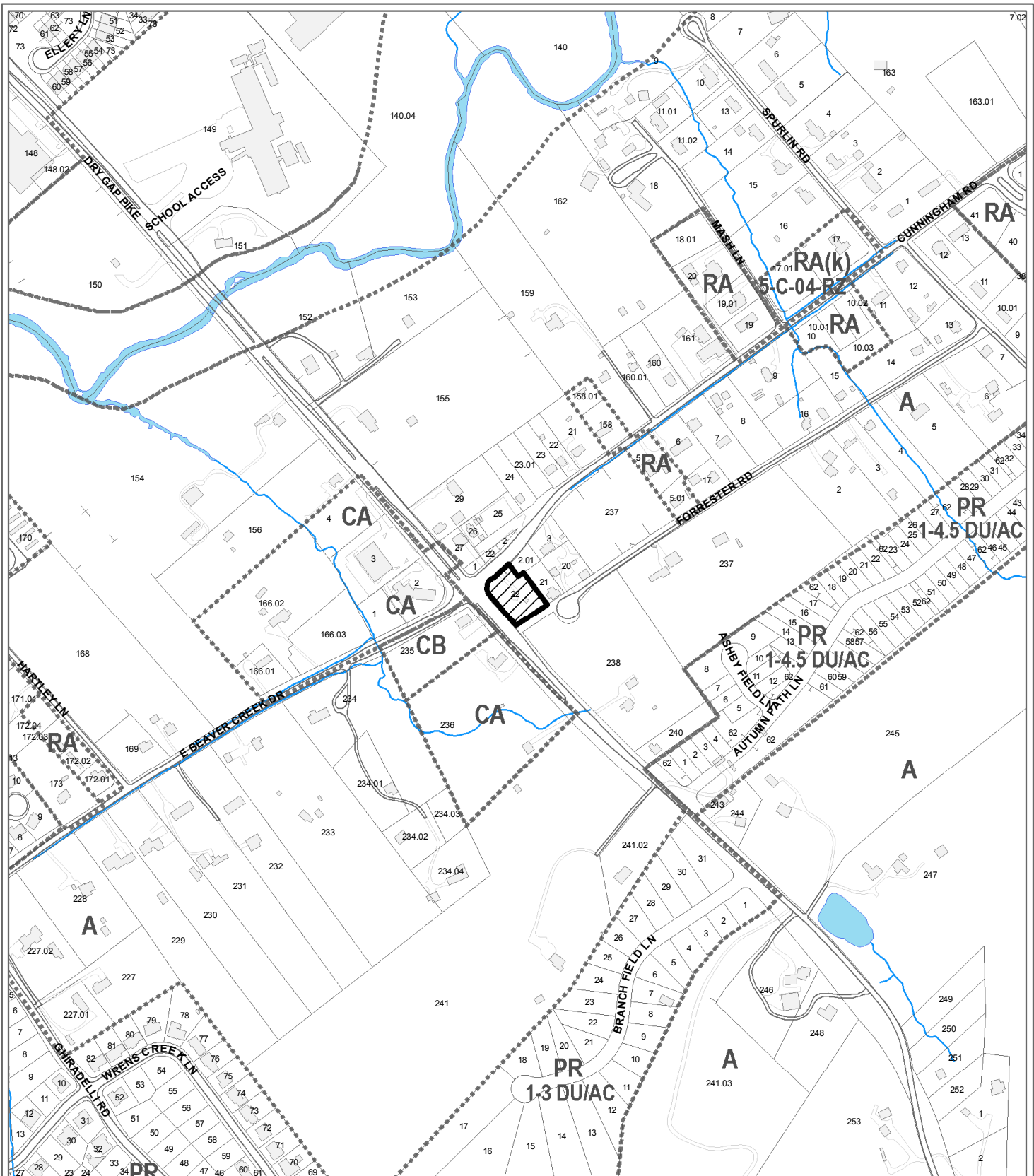
Petitioner: Crowe, Daniel Bruce

Map No: 47

Jurisdiction: County



Original Print Date: 10/28/2008      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



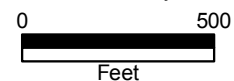
**11-E-08-RZ  
REZONING**

From: A (Agricultural)  
To: CA (General Business)



Petitioner: Crowe, Daniel Bruce

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