



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

File #: 6-A-08-RZ
6-A-08-SP

AGENDA #: 48b
AGENDA DATE: 11/13/2008

APPLICANT: LKM Properties, LP

LOCATION: Southwest side Ellistown Rd., southeast of
Millertown Pike, Commission District 8

TRACT INFORMATION: 0.8 acres

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

PROPOSED PLAN DESIGNATION: NC (Neighborhood Commercial)
PROPOSED ZONING: CA (General Business)

EXISTING LAND USE: Residence

PROPOSED USE: Convenience Store

DATE OF PREVIOUS MPC ACTION: 8/14/2008

PREVIOUS MPC ACTION:
PLAN DESIGNATION: Approved C (Commercial) Plan Designation

ZONING: Recommended CA (General Business) Zoning

COMMENTS:

Effective as of June 13th of this year, certain provisions of Title 13, Chapter 3 of Tenn. Code Ann. were amended by Public Chapter No. 1150. Specifically, T.C.A. 13-3-303 has been amended to require thirty (30) day publication notice prior to the adoption of any amendment to the General Plan. Previously, there was no statutory notice requirement, and the practice in Knoxville and Knox County has been to provide twelve (12) days publication notice, as is set forth in the MPC Administrative Rules and Procedures.

These requests were previously acted upon by MPC after the effective date of the new rule, and without the required thirty (30) day publication notice. As a result, the previous actions by MPC are not valid.

To rectify this situation, this plan amendment and rezoning request has been readvertized consistent with the 30 day requirement for ratification and reconfirmation of the previous MPC action.

**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTHEAST 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, adopt and amend plans for the physical development of Knoxville and Knox County; and*

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

***WHEREAS**, the Council of the City of Knoxville and the Commission of Knox County have adopted 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 Knox County Future Land Use Map, a portion of which is contained within the Northeast County Sector Plan, consistent with the requirements of the General Plan; and*

***WHEREAS**, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within sector plans initiated by the Planning Commission or in response to applications from property owners; and*

***WHEREAS**, LKM Properties, LP, has submitted an application to amend the Sector Plan from Low Density Residential to Commercial for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Northeast 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 as enumerated in the Plan; and*

***WHEREAS**, the Metropolitan Planning Commission, at its regularly scheduled public hearing on August 14, 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, and/or amended.*

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

SECTION 1: The Planning Commission hereby adopts the revised amendment to the Northeast County Sector Plan, with its accompanying, staff report and map, file #6-A-08-SP.

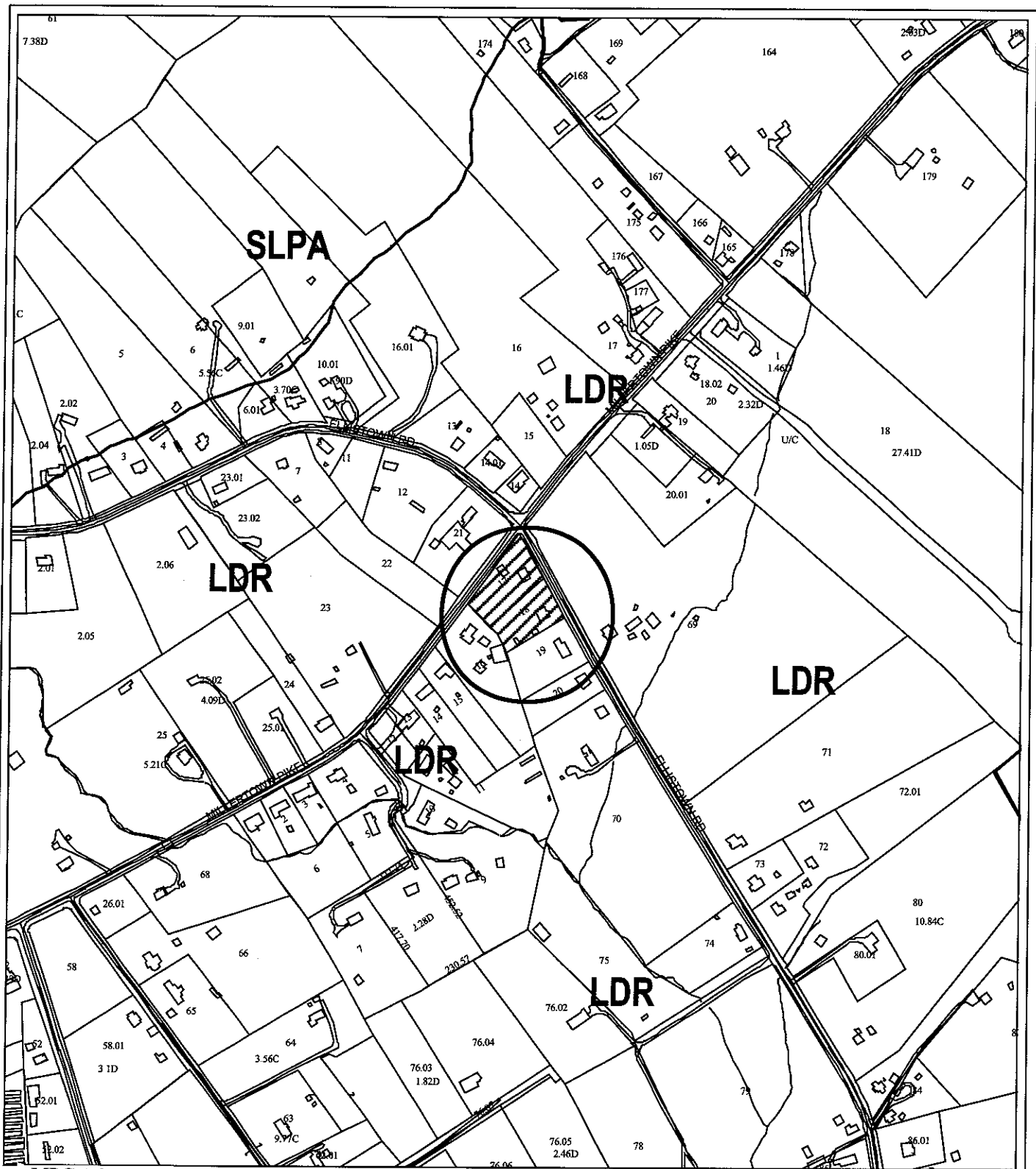
SECTION 2: This Resolution shall take effect upon its approval.

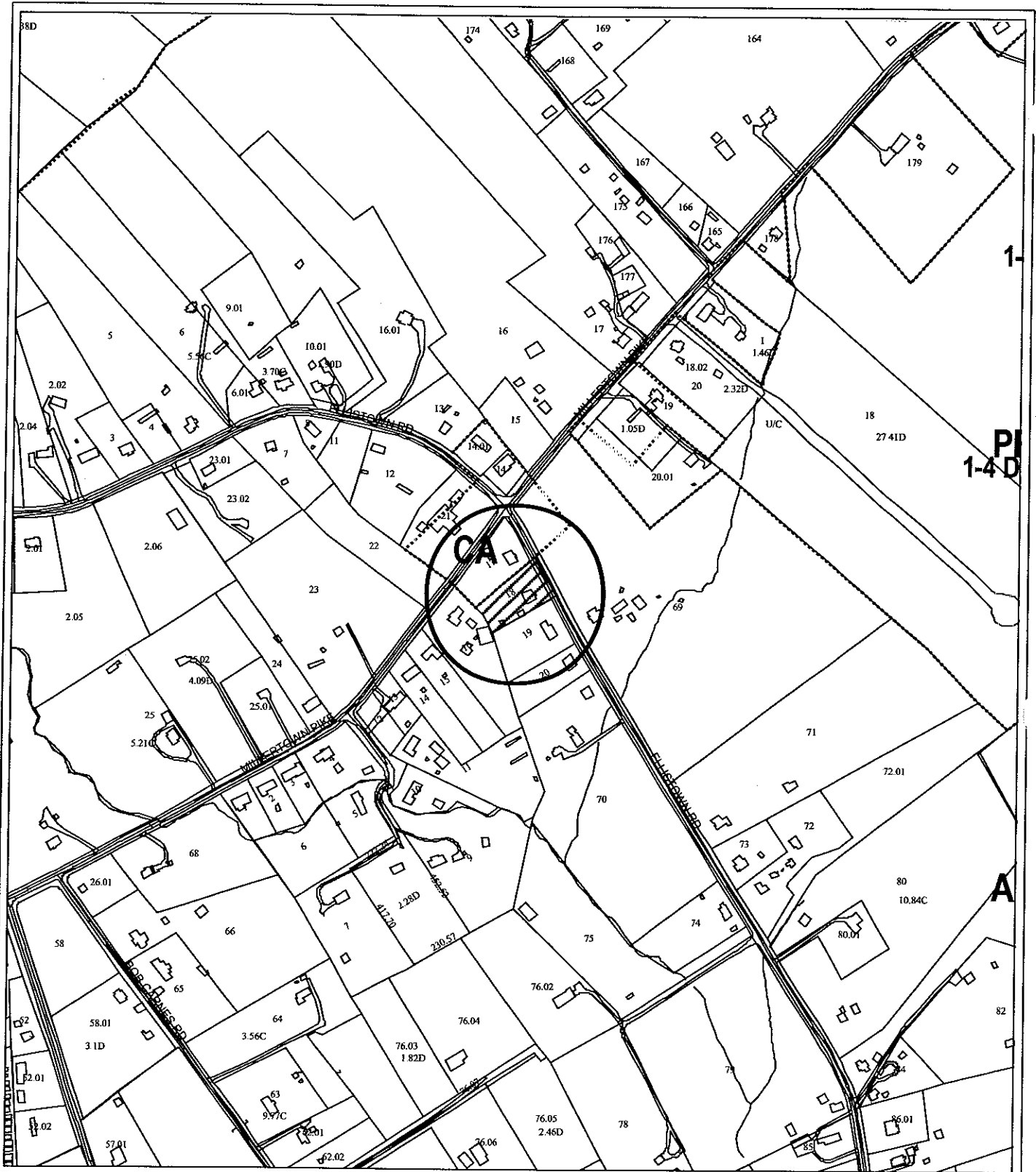
SECTION 3: The Planning Commission further recommends that the Commission of Knox County likewise consider this revised amendment to the General Plan 2033.

Date

Chairman

Secretary





MPC August 14, 2008
 Recommendation:

6-A-08-RZ
 REZONING

Petitioner: LKM Properties, LP

Map No: 51

Jurisdiction: County



From: A (Agricultural)

To: CA (General Business)

Original Print Date: 05/22/08

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, IN 37902

