



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

File #: 9-A-08-RZ
9-A-08-SP

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

APPLICANT: Earl Smith

LOCATION: North side of Middlebrook Pike, south and west of
Grassy Meadow Blvd.

TRACT INFORMATION: 1.2 acres

PRESENT PLAN DESIGNATION: LDR (Low Density Residential) & SLPA (Slope Protection
Area)

PRESENT ZONING: PR (Planned Residential)

PROPOSED PLAN DESIGNATION: O (Office) & SLPA (Slope Protection Area)

PROPOSED ZONING: OA (Office Park)

EXISTING LAND USE: Residence

PROPOSED USE: Any use permitted in the OA zone

DATE OF PREVIOUS MPC ACTION: 9/11/2008

PREVIOUS MPC ACTION:

PLAN DESIGNATION: Approved O/SLPA Plan Designation

ZONING: Recommended OA Zoning with no conditions

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 NORTHWEST 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 Northwest 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, Earl Smith, has submitted an application to amend the Sector Plan from LDR (Low Density Residential) & SLPA (Slope Protection Area) to O (Office) and SLPA (Slope Protection Area) for property described in the application; and

WHEREAS, the Metropolitan Planning Commission staff recommends approval of the requested amendment to the Northwest 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

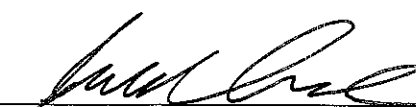
WHEREAS, the Metropolitan Planning Commission, at its regularly scheduled public hearing on September 11, 2008, after consideration of the staff recommendation and testimony from those persons in support and opposed to the sector plan amendment, approved the amendment for the subject property, as requested,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

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

SECTION 1: The Planning Commission hereby adopts the amendment to the Northwest County Sector Plan, with its accompanying, staff report and map, file #9-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 amendment to the General Plan 2033.

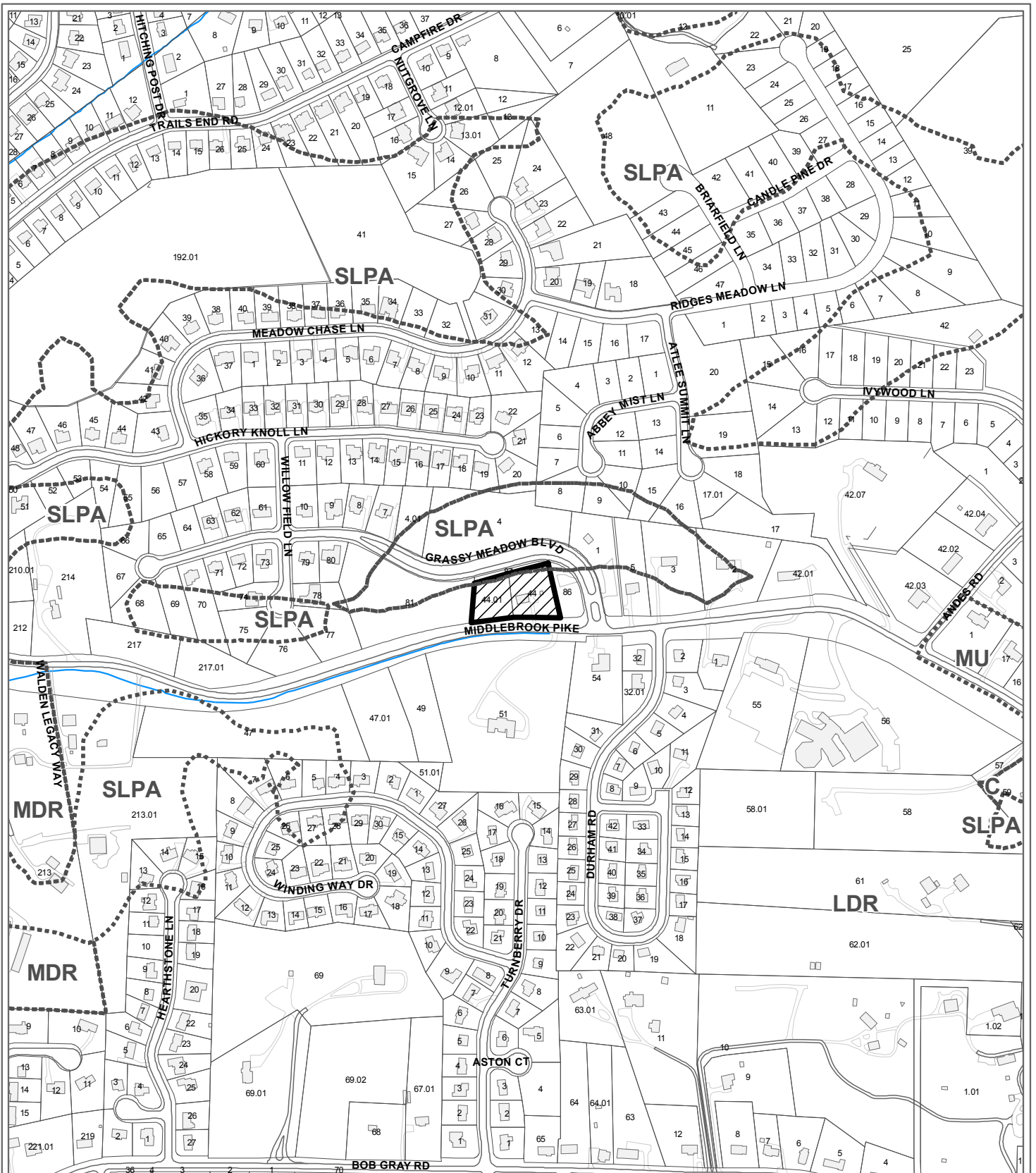


Vice-Chairman

9/11/2008
Date



Secretary



**9-A-08-SP
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

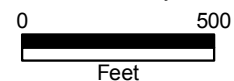
From: LDR (Low Density Residential) & SLPA (Slope Protection Area)
 To: O (Office) & SLPA (Slope Protection Area)



Petitioner: Smith, Earl

Map No: 105

Jurisdiction: County



Original Print Date: 8/19/2008
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:



**9-A-08-RZ
REZONING**

From: PR (Planned Residential)

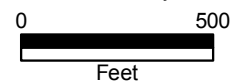
To: OA (Office Park)



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