

▶ **FILE #:** 4-G-09-RZ

AGENDA ITEM #: 46

AGENDA DATE: 4/9/2009

▶ **APPLICANT:** **BILL GEORGE ESTATE**

OWNER(S): GEORGE BILL ESTATE PHYLLIS A TRUSTEE

TAX ID NUMBER: 29 021NORTHWEST OF CREEK

JURISDICTION: County Commission District 7

▶ **LOCATION:** **Southeast side Maynardville Pike, southwest side Quarry Rd.**

▶ **APPX. SIZE OF TRACT:** **37.72 acres**

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Maynardville Pike, a two-lane major arterial street with 45' within a 100' right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** **PC (Planned Commercial)**

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

▶ **EXISTING LAND USE:** **Vacant land**

▶ **PROPOSED USE:** **Commercial development**

EXTENSION OF ZONE: No

HISTORY OF ZONING: Property was zoned PC in 2003. (5-B-03-RZ)

SURROUNDING LAND USE AND ZONING: North: Maynardville Pike and vacant land / A and CA Commercial

South: Creek and vacant land / PC/F and A Agricultural

East: Quarry Rd. and vacant land /A and CA Commercial

West: Maynardville Pike, vacant land and businesses / PC and CB Commercial

NEIGHBORHOOD CONTEXT: This vacant property is part of an emerging commercial core extending along both sides of Maynardville Pike southwest of Quarry Rd within CA, CB and PC zones

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission DENY CB (Business and Manufacturing) zoning**

The staff believes that the current PC (Planned Commercial) zone is the most appropriate zone for the commercial development of this 30+ acre tract. In fact a large scale retail shopping center was approved under the current PC zone for this site and a revised plan of the site is currently under consideration by MPC .

COMMENTS:

REZONING REQUIREMENTS:

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

1. The subject property has PC zoning on it and can be developed with a wide range of commercial,

industrial or office uses following MPC approval of a development plan where the potential impact of the uses are reviewed in a public forum. In fact a large scale retail shopping center was approved under the current PC zone for this site and a revised plan of the site is currently under consideration by MPC . The proposed CB (Business and manufacturing) zoning would permit a wide range of commercial uses that would adversely impact the area without any public review of the proposal.

2. A CB zoning on this 30+ acre site would be opening this property to potentially intensive use without an opportunity for the surrounding owners, or the community, to review and comment on the development plan.
3. There are some businesses established along this section of Maynardville Pike within CA, CB and PC zones.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The CB zone, as stated in the zoning ordinance, is for general businesses and manufacturing.
2. CB zoning would allow uses that could have a negative impact on the commercial development, as well as the traffic carrying capacity of this section of the Maynardville Pike. The PC zone, on the other hand, allows a wide range of uses that can be planned and developed in a manner that would ensure compatibility with the surrounding area. The access to Maynardville Pike and the impact on the adjoining creek are two issues that would benefit from the additional public review that the PC zone would afford.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. The proposal will have no impact on schools. The impact to streets would depend on the type and size of commercial use developed.

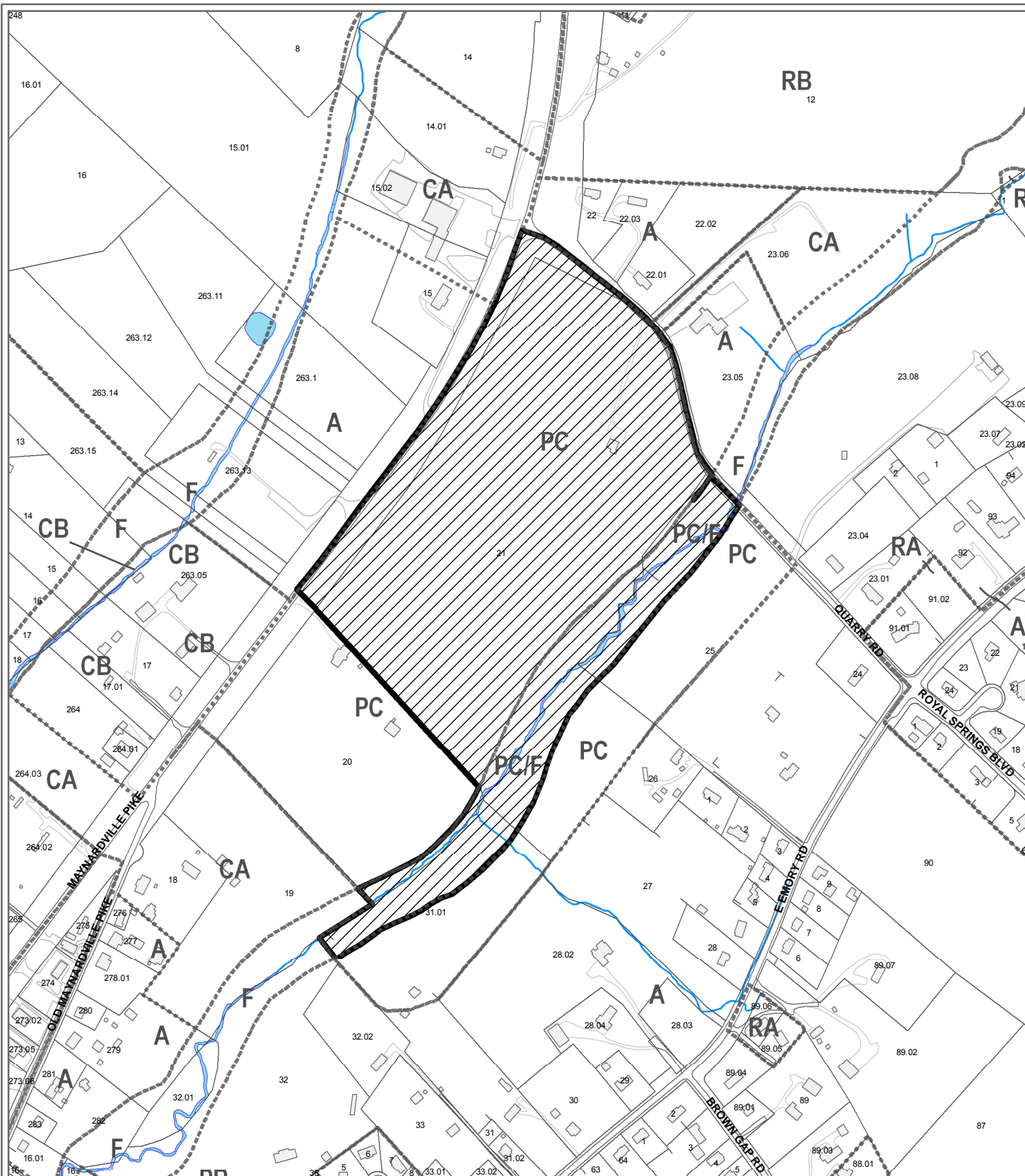
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS:

1. The North County Sector Plan proposes C (Commercial) uses for the site.
2. The site is located within the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. It is expected that the approval of this plan amendment and rezoning would lead to additional, similar requests in this area.

ESTIMATED TRAFFIC IMPACT: Not calculated.

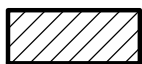
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 5/26/2009. 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.



**4-G-09-RZ
REZONING**

From: PC (Planned Commercial)
To: CB (Business and Manufacturing)



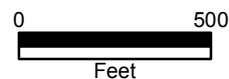
Original Print Date: 3/30/2009
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Bill George Estate

Map No: 29

Jurisdiction: County



From: Ken Pruitt
To: Betty Jo Mahan
Date: 3/27/2009 7:55:33 AM
Subject: Fwd: Bill George Estate on Willow Creek

>>> "Terry Shupp" <terry.shupp@knoxcounty.org> 03/26 11:19 AM >>>
Ken,

In regards to the re-zoning request by the Bill George Estate, #4-G-09-RZ to be heard at the April 9, 2009 meeting; there is community interest in extending the existing Halls Greenway further north along Willow Creek to provide a public access for pedestrian/bicycle travel to Willow Creek Park.

Knox County Parks and Recreation is interested in this connection as a positive addition to the parks and greenway facilities in the Halls community.

As you move forward with the rezoning process with this applicant please let them know of this greenway opportunity. I would be very happy to provide more information or answer any questions they may have regarding the Halls Greenway.

Thank you,
Terry Shupp
Parks & Greenways Coordinator
Knox County Parks and Recreation
865-215-6610 office
865-215-6603 fax

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