



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

**FILE #:** 1-C-09-RZ **AGENDA ITEM #:** 39  
 1-C-09-PA **AGENDA DATE:** 2/12/2009

POSTPONEMENT(S): 1/8/2009

**APPLICANT:** JANICE LOVEDAY  
**OWNER(S):** JOHN D. & GLENDA C. HALL, JR

TAX ID NUMBER: 147 04106  
 JURISDICTION: Council District 1

**LOCATION:** North side W. Governor John Sevier hwy., west of Maryville Pike

**TRACT INFORMATION:** 1 acres.

SECTOR PLAN: South County

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

ACCESSIBILITY: Access is via W. Governor John Sevier Hwy., a three-lane major arterial street with 45' of pavement within a 100' right-of-way

UTILITIES: Water Source: Knox-Chapman Utility District  
 Sewer Source: Knox-Chapman Utility District

WATERSHED: Tennessee River

**PRESENT PLAN DESIGNATION/ZONING:** O (Office) / O-1 (Office, Medical, and Related Services)

**PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial) / C-3 (General Commercial)

**EXISTING LAND USE:** Vacant land

**PROPOSED USE:** Dollar Store

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: Property was zoned O-1 following annexation into the City of Knoxville

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING  
 North: Medical facility / Assisted Living / O/O-1 Office  
 South: Gov. John Sevier Hwy. / LDR/ A Agricultural  
 East: Church / C/ PR & A Agricultural  
 West: Medical facility / O/O-1 Office

NEIGHBORHOOD CONTEXT: This undeveloped site is part of an annexed area partly developed with medical and related facilities that have occurred under O-1 zoning.

**STAFF RECOMMENDATION:**

**ADOPT RESOLUTION # 1-C-09-PA amending the One Year Plan designation from O (Office) to NC (Neighborhood Commercial). Applicant requested GC (General Commercial).**

Neighborhood Commercial designation and C-1 (Neighborhood Commercial) zoning will permit the proposed use with use on review approval and would be compatible with the adjoining office and institutional uses.

► **APPROVE C-1 (Neighborhood Commercial) zoning. Applicant requested C-3 (General Commercial).**

C-1 (Neighborhood Commercial) zoning is a more restrictive zone than the requested C-3 General Commercial) zone, but will permit use on review consideration for a Dollar Store on this site as a Dry Goods Store.

**COMMENTS:**

**NEED AND JUSTIFICATION FOR THE PROPOSAL**

- 1.The NC (Neighborhood Commercial) One Year Plan designation allows a similar use intensity to the Office designation and provides a more compatible range of uses for the surrounding development than the requested GC (General Commercial) designation.
- 2.The NC designation and C-1 zoning of the subject property will allow consideration of the proposed business under a use-on-review request and are consistent with the established development pattern of the area that includes residential, office, institutional and commercial uses.

**THE EFFECTS OF THE PROPOSAL**

- 1.Public water and sewer utilities are available to the site.
2. Governor John Sevier Hwy. can accommodate the proposed traffic generated from the proposed use.

**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

1. This request represents a one lot extension of the sector plan designation which supports commercial on the adjacent property to the east.
2. Approval of the One Year Plan NC or GC amendment for this property would be an expansion of the sector plan's Commercial designation.
- 3.This site is located within the Urban Growth Area (inside the city) on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**REZONING REQUIREMENTS:**

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

1. The proposed NC designation and C--1 zoning are compatible with the scale and intensity of the surrounding development and zoning pattern.
2. The proposed plan designation and zoning are logical extensions from the southeast.
3. There are many adjacent and surrounding properties in the area that are currently designated for commercial uses and zoned CA.

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

1. The C-1 zone, as described in the zoning ordinance, is for neighborhood personal and business services and retail business. The regulations are designed to guide future change so as to discourage formation of future commercial slums, to preserve the carrying capacity of the streets, and to provide for off-street parking and loading. It is not the intent of this district to encourage the extension of existing strip commercial areas, but rather to provide concentrations of general commercial activities.
2. Based on the above general intent, this site is appropriate for C-1 development.

**THE EFFECTS OF THE PROPOSAL:**

1. Water and sewer utilities are in place to serve this site.
2. The proposal would have no impact on schools. The impact to the street system would depend on the type and size of the commercial use.

**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

1. The South County Sector Plan proposes commercial uses for the adjacent property to the east.
2. This site is located within the Urban Growth Area (inside the City) on the Knoxville-Knox County-Farragut Growth Policy Plan.
3. Approval of these requests may lead to future requests for commercial uses in the area. Commercial uses are already established on numerous properties in the surrounding area.

**ESTIMATED TRAFFIC IMPACT:** Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 3/10/2009 and 3/24/2009. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.

**KNOXVILLE-KNOX COUNTY  
METROPOLITAN PLANNING COMMISSION  
A RESOLUTION AMENDING THE CITY OF KNOXVILLE ONE YEAR 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 Knoxville One Year 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, Janice Loveday, has submitted an application to amend the One Year Plan from O (Office) to GC (General Commercial) for property described in the application; and*

*WHEREAS, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Knoxville One Year Plan for NC (Neighborhood Commercial), 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 February 12, 2009, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for NC (Neighborhood Commercial) for the subject property, as 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 Knoxville One Year Plan, with its accompanying, staff report and map, file # 1-C-09-PA.*

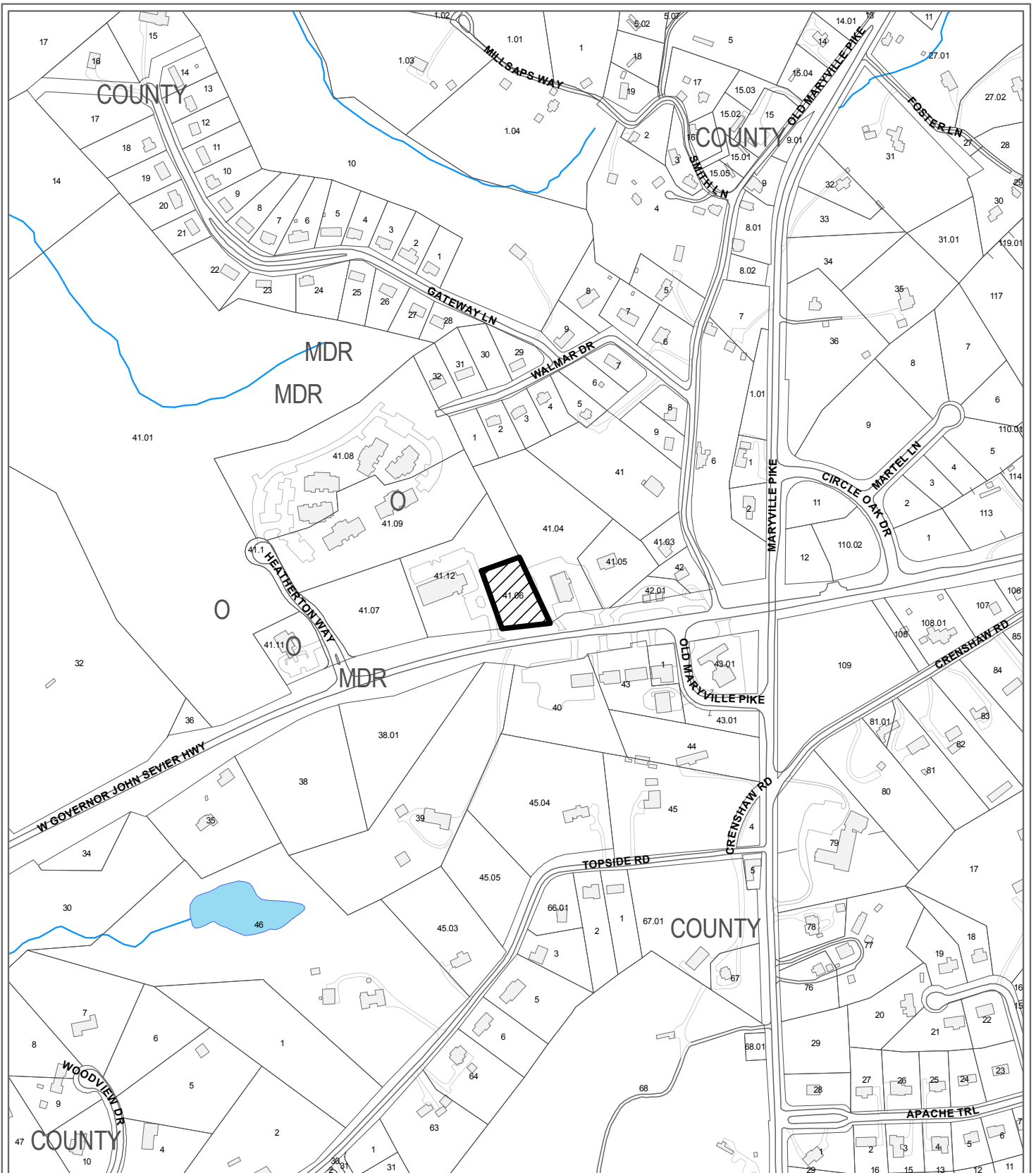
*SECTION 2: This Resolution shall take effect upon its approval.*

*SECTION 3: The Planning Commission further recommends that Knoxville City Council likewise consider this revised amendment to the General Plan 2033.*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary



**1-C-09-PA / 1-C-09-RZ  
PLAN AMENDMENT**

From: O (Office)

To: GC (General Commercial)

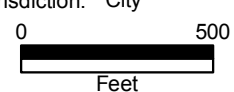


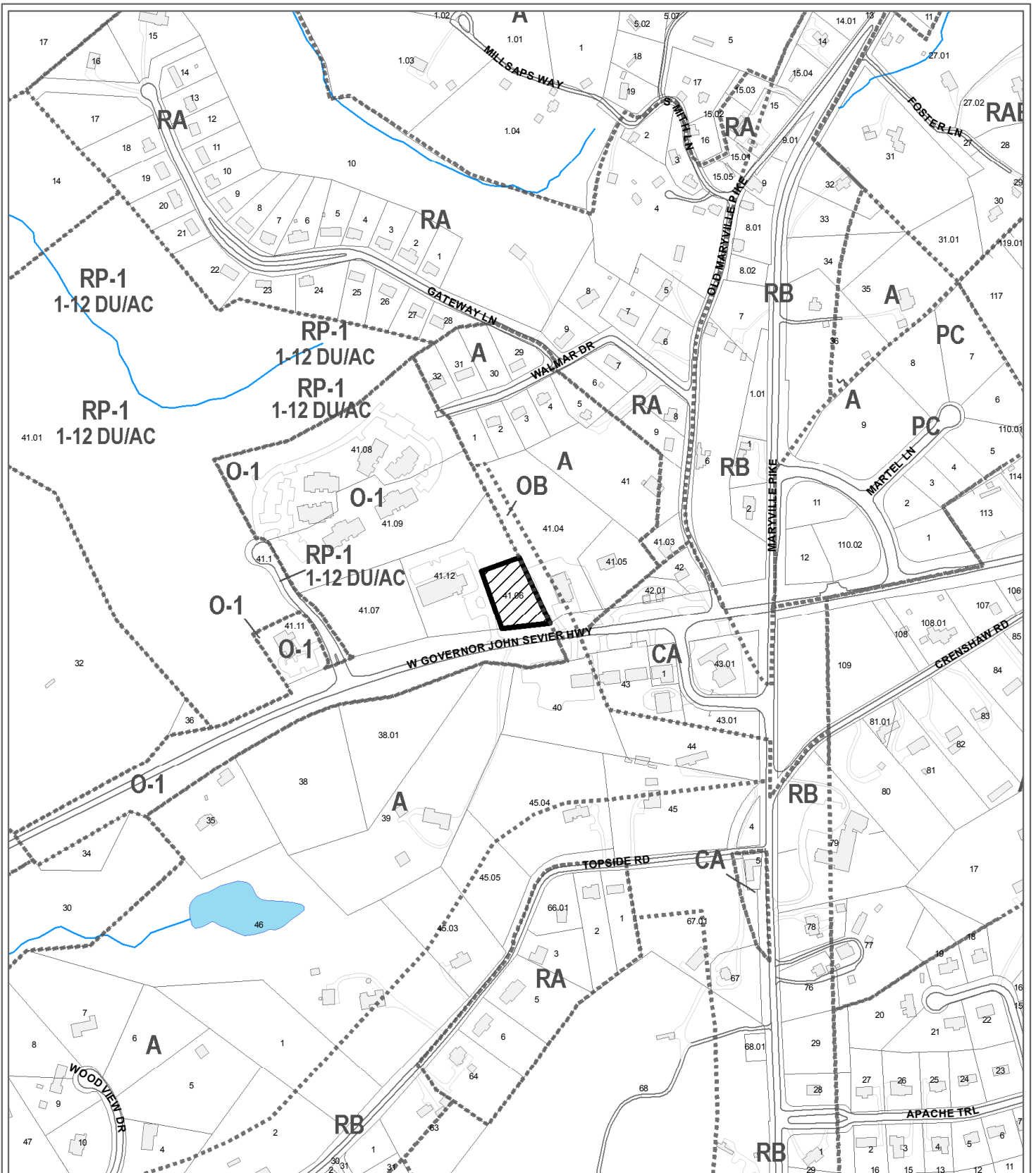
Petitioner: Janice Loveday

Map No: 147

Jurisdiction: City

Original Print Date: 12/23/2008      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902





**1-C-09-RZ  
REZONING**

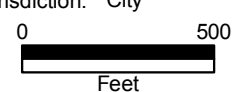
From: O-1 (Office, Medical, and Related Services)  
To: C-3 (General Commercial)



Petitioner: Janice Loveday

Map No: 147  
Jurisdiction: City

Original Print Date: 12/23/2008 Revised:  
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JAN - 8 2009



3113 W. John Sevier Highway Knoxville, TN 37920  
(865) 573-2000

January 7, 2009

TO: Metropolitan Planning Commission


RE: Rezoning of adjacent property -- File 1-C-09-RZ/1-C-09-PA Agenda Item #40

We write this letter to share our concerns and disagreement with the proposed rezoning changes on the piece of property located on the 'North side W. Gov. John Sevier Hwy., West of Maryville Pike' with a Tax ID Number of '147 04106'. We understand that the applicant has requested rezoning this property from its current zoning of 'O' to GC/C-3 (General Commercial). We believe that the possibility to decrease the value of our property along with others in and around our community could have grave effects. We also believe that the C-3 allows for too broad of usage for the surrounding area as well as the property. Through telephone conversations with the 'MPC' we have learned (and confirmed via the online agenda) that it is the 'staff's' recommendation to not zone the property as a C-3 but as a C-1 (Neighborhood Commercial). We have the understanding that this would be more restrictive to keeping the property to a standard of our neighborhood and community. We understand that this would also allow several different forms of retail businesses that are currently not possible under the current zoning.

Our review of this matter has been very quick and not as thorough as we would prefer with our church and leadership due to the holidays. While trying to look out for our congregation and property it would be the most comforting to all to see no current changes to the zoning. We also do not want to harm the current owner and his ability to use his property as he may need. In that thought it is our desire to agree with the recommendation of the 'MPC's staff' in determining a zone of C-1. This should (to our understanding) ensure a quality property and an aesthetically appealing to the community as well. We also understand that once an owner determines that they want to build upon the property that we would have an opportunity to ensure certain standards of the community where being met with the plans of the building and the actual business.

In Closing, we ask the Commission to not vote in favor of the rezoning of stated property to a status of 'C-3'. We prefer it's current zoning yet most of our concerns are dwindled with a status of a 'C-1'. With our understanding we at this time would not voice opposition with rezoning this property as a 'C-1.'

God Bless,

  
Bishop Terry Barnwell  
Senior Pastor

  
JKL

  
Joshua K. Lynn  
Associate Pastor