

▶ **FILE #:** 8-A-09-RZ **AGENDA ITEM #:** 29  
 POSTPONEMENT(S): 8/13/2009 **AGENDA DATE:** 10/8/2009

▶ **APPLICANT:** DAVID L. HURST  
 OWNER(S): JMTRH, LLC

TAX ID NUMBER: 79 046  
 JURISDICTION: County Commission District 6  
 ▶ **LOCATION:** North side Oak Ridge Hwy., northeast of Hazelnut Dr.  
 ▶ **APPX. SIZE OF TRACT:** 0.52 acres  
 SECTOR PLAN: Northwest County  
 GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)  
 ACCESSIBILITY: Access is via Oak Ridge Hwy., a major arterial street with 38' of pavement width within 120' of right of way.  
 UTILITIES: Water Source: Knoxville Utilities Board  
 Sewer Source: Knoxville Utilities Board  
 WATERSHED: Grassy Creek

▶ **PRESENT ZONING:** A (Agricultural)  
 ▶ **ZONING REQUESTED:** CA (General Business)  
 ▶ **EXISTING LAND USE:** Vacant land  
 ▶ **PROPOSED USE:** Car wash  
 EXTENSION OF ZONE: No  
 HISTORY OF ZONING: None noted  
 SURROUNDING LAND USE AND ZONING: North: Houses / A (Agricultural)  
 South: Oak Ridge Hwy. - House / A (Agricultural)  
 East: Houses / A (Agricultural)  
 West: House / A (Agricultural)  
 NEIGHBORHOOD CONTEXT: This area on the north side of Oak Ridge Hwy. and south of Beaver Ridge Rd., is developed with several homes, under A zoning, but is primarily vacant. There is a solid waste collection facility located about 600 feet west of the site, fronting on Oak Ridge Hwy., which is zoned OB.

**STAFF RECOMMENDATION:**

▶ **DENY CA (General Business) zoning.**

A sector plan amendment application is required prior to consideration of the rezoning. The application was postponed for 60 days at the August 13, 2009 meeting to give the applicant time to file the application for a sector plan amendment. This application has not been filed, so this rezoning application can not be considered for approval.

**COMMENTS:**

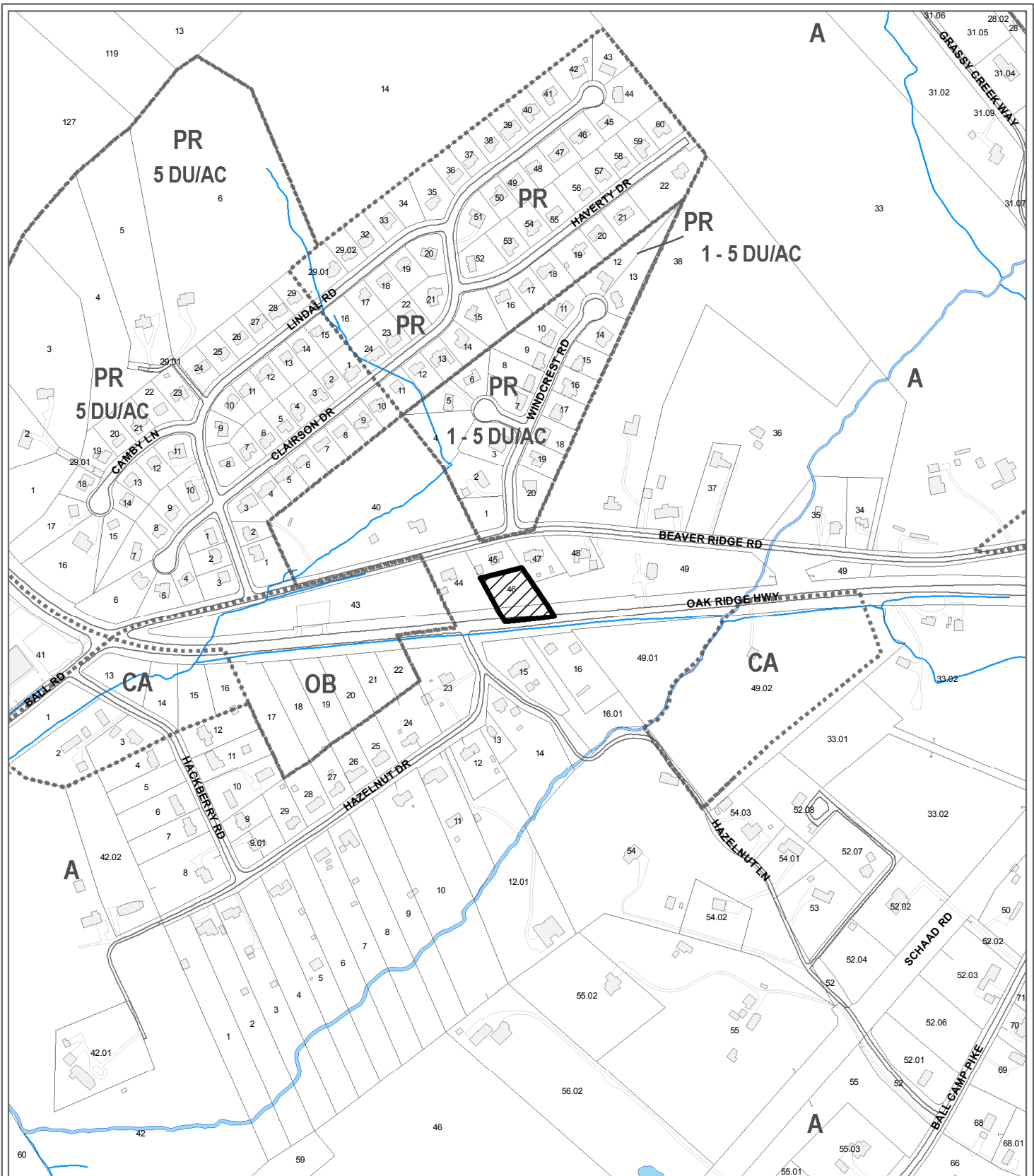
The Northwest County Sector Plan proposes mixed uses for this site. In the text of the plan, it is specified that this area is proposed for office or medium density residential development only. Therefore, a sector plan amendment to C (Commercial) is necessary to accompany this CA zoning request. This sector plan

application was not filed at MPC prior to either deadline date in order to meet plan amendment public notice requirements for the August or September meetings, therefore postponement to the October 8, 2009 MPC meeting was necessary. The standard fee deadline for the October meeting was August 24, 2009. In the August staff report, staff noted that if the application was not submitted by the deadline, it would recommend that the item be removed from the agenda at the October meeting. Procedurally, denial of the application is the only path that staff has to remove the item, without action from the applicant. The applicant has been contacted repeatedly about the required sector plan amendment and has not responded.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 11/16/2009. 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.



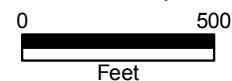
**8-A-09-RZ  
REZONING**

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



Petitioner: Hurst, David L.

Map No: 79  
Jurisdiction: County



Original Print Date: 7/20/2009  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Revised: