



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

▶ **FILE #:** 9-B-09-RZ

AGENDA ITEM #: 31

AGENDA DATE: 9/10/2009

▶ **APPLICANT:** CLINTON R. KING
OWNER(S): KING CLINTON R & EVELYN B

TAX ID NUMBER: 60 126.01 PORTION ZONED RB & PC

JURISDICTION: County Commission District 8

▶ **LOCATION:** Northwest side Rutledge Pike, northeast of Woods Creek Rd.

▶ **APPX. SIZE OF TRACT:** 9.09 acres

SECTOR PLAN: Northeast County

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

ACCESSIBILITY: Access is via Rutledge Pike, a major arterial street with 4 lanes and a center median within 250' of right of way.

UTILITIES: Water Source: Northeast Knox Utility District
Sewer Source: Knoxville Utilities Board

WATERSHED: Woods Creek

▶ **PRESENT ZONING:** RB (General Residential) & PC (Planned Commercial)

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Lumber sales or any use permitted in CB zone

EXTENSION OF ZONE: Yes, extension of CB from the south and east

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Vacant land / RB (General Residential) and A (Agricultural)
South: Rutledge Pike - Businesses / CB (Business & Manufacturing)
East: Cleared, graded site / CB (Business & Manufacturing)
West: House, outbuildings / PC (Planned Commercial)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of commercial, residential and light industrial uses under PC, CA, CB, A, RB and I zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE PC (Planned Commercial) zoning, subject to one condition. (Applicant requested CB.)**

- 1. No clearing, grading of the site prior to development plan approval by MPC.

With the above condition, PC zoning will allow the proposed commercial development of the front portion of the site, while preserving the trees and sloped areas in the rear portion. It will also give MPC the opportunity to review a site plan as a use on review prior to development of the site.

COMMENTS:

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

- 1. The PC zone requires use on review approval of a development plan by MPC prior to construction. This wil

provide the opportunity for staff to review the plan and address issues such as traffic circulation, layout, access, drainage and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.

2. The surrounding area is developed with commercial uses. The adjacent site to the west is also zoned PC. PC zoning is compatible with the scale and intensity of the surrounding development and zoning pattern.
3. The recommended PC zoning is preferable to the requested CB zoning, because it will still allow the proposed commercial use, but will require approval of a site plan by MPC prior to development, while CB would not. This, as well as the recommended condition on zoning, will help to minimize the clearing and grading of the rear portion of the site which is sloped and has a significant tree line in place that should be preserved to minimize impact on residential properties to the north as well as preserving the ridgeline. About 46% of the site has slopes greater than 15%. A slope map, slope analysis, sector plan map and aerial photo are attached to this report to demonstrate the areas of steep slopes and vegetation.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The requested CB zoning provides for a wide range of businesses and manufacturing uses. The nature of such businesses is to attract large volumes of automobile and truck traffic and to have adverse effects on surrounding properties. Hence, they are not properly associated with, nor compatible with residential or institutional uses or with other uses that require an environment free of noise, odors and congestion.
2. Recognizing that the southern portion of the site is appropriate for commercial use, staff is recommending PC zoning as an alternative to CB. This zone will permit the applicant's proposed commercial use, but will require site plan approval of a site plan by MPC prior to development, which will minimize the negative impacts of the development. The PC zone is intended for commercial development that does not require a central business district location. It is the objective of this zone to achieve the highest quality site design, building arrangement, landscaping and traffic circulations possible.
3. Staff maintains that in order to insure preservation of the steep slopes and trees on the ridgeline, that PC zoning, with the recommended condition, is the preferable zoning for development of this site.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. PC zoning will allow the applicant to submit a development plan for MPC's consideration as a use on review
3. The recommended PC zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

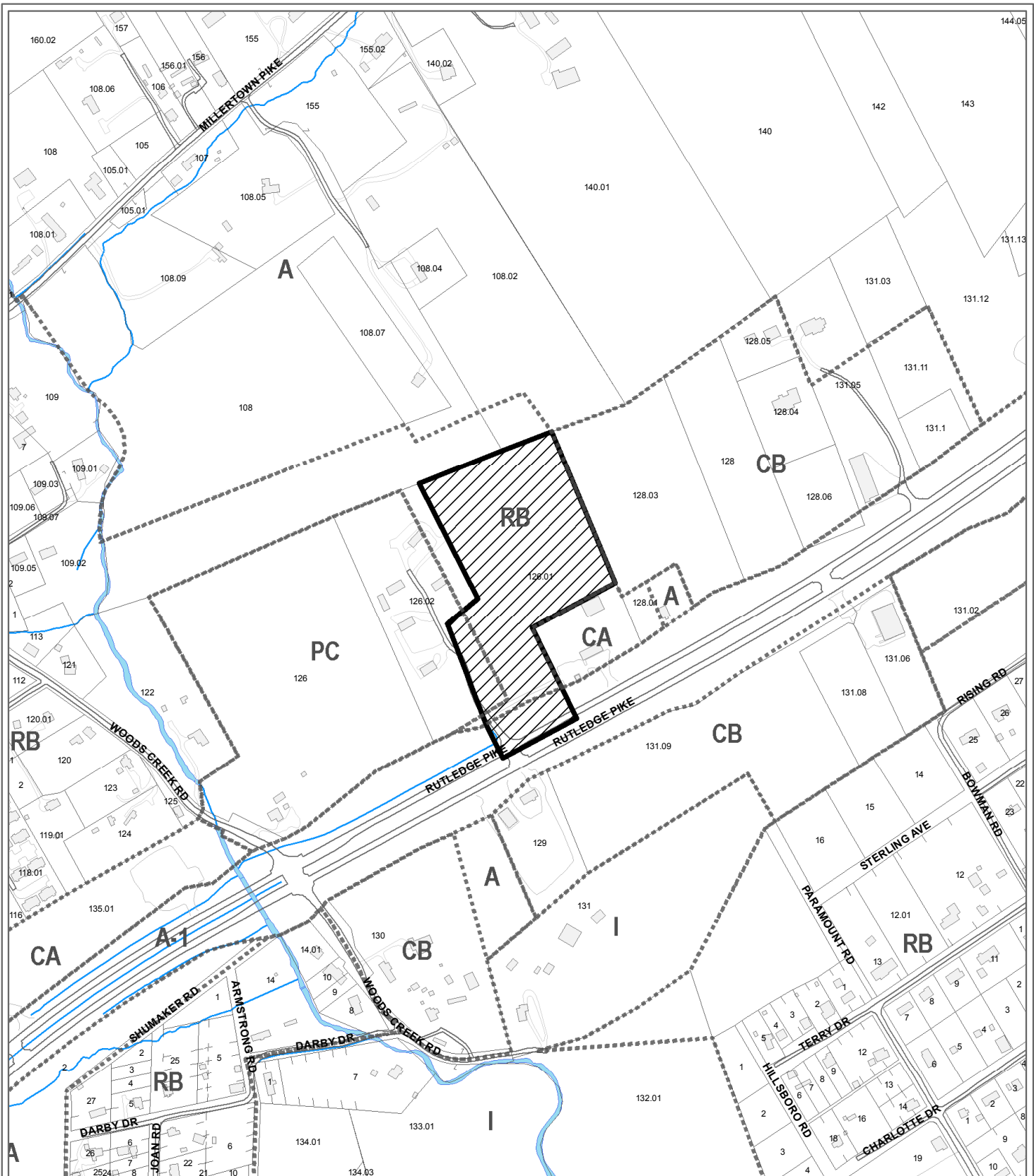
1. The Northeast County Sector Plan proposes commercial uses and slope protection for the site. The recommended PC zoning allows staff to address the slope concerns affiliated with the site.
2. The site is located within the Urban Growth Area of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Upon final approval of the rezoning, the developer will be required to submit a use on review development plan prior to the property's development. The plan will show the property's proposed layout, building location, landscaping, signage and access/traffic circulation and will also identify the types of use/buildings that may be constructed. Grading and drainage plans may also be required at this stage, if deemed necessary by Knox County Engineering and MPC staff.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

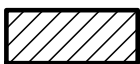
If approved, this item will be forwarded to Knox County Commission for action on 10/26/2009. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**9-B-09-RZ
REZONING**

From: RB (General Residential) & PC (Planned Commercial)

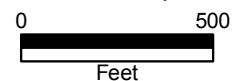
To: CB (Business and Manufacturing)



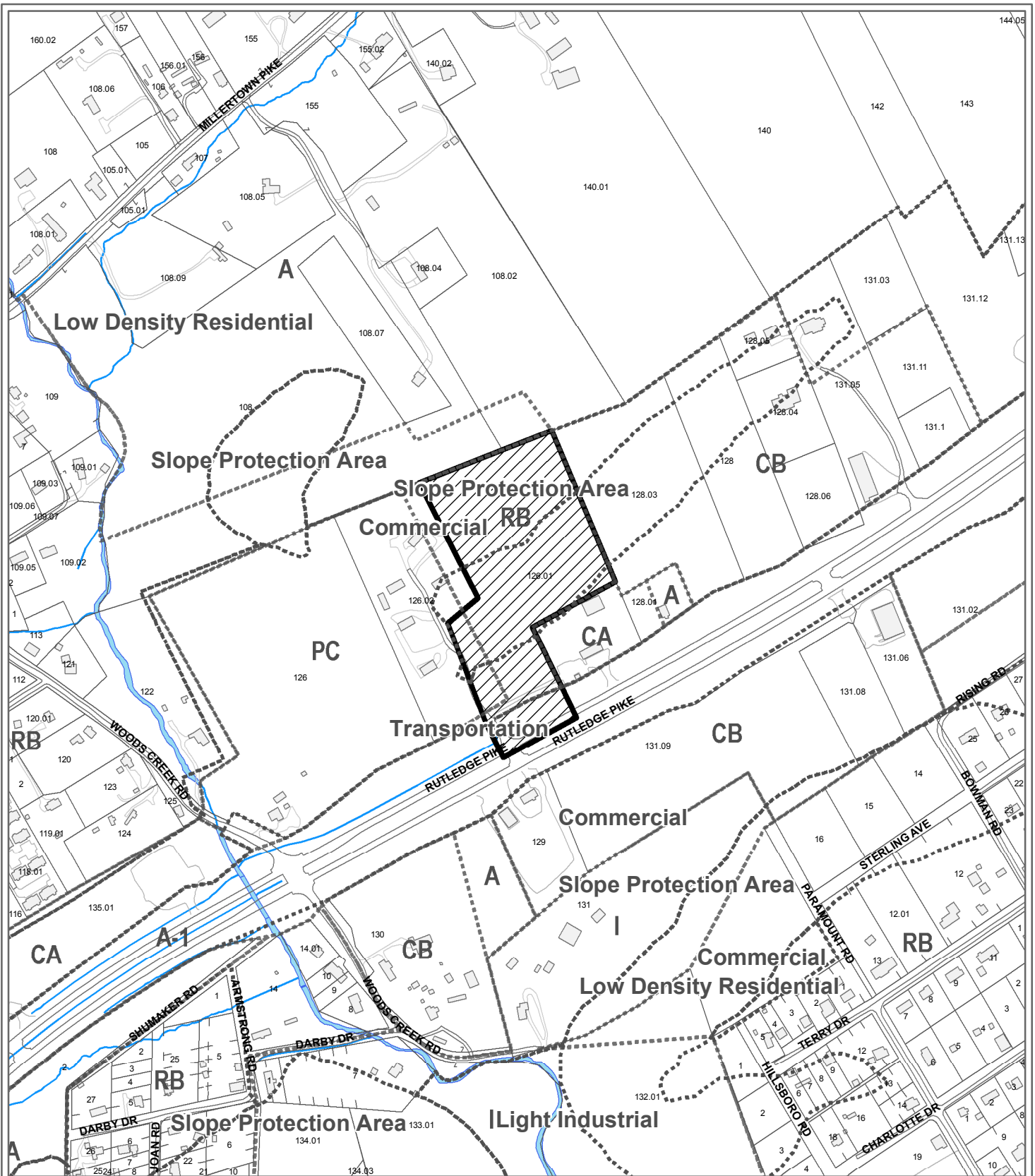
Petitioner: King, Clinton R.

Map No: 60

Jurisdiction: County



Original Print Date: 8/24/2009 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



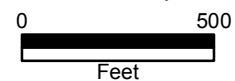
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REZONING**

From: RB (General Residential) & PC (Planned Commercial)
To: CB (Business and Manufacturing)

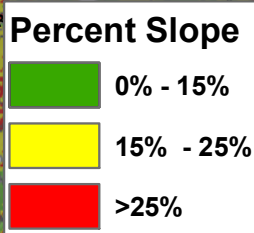
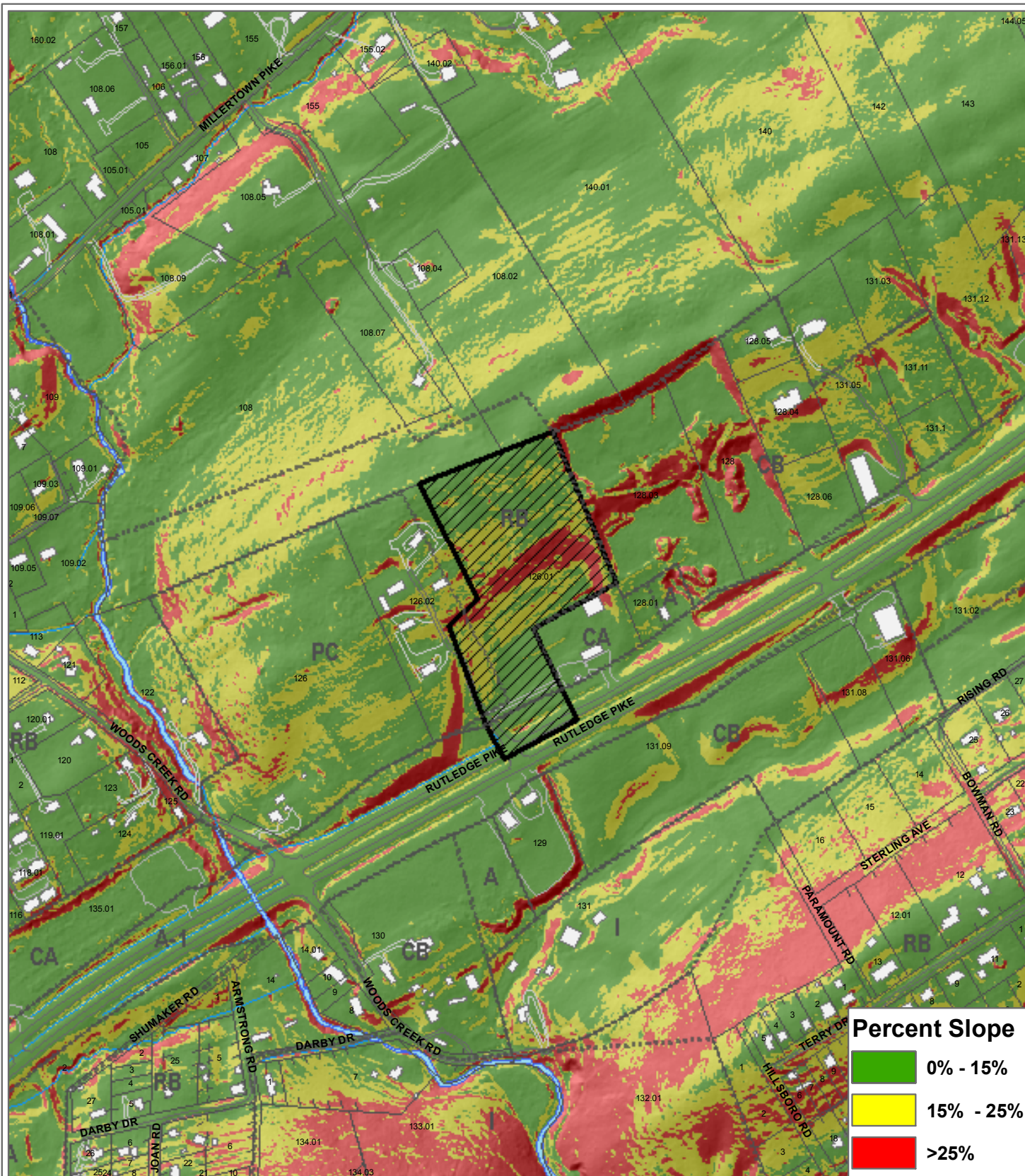


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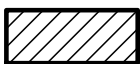


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**9-B-09-RZ
REZONING - SLOPE ANALYSIS**

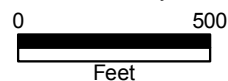
From: RB (General Residential) & PC (Planned Commercial)
To: CB (Business and Manufacturing)



Original Print Date: 8/25/2009 Revised:
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Petitioner: King, Clinton R.

Map No: 60
Jurisdiction: County



9-B-09-RZ Slope Analysis

Slope	GridCode	COUNT	Sum_Acres	Percentage
0-15%	1	9904	5.6841	54.09%
15-25%	2	6056	3.4757	33.08%
>25%	3	2349	1.3481	12.83%
Total Acres			10.5079	100.00%



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Knoxville - Knox County - KUB Geographic Information System



Printed: August 31, 2009



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