

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

▶ **FILE #:** 5-A-10-RZ  
 5-A-10-SP

**AGENDA ITEM #** 42  
**AGENDA DATE:** 5/13/2010

▶ **APPLICANT:** RONALD AND VERNA STOUT  
 OWNER(S): STOUT RONALD HUBERT & VERNA A

TAX ID NUMBER: 29 011  
 JURISDICTION: Commission District 7

▶ **LOCATION:** Southeast side Old Maynardville Pike, east side Maynardville Pike

▶ **TRACT INFORMATION:** 1.09 acres.

SECTOR PLAN: North County  
 GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Old Maynardville Pike, a local street with 24' of pavement width within the 235' right-of-way of Maynardville Pike.

UTILITIES: Water Source: Hallsdale-Powell Utility District  
 Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** C (Commercial) / CA (General Business)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** MDR (Medium Density Residential) / RB (General Residential)

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Residence

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of MDR designation and RB from the east

HISTORY OF ZONING REQUESTS: MPC approved CA zoning for this site on June 11, 1992 (6-F-92-RZ).

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING  
 North: Church / LDR / A (Agricultural)  
 South: House and vacant land / MDR / RB (General Residential)  
 East: Vacant land / MDR / RB (General Residential)  
 West: Maynardville Pike - Vacant land / C / PC (Planned Commercial)

NEIGHBORHOOD CONTEXT: This area is developed primarily with agricultural and rural to low density residential uses under A, RA and RB zoning. To the south and east along Maynardville Pike, there is commercially zoned property (PC and CA), with some commercial development.

**STAFF RECOMMENDATION:**

▶ **ADOPT RESOLUTION #5-A-10-SP, amending the North County Sector Plan to LDR (Low Density Residential) and recommend that Knox County Commission also adopt the sector plan amendment.**

**(See attached resolution, Exhibit A.) (Applicant requested MDR.)**

All of the properties directly fronting on Old Maynardville Pike are designated on the sector plan for low density residential or agricultural/rural residential uses and are zoned Agricultural. A low density residential designation will allow the applicant's proposed use for a residence, but would not allow the multi-dwelling structures that could be permitted under the requested MDR designation. The plan designation being requested is less intense than the current designation.

► **RECOMMEND that County Commission APPROVE RA (Low Density Residential) zoning for the entire site. (Applicant requested RB.)**

RA zoning is more appropriate for this site than the requested RB zoning, will still allow the proposed residence and is a less intense zone than the current CA zoning. RA zoning does not allow development of multi-dwelling structures that would be permitted under RB zoning.

**COMMENTS:**

**SECTOR PLAN REQUIREMENTS:**

**CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:**

**NEW ROAD OR UTILITY IMPROVEMENTS:**

No road or utility improvements have been made recently in the area.

**ERROR OR OMISSION IN CURRENT PLAN:**

The current sector plan proposes commercial uses for the site, consistent with the current CA zoning.

**CHANGES IN GOVERNMENT POLICY:**

The recommended LDR designation is a logical extension of the plan designation from the north, on other properties fronting on Old Maynardville Pike. The medium density residential designated site to the south and east has direct access to Maynardville Pike.

**CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:**

No changes have occurred in this area, but the designation being requested is less intense than the current designation.

**REZONING REQUIREMENTS:**

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

1. This site was originally rezoned CA in 1992 and has been that way since. The applicant's request for RB zoning is for a proposed residence. Either the recommended RA or requested RB zoning are less intense than the current CA zoning.
2. RA zoning will allow the proposed residential use, but will not permit the multi-dwelling structures that would be permitted under the requested RB zoning and does not require a sector plan amendment.
3. There is a large site to the south and east of the subject property that is designated MDR and zoned RB, but it has direct access to Maynardville Pike, which is classified as a major arterial street. This site is accessed from Old Maynardville Pike, which is a local street. The other properties fronting on Old Maynardville Pike to the north are all designated for low density residential uses on the sector plan and are zoned Agricultural.

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

1. RA zoning provides for residential areas with low population densities. These areas are intended to be defined and protected from encroachment of uses not performing a function necessary to the residential environment.
2. RB zoning provides for medium population density. The principal uses of land may range from houses to multi-dwelling structures or developments.
3. Based on the above description, this site is more appropriate for RA zoning.
4. If connected to sewer, the RA or RB zone allows detached residential development with a minimum lot size of 10,000 sq. ft. Without sewer, the minimum lot size is 20,000 sq. ft., subject to approval by Knox County Health Department.

**THE EFFECTS OF THIS PROPOSAL**

1. Public water is available to the site. Sewer utilities are available in the general area, but may have to be extended to serve this site.
2. The proposal would have a minimal impact on schools on streets. The proposed zoning is less intense than the current CA zoning.
3. The impact on surrounding properties will be minimal.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the recommended plan amendment to low density residential, RA zoning is consistent with the North County Sector Plan. In order for the requested RB zoning to be considered the sector plan would have to be amended to MDR.
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of RB zoning for this site could lead to future requests for RB to the north along Old Maynardville Pike, which would not be consistent with the sector plan proposal for low density residential uses in that area.

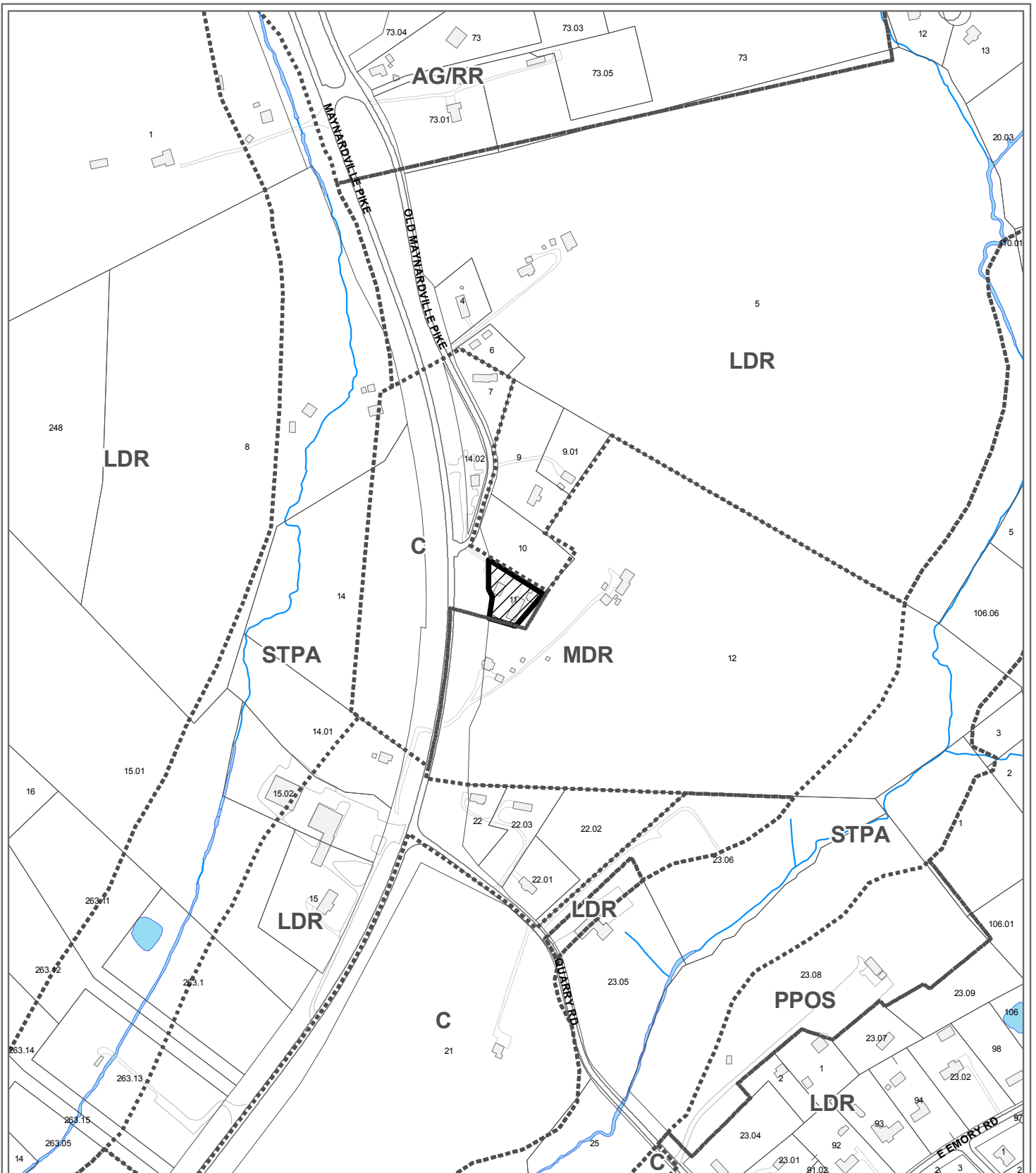
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. New law provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 6/28/2010. 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.



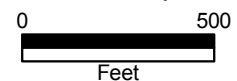
**5-A-10-SP / 5-A-10-RZ  
NORTH COUNTY SECTOR PLAN AMENDMENT**



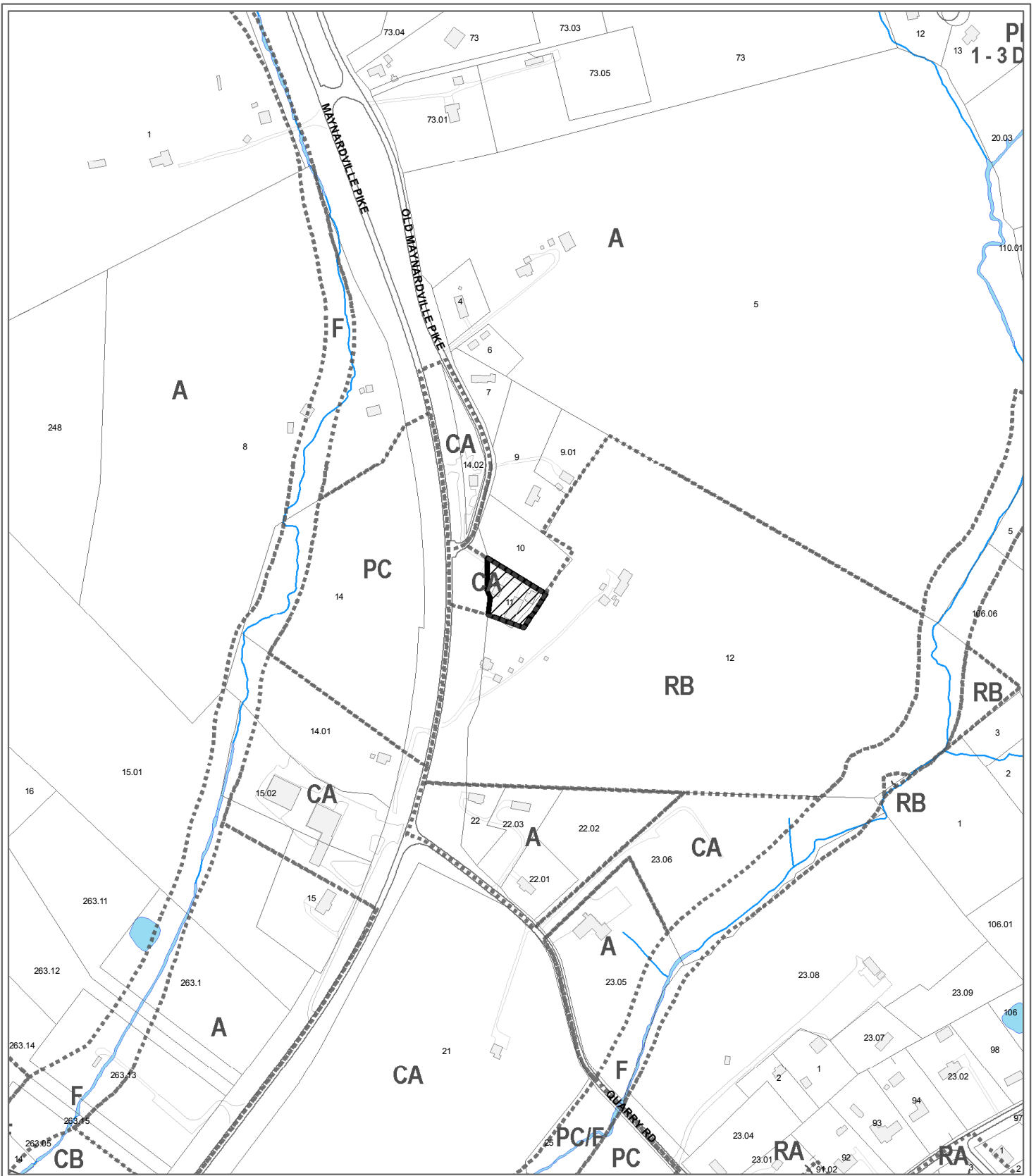
From: C (Commercial)  
To: MDR (Medium Density Residential)

Petitioner: Stout, Ronald and Verna

Map No: 29  
Jurisdiction: County



Original Print Date: 4/14/2010 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



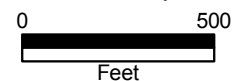
**5-A-10-RZ  
REZONING**

From: CA (General Business)  
To: RB (General Residential)



Petitioner: Stout, Ronald and Verna

Map No: 29  
Jurisdiction: County



Original Print Date: 4/14/2010 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

**KNOXVILLE-KNOX COUNTY  
METROPOLITAN PLANNING COMMISSION  
A RESOLUTION AMENDING THE NORTH 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 North 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**, Ronald & Verna Stout, has submitted an application to amend the Sector Plan from Commercial to Medium Density Residential for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the North 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 May 13, 2010, 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 revised amendment to the North County Sector Plan, with its accompanying, staff report and map, file #5-A-10-SP.*

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

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary