



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

▶ **FILE #:** 6-E-11-RZ
6-C-11-SP

AGENDA ITEM #: 26
AGENDA DATE: 6/9/2011

▶ **APPLICANT:** WILLIAM L. LUNSFORD
OWNER(S): William L. Lunsford

TAX ID NUMBER: 48 043 PORTION ZONED RB
JURISDICTION: Commission District 7

▶ **LOCATION:** Northeast side Old Maynardville Pike, north side Foley Dr.

▶ **TRACT INFORMATION:** 0.42 acres.

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

ACCESSIBILITY: Access is via Old Maynardville Pike, a local street with varied pavement width within 45' of right-of-way, or Foley Dr., a local street with 20' of pavement width within 50' of right-of-way.

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

WATERSHED: Beaver Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / RB (General Residential)

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

▶ **EXISTING LAND USE:** Automobile sales

▶ **PROPOSED USE:** Automobile sales expansion

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of C designation and CA zoning from the north and west

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Antique store and residence / C / CA (General Business) and RB (General Residential)

South: Foley Dr. - Residence / LDR / RB (General Residential)

East: Vacant lot and residence / LDR / RB (General Residential)

West: Old Maynardville Pike - Liquor store / C / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT: The properties fronting on Maynardville Pike in this area are developed with commercial uses, under CA and C-3 zoning. Residential uses are located to the rear of the businesses, zoned RB.

STAFF RECOMMENDATION:

► **ADOPT RESOLUTION #6-C-11-SP, amending the North County Sector Plan to C (Commercial) and recommend that Knox County Commission also adopt the sector plan amendment. (See attached resolution, Exhibit A.)**

Several of the properties surrounding the subject parcel are used for commercial uses, under CA and C-3 zoning. The properties to the north and west are zoned commercial. A commercial designation will allow the applicant to pursue CA zoning to expand the existing auto sales business. The site meets the locational criteria for the C designation in the sector plan, as well as certain criteria for amending the sector plan. The commercial plan designation must be approved in order to consider CA zoning for the site.

► **RECOMMEND that County Commission APPROVE CA (General Business) zoning with 2 conditions.**

1. No access to the site shall be taken from Foley Dr.
2. A Type "A" landscape screen (see attached) must be installed along the entire Foley Dr. (southern) and eastern sides of the property prior to establishing commercial operations in the now RB-zoned area.

With the conditions noted above, CA zoning for this site will be compatible with surrounding development and zoning. The proposal is an extension of zoning from the west. The proposal will establish one zoning over the entire parcel.

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 entire property to the north, which extends the same depth into the residential area as the subject property. The sector plan does not recognize the existing CA zoning on the front of this property.

CHANGES IN GOVERNMENT POLICY:

The recommended C designation will bring the plan designation into consistency with the current CA zoning and use on the front portion of this site.

CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:

This area along Maynardville Pike has been developed primarily with commercial uses that are compatible with the proposed use and zoning.

REZONING REQUIREMENTS:

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

1. The applicant proposes to extend the CA east to include the entire parcel.
2. The proposal is an extension of zoning from the west and is compatible with surrounding land uses. Several of the surrounding properties are developed with commercial uses, including a convenience store, antique shop and a liquor store.
3. A used car sales business is already in place at the front of this site and the entire parcel is paved.
4. The recommended conditions will minimize the impact of this proposal on adjacent residential properties.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The requested CA zoning district is for general retail business and services, but not for manufacturing or for processing materials.
2. Based on the above description and intent of CA zoning, this property is appropriate to be rezoned to CA.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to the site.
2. The proposal would have no impact on schools and a minimal impact on streets.
3. There will be a minimal impact on surrounding properties, as the basic use will not change, just expand. With the landscaping condition recommended by staff, the visual impact may be reduced. The entire parcel is already paved and fenced.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the recommended plan amendment to C (Commercial), CA zoning is consistent with the North County Sector Plan.

2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of CA zoning for this site could lead to future similar requests in the area, which may also require sector plan amendments.

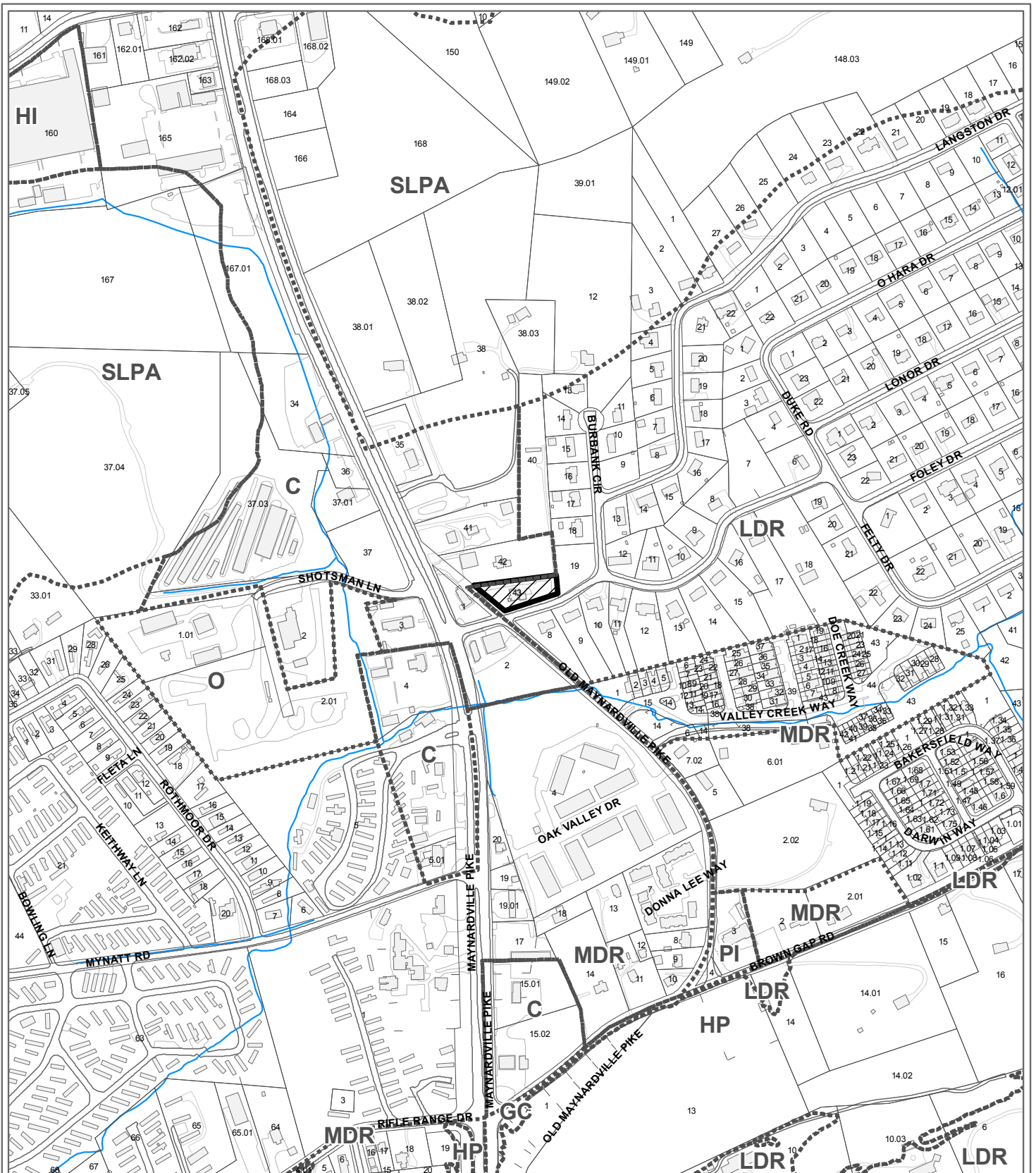
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. New law provides for two methods to amend the plan at TCA 13-3-304:

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 7/25/2011. 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.



**6-C-11-SP / 6-E-11-RZ
NORTH COUNTY SECTOR PLAN AMENDMENT**

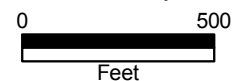
From: LDR (Low Density Residential)
To: C (Commercial)



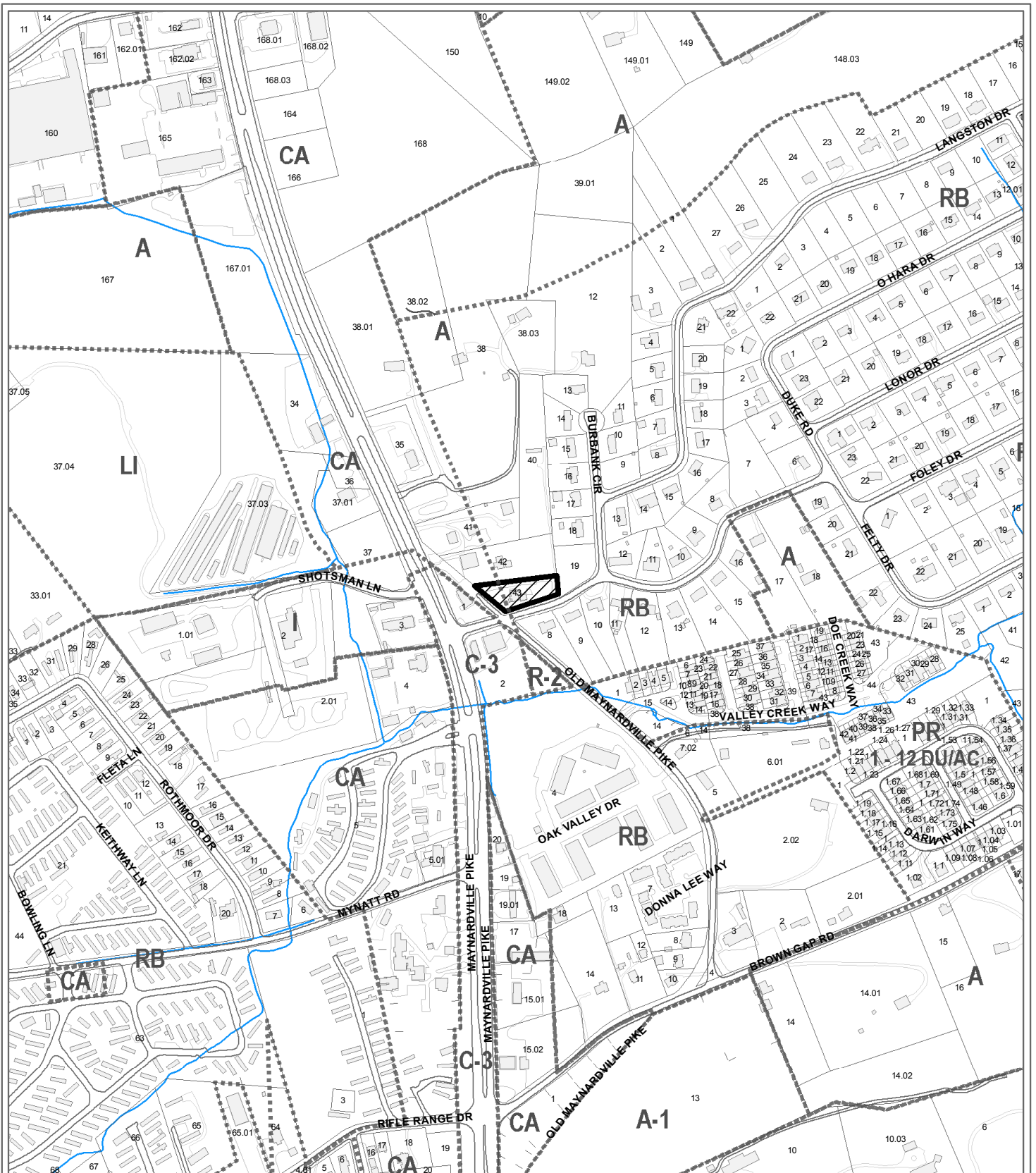
Petitioner: Lunsford, William L.

Map No: 48

Jurisdiction: County



Original Print Date: 5/19/2011 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**6-E-11-RZ
REZONING**

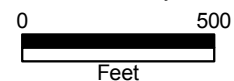
From: RB (General Residential) & CA (General Business)
To: CA (General Business)



Petitioner: Lunsford, William L.

Map No: 48

Jurisdiction: County



Original Print Date: 5/19/2011 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**, William L. Lunsford, has submitted an application to amend the Sector Plan from Low Density Residential to Commercial 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 June 9, 2011, 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 #6-C-11-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

Type "A" Screen: Dense

APPROPRIATE LOCATION: Boundaries of commercial and industrial developments adjoining residential areas

NOTE: Landscape buffer strips should be a minimum of 15 feet in width, and sown with grass or ground cover for their full width, allowing for mulch at the base of plantings.

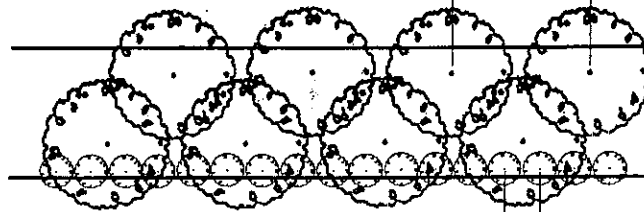
- Two offset rows of deciduous or evergreen canopy trees with a 6 ft. high continuous dense evergreen hedge, fence, wall or earth berm.

TREE HEIGHT
Installed: 8 ft.
Mature: 40 ft.

SHRUB HEIGHT
Installed: 4 ft.
Mature: 6 ft.



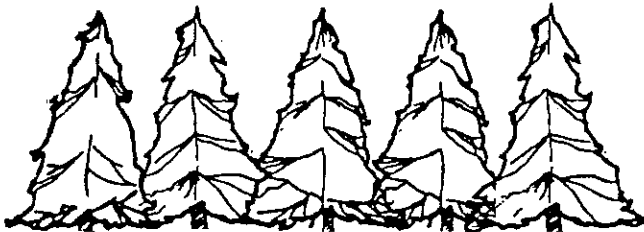
Maximum 16' Centers



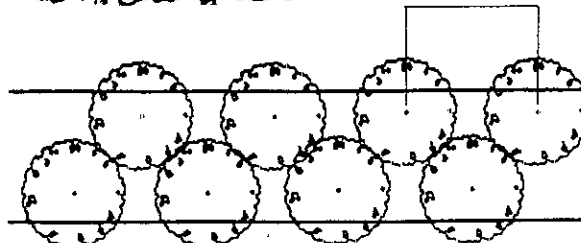
Maximum 4' Centers

- Two offset rows of evergreen trees with branches touching the ground

TREE HEIGHT
Installed: 8 ft.
Mature: 30 ft.



Maximum 12' Centers



INTRODUCTION

Landscape screening reduces the impact of intense development upon adjacent land uses by providing visual separation, reducing the transmission of glare and air pollution, and limiting access. Screening also promotes the aesthetic appeal of a neighborhood and promotes higher property values.

This series of design guidelines defines several types of landscape screen. Each type is applicable to a certain intensity of conflict between adjacent land uses. Each screen type is illustrated by several planting schemes with an equivalent height, density and opacity of landscaping.

MPC uses these guidelines to illustrate desirable levels of screening appropriate to various site planning situations. Creative alternatives which achieve a comparable effect are encouraged.

Contact persons:

- Dan Kelly

- ~~Quentin Stevens~~

MPC

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The contents of these guidelines are advisory and are intended to supplement, but not replace, the requirements of the Knoxville Zoning Ordinance and the Knox County Zoning Ordinance.

June 1996