

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

▶ **FILE #:** 10-B-12-SP

**AGENDA ITEM #:** 27

**AGENDA DATE:** 10/11/2012

▶ **APPLICANT:** METROPOLITAN PLANNING COMMISSION

OWNER(S): Bobby Baird

TAX ID NUMBER: 68 04201, 085 PORTION OF 43 ZONED C-3

JURISDICTION: Council District 3 and Commission District 7

▶ **LOCATION:** Southwest side Primus Rd., northwest of Murray Dr.

▶ **APPX. SIZE OF TRACT:** 9.5 acres

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Primus Rd., a local street with 21' of pavement width within 100' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Knob Fork Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** LDR (Low Density Residential) / C-3 (General Commercial), A (Agricultural) and CA (General Business)

▶ **PROPOSED PLAN DESIGNATION:** C (Commercial)

▶ **EXISTING LAND USE:** Commercial uses and a church

▶ **PROPOSED USE:** Commercial uses

EXTENSION OF PLAN DESIGNATION: Yes, extension of Commercial sector plan designation from the northwest and southeast.

HISTORY OF REQUESTS: The parcel to the southeast at the corner of Primus Rd. and Murray Dr. was amended to commercial on September 13, 2012 (9-B-12-SP).

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Primus Rd. and I-75 R-O-W / TR

South: Vacant land and houses / LDR

East: Vacant lot and house / C, LDR

West: Vacant land / C

NEIGHBORHOOD CONTEXT This site is on Primus Rd, which runs parallel to I-75 with various businesses and a church, zoned C-3, CA and A.

**STAFF RECOMMENDATION:**

▶ **ADOPT RESOLUTION #10-B-12-SP, amending the Northwest City Sector Plan to C (Commercial) and recommend that Knox County Commission and Knoxville City Council also approve the sector plan amendment, to make it operative. (See resolution, Exhibit A.)**

Commercial use in this area is an extension of the existing commercial use to the northwest and southeast. There are commercial uses and zones along Primus Rd. adjacent to I-75, that are not currently recognized on the sector plan. A rezoning to CA and sector plan amendment to commercial were approved by MPC last

month (9-B-12-RZ/9-B-12-SP) for parcel 84 to the southeast on the corner of Primus Rd. and Murray Dr.

**COMMENTS:**

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No known improvements have been made to Primus Rd. or Murray Dr. in the vicinity of this site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The Northwest City Sector Plan does not currently recognize commercial uses and zoning that are in place along Primus Rd. It is staff's opinion that commercial use of these sites is appropriate, and this sector plan amendment will correct the situation. It will allow for commercial rezoning requests without the need for a sector plan amendment.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

There are established commercial uses and zoning along Primus Rd., not recognized on the current sector plan. The presence of the commercial zoning demonstrates that the City Council and County Commission have deemed this area as appropriate for commercial uses.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

The development trend along this Primus Rd. corridor is for non-residential uses. The road runs parallel and adjacent to I-75, and sites have exposure to drivers on the interstate.

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. The law now provides for two methods to amend the plan at TCA 13-3-304:

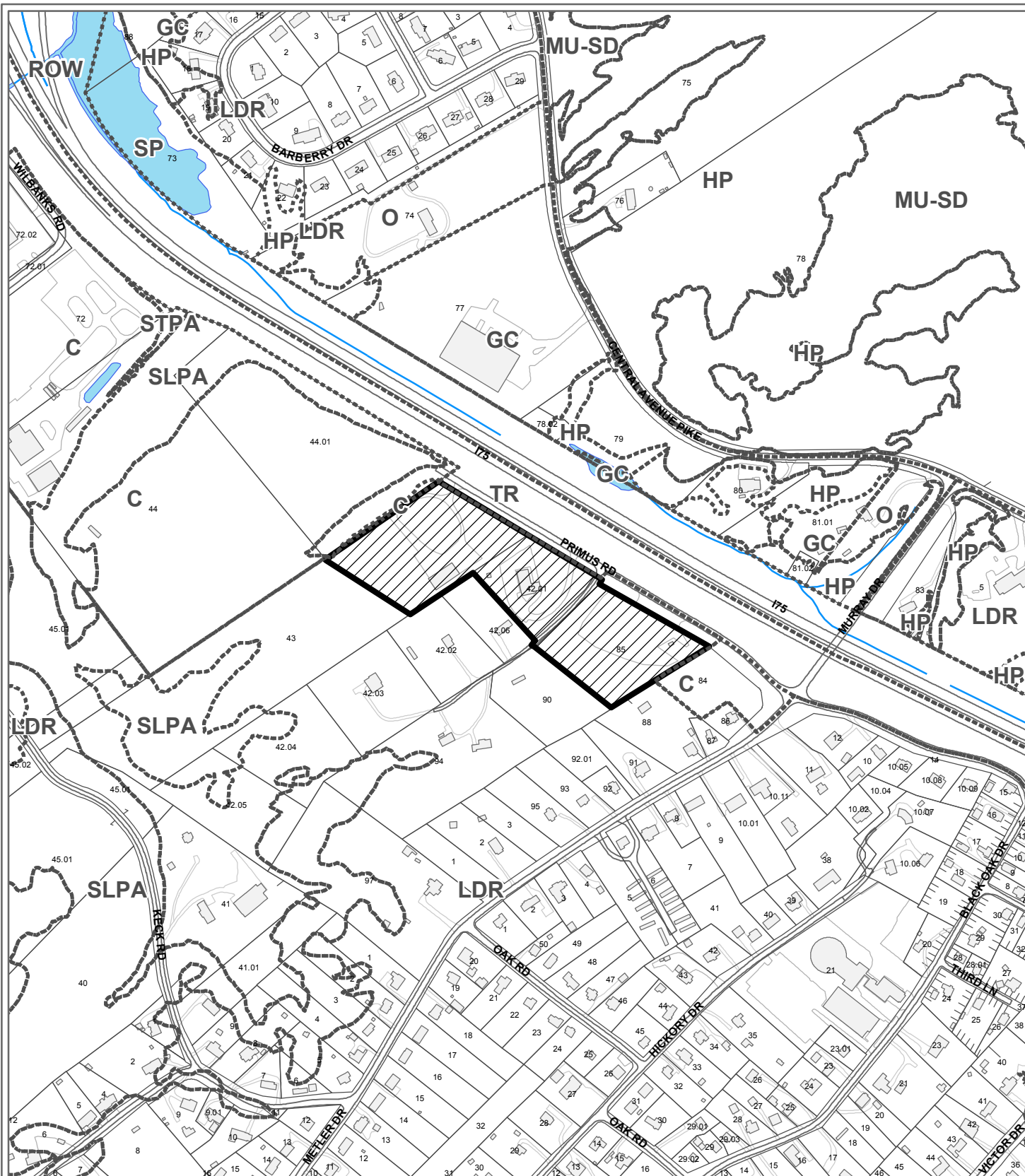
1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to 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.

If the County portion of this request is approved, it will be forwarded to Knox County Commission for action on 11/19/2012. 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.

If the City portion of this request is approved, it will be forwarded to Knoxville City Council for action on 11/13/2012 and 11/27/2012. 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.

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**10-B-12-SP  
NORTHWEST CITY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)



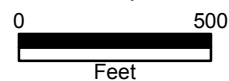
To: C (Commercial)

Original Print Date: 9/26/2012      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Metropolitan Planning Commission

Map No: 68

Jurisdiction: City and County



**KNOXVILLE-KNOX COUNTY  
METROPOLITAN PLANNING COMMISSION  
A RESOLUTION AMENDING THE NORTHWEST CITY 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 Northwest City 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 plans initiated by the Planning Commission or in response to applications from property owners; and*

***WHEREAS**, Metropolitan Planning Commission, 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 Northwest City 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 October 11, 2012, after consideration of the staff recommendation and testimony from those persons in support and opposed to the 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 Northwest City Sector Plan, with its accompanying staff report and map, file #10-B-12-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

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