



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

▶ **FILE #:** 4-F-13-RZ
4-E-13-SP

AGENDA ITEM #: 23
AGENDA DATE: 4/11/2013

▶ **APPLICANT:** D.J. CORCORAN
OWNER(S): D.J. Corcoran

TAX ID NUMBER: 39 231
JURISDICTION: Commission District 8

▶ **LOCATION:** Southeast side Tazewell Pike, northwest side Ridgeview Rd.

▶ **TRACT INFORMATION:** 0.2 acres.

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Tazewell Pike, a major arterial street with 21' of pavement width within 60' of right-of-way, or Ridgeview Rd., a minor arterial street with 18' of pavement width within 50' of right-of-way.

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

WATERSHED: Beaver Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** AG/RR (Agricultural/Rural Residential) / A (Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** RC (Rural Commercial) / CR (Rural Commercial)

▶ **EXISTING LAND USE:** Vacant commercial building

▶ **PROPOSED USE:** Convenience store

EXTENSION OF PLAN DESIGNATION/ZONING: No, sector plan does not recognize CA zoned area to the north

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Commercial buildings / Ag-RR & HP / CA (General Business)
South: Ridgeview Rd. - Houses / Ag-RR / A (Agricultural)
East: Ridgeview Rd. - Houses / Ag-RR / A (Agricultural)
West: Tazewell Pike - House and vacant land / Ag-RR & HP / A (Agricultural)

NEIGHBORHOOD CONTEXT: This area, with the exception of the subject property and site to the north, is developed with agricultural, low density and rural residential uses under A, RA, RB and PR zoning. The site to the north has commercial buildings and is zoned CA. There are several sites to the north, along Tazewell Pike, that are zoned CA and CB.

STAFF RECOMMENDATION:

- ▶ **ADOPT RESOLUTION #4-E-13-SP, amending the Northeast County Sector Plan to RC (Rural Commercial) and recommend the Knox County Commission also approve the sector plan amendment, to make it operative. (See resolution, Exhibit A.)**

Commercial zoning is already in place on a larger site directly north of the subject property, so this commercial node is already established. The site's location at the intersection of two arterial streets (rural crossroads) make it appropriate for the establishment of a commercial node. The description of the rural commercial designation specifically states under the location criteria that it should be placed at the intersection of two thoroughfares (arterial or collector roads).

- ▶ **RECOMMEND that County Commission APPROVE CR (Rural Commercial) zoning.**

For this site, CR is the most appropriate commercial zone that is permitted within the Rural Area of the Growth Policy Plan. A one acre site to the north is already zoned CA. This site is located at a rural crossroads, the intersection of two arterial or collector streets, making it appropriate for CR zoning. There is already a commercial building on the site, which has been there for many years, so the impact of this zoning change should be minimal.

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 Tazewell Pike or Ridgeview Rd. in the vicinity of this site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The Northeast County Sector Plan currently proposes agricultural and rural residential uses for the subject property. However, a one-acre, CA zoned site abuts the site to the north. There is a commercial building currently located on the subject property, so this proposal would bring the land use designation into consistency with the use of the property. The Growth Policy Plan designates this area as Rural Area. CN and CR are two of the three commercial zones that may be considered in the Rural Area.

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

No changes in government policy impact this proposal. The CA zoned area to the north of this site has been in place for many years, despite the fact that it is not consistent with the current sector plan or Growth Plan proposals for the area. The precedent for commercial in this area has been set, and this minor extension of it is acceptable, as long as the zoning is limited to either CN or CR.

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

The adjacent parcel to the north, zoned CA, is also developed with a business. This proposal is a minor extension of commercial use to this site, which due to its location at a rural crossroads intersection, is appropriate for rural commercial uses.

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. CR is the most appropriate commercial zone that can be considered for this site, which is located within the Rural Area designation on the Growth Policy Plan, limiting eligible commercial zones.
2. CR zoning will bring the commercial business on the subject property into closer compliance with zoning.
3. Commercial zoning is already in place on a larger site directly north of the subject property, so this commercial node is already established. The site's location at the intersection of two arterial streets (rural crossroads) make it appropriate for the establishment of a commercial node. The description of the CR zoning district in the zoning ordinance specifically states in the description that it should be placed at the intersection of arterial and/or collector streets in order to maximize accessibility from surrounding areas.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The requested CR zoning district provides the opportunity to locate limited retail and service uses in a manner convenient to outlying rural areas. It is intended to provide for the recurring shopping and personal service needs of nearby rural residential areas. The range of permitted uses is limited to those which are generally patronized on a frequent basis by area residents. Development performance standards are included to maximize compatibility between commercial uses and surrounding rural areas, and to maintain the rural character of these areas.
2. Based on the above description, the recommended portion of the site is appropriate for CR zoning.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. Public water is available to serve the site. Sanitary sewer is not currently available in the area, but could be extended, if necessary, to serve this site.
2. The proposal will have no impact on schools, and the traffic impact will depend on the type of uses that are proposed.
3. CR zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. With the recommended amendment to RC, CR zoning would be consistent with the Northeast County Sector Plan.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map, which limits the types of commercial and other zones that can be proposed. CR is a zone that may be considered within the Rural Area.
3. The recommended zoning change does not present any apparent conflicts with any other adopted plans.

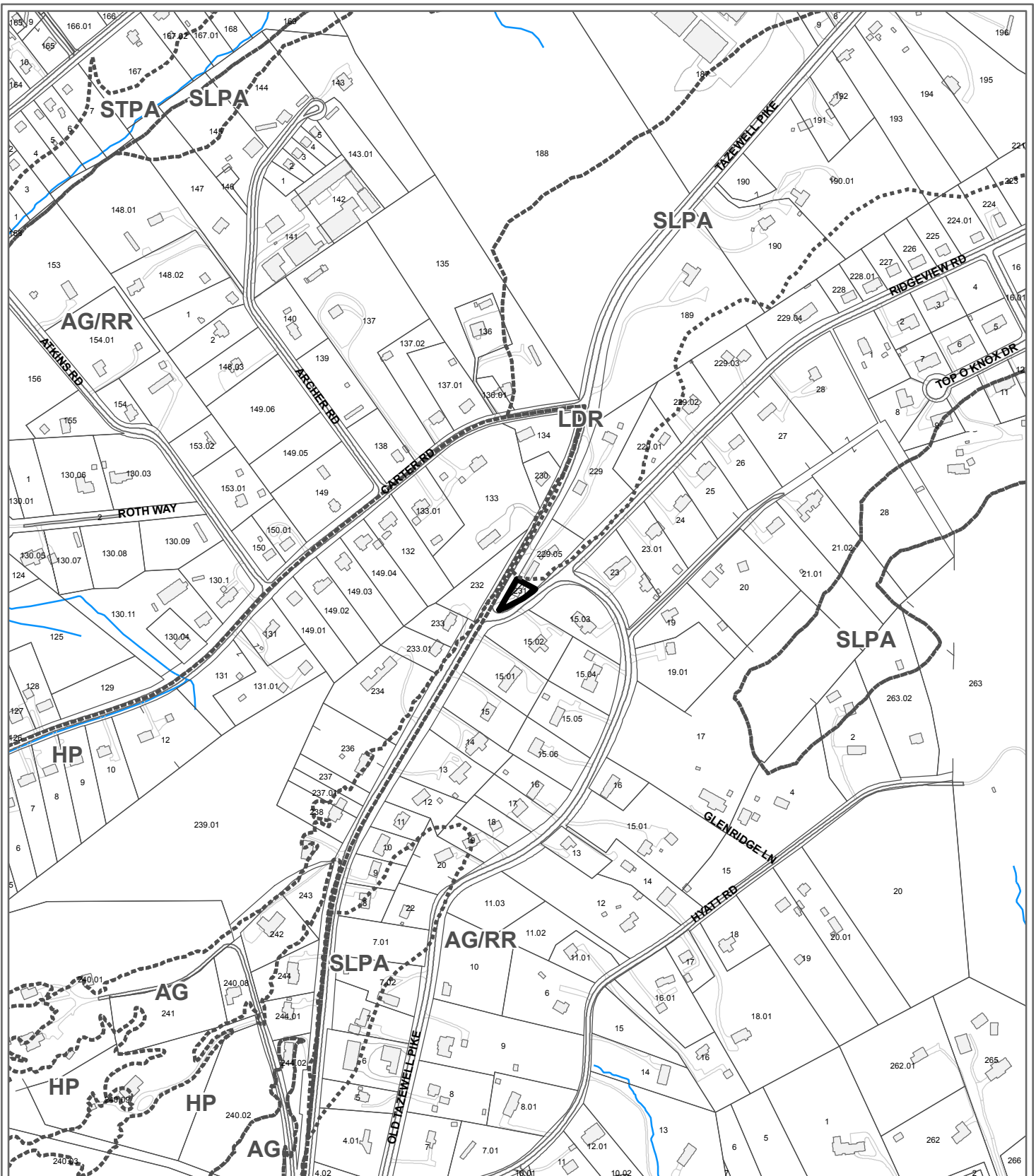
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

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.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 5/28/2013. 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.



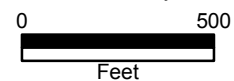
4-E-13-SP / 4-F-13-RZ
NORTHEAST COUNTY SECTOR PLAN AMENDMENT

From: AG/RR (Agricultural/Rural Residential)
 To: RC (Rural Commercial)



Petitioner: Corcoran, D.J.

Map No: 39
 Jurisdiction: County



Original Print Date: 3/26/2013 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**4-F-13-RZ
REZONING**

From: A (Agricultural)

To: CR (Rural Commercial)



Petitioner: Corcoran, D.J.

Map No: 39

Jurisdiction: County

Original Print Date: 3/26/2013
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:



**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTHEAST 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 Northeast 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**, D.J. Corcoran has submitted an application to amend the Sector Plan from Agricultural/Rural Residential to Rural Commercial for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Northeast 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 April 11, 2013, 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 Northeast County Sector Plan, with its accompanying, staff report and map, file #4-E-13-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