



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

▶ **FILE #:** 6-D-14-RZ
6-B-14-SP

AGENDA ITEM #: 39
AGENDA DATE: 6/12/2014

▶ **APPLICANT:** RON WORLEY (WORLEY BUILDERS INC.)
OWNER(S): Worley Builders, Inc.

TAX ID NUMBER: 118 E L 005
JURISDICTION: Commission District 3
STREET ADDRESS:

▶ **LOCATION:** North side Dutchtown Rd., east side Bob Kirby Rd.

▶ **TRACT INFORMATION:** 0.6 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Dutchtown Rd., a minor arterial street with two lanes and center turn lane within 50-70' of right-of-way, or Bob Kirby Rd., a minor collector street with 20' of pavement width within 80' of right-of-way.

UTILITIES: Water Source: West Knox Utility District
Sewer Source: West Knox Utility District

WATERSHED: Turkey Creek

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

▶ **PROPOSED PLAN DESIGNATION/ZONING:** NC (Neighborhood Commercial) / CN (Neighborhood Commercial)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Neighborhood commercial

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of NC designation and CN zoning from the west

HISTORY OF ZONING REQUESTS: Property was rezoned from A to RA in 2013 (10-G-13-RZ). Property to west was redesignated NC and rezoned to CN in 2009 (10-A-09-SP/10-B-09-RZ).

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Houses / LDR / RA (Low Density Residential)
South: Dutchtown Rd. - Webb School entrance / PI / A-1 (General Agricultural)
East: Houses / LDR / RA (Low Density Residential)
West: Bob Kirby Rd. - House / NC / CN (Neighborhood Commercial Commercial)

NEIGHBORHOOD CONTEXT: This area is developed primarily with low density residential uses under RA and PR zoning. Webb School is to the south, zoned A-1, and there are also some other larger residential tracts, zoned Agricultural. The CN zoned site to the west has yet to be developed with any commercial uses.

STAFF RECOMMENDATION:

- ▶ **ADOPT RESOLUTION #6-B-14-SP, amending the Northwest County Sector Plan to NC (Neighborhood Commercial) and recommend that Knox County Commission also adopt the sector plan amendment. (See attached resolution, Exhibit A.)**

The proposal is an extension of the already established CN zoning pattern to the west. This intersection is an appropriate location for a small neighborhood commercial node.

- ▶ **RECOMMEND that County Commission APPROVE CN (Neighborhood Commercial) zoning.**

CN is an extension of zoning from the west on the opposite side of the intersection and is consistent with the sector plan recommendation for the property.

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:

Dutchtown Rd. was recently improved to three lanes in this section. Utilities are available in the area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan calls for low density residential use for the site. However, this site is located at the intersection of collector and arterial streets, which makes it a viable location for a small commercial node.

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

This location at an intersection is appropriate for neighborhood commercial uses. The requested CN zone is intended to allow lower impact neighborhood serving commercial uses. Being located at the intersection, two points of access may be gained to the site from the arterial or collector street. This site is a typical situation for establishment of a commercial crossroads.

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

With the recent improvements to Dutchtown Rd., it is expected that there may be some pressure to rezone some properties to commercial. This location, because it is at the intersection of collector and arterial streets, is appropriate for the establishment of a small commercial node.

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. CN zoning is appropriate for this expansion of the commercial crossroads at this intersection of minor arterial and minor collector streets.
2. The intersection of Bob Kirby Rd. and Dutchtown Rd. is appropriate for the establishment of a small neighborhood commercial node.
3. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.
4. CN is an extension of zoning from the west on the opposite side of Bob Kirby Rd.

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

1. The requested CN zoning district provides the opportunity to locate limited retail and service uses in a manner convenient to and yet not disruptive to established residential neighborhoods. It is intended to provide for recurring shopping and personal service needs of nearby residential areas. Development should be compatible with the character of the adjacent neighborhood. This zoning should generally be placed at street intersections that include either a collector or arterial street, as close to the edge of the neighborhood as possible. The range of permitted uses is limited to those that are generally patronized on a frequent basis by neighborhood residents. Development performance standards are provided to maximize compatibility between

commercial uses and adjacent residential uses.

2. The subject property clearly fits the criteria spelled out in the above general description of the CN zone from the Knox County Zoning Ordinance.
3. The development criteria contained within the CN zone are essential to minimize the impacts to adjacent residential uses and lead to compatible development. Staff is not likely to support any BZA variances to these development standards for this site, especially to the landscaping, setback and signage standards, as they would undermine the compatibility with surrounding properties and dilute the effectiveness of the CN zone.

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. The proposal will have no impact on schools and the traffic impact will depend on the type of commercial uses that are established.
2. CN zoning is compatible with surrounding development and should have a minimal impact on adjacent properties. Also, the CN zone requires substantial landscaping throughout the perimeter of the site and parking areas, requires sidewalks to connect with adjacent neighborhoods, permits only indirectly illuminated, monument signs and contains criteria to prevent site lighting spillover to adjacent properties.
3. Many uses allowed within the CN zone, such as restaurants, fueling stations (with or without convenience stores), child day care centers and any use which includes drive-through or drive-in facilities, requires use on review approval by MPC prior to construction. This will provide the opportunity for MPC and County Engineering staff to review the plan and address issues such as traffic circulation, layout, access, landscaping, drainage and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.
4. Public water and sewer utilities are available to serve the site.
5. No other area of the County will be impacted by this rezoning request.

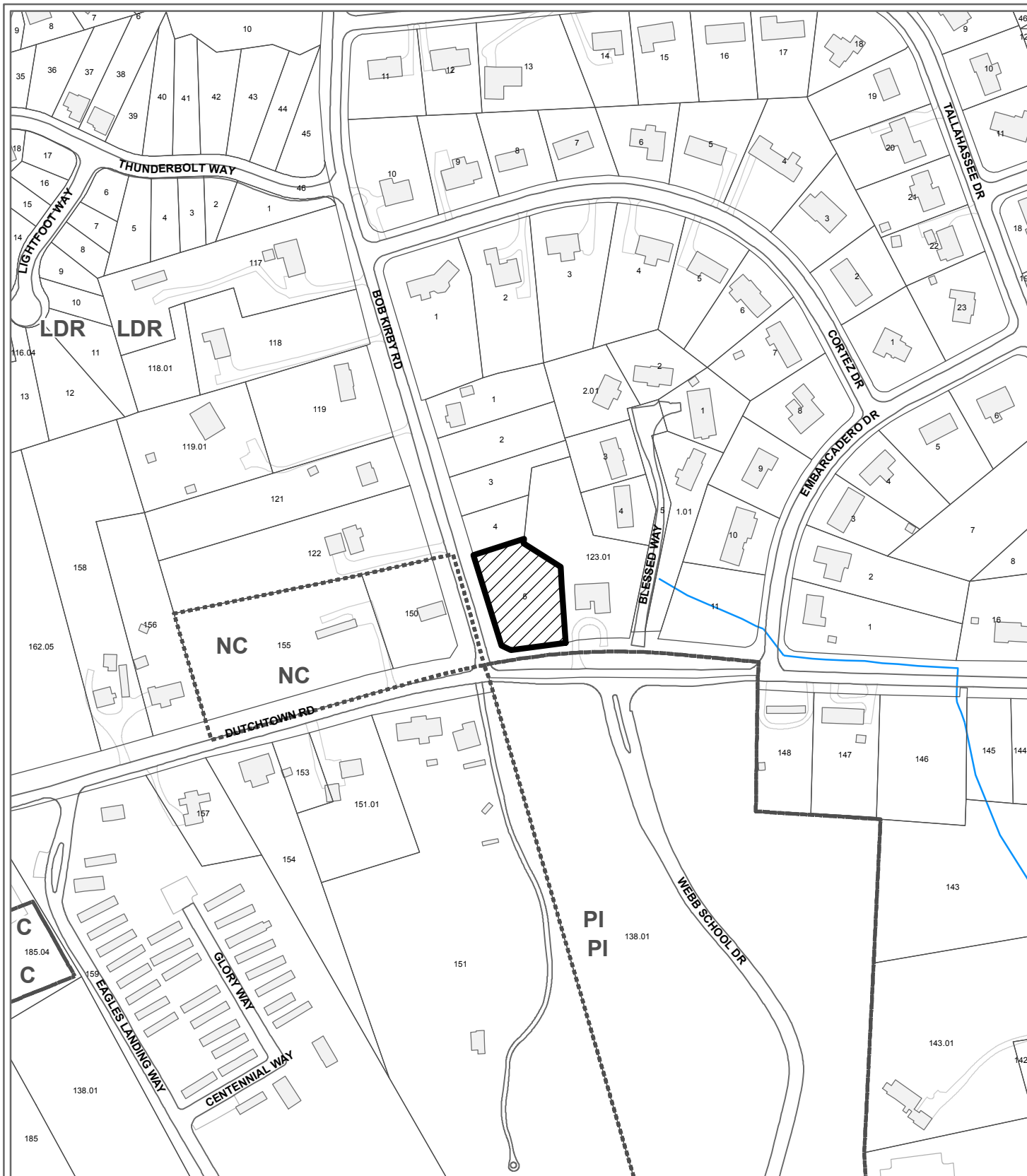
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Northwest County Sector Plan currently proposes low density residential uses for the site. With the recommended plan amendment to NC, CN zoning would be consistent with the sector plan.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request may lead to future requests for CN zoning on surrounding properties zoned Agricultural. However, any future requests on adjacent properties would also require an amendment to the sector plan, as most surrounding property is designated for low density residential use.
4. The proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

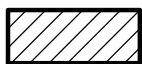
If approved, this item will be forwarded to Knox County Commission for action on 7/28/2014. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**6-B-14-SP / 6-D-14-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)

To: NC (Neighborhood Commercial)



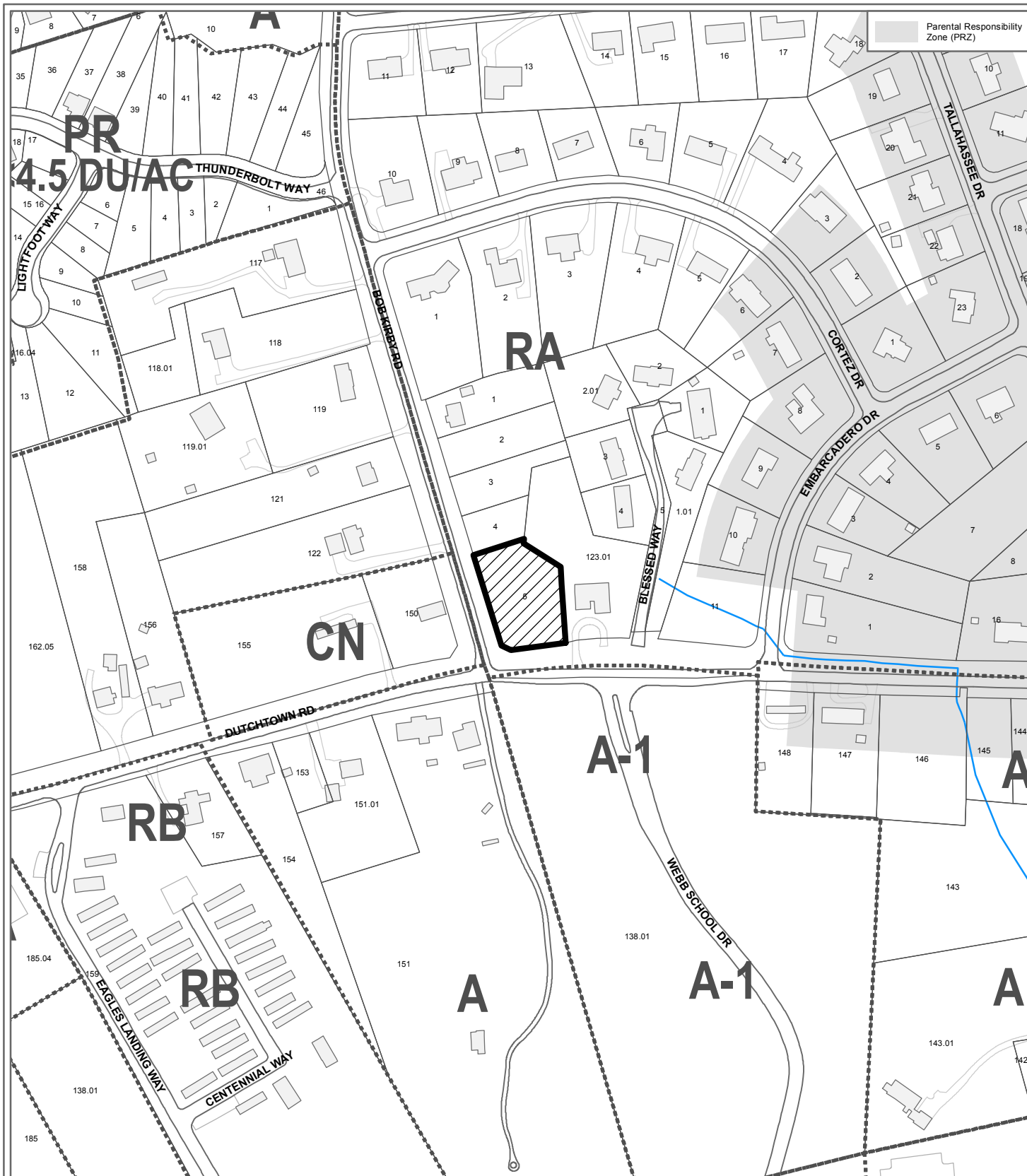
Petitioner: Ron Worley (Worley Builders Inc.)

Map No: 118

Jurisdiction: County



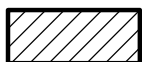
Original Print Date: 5/21/2014 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**6-D-14-RZ
REZONING**

From: RA (Low Density Residential)

To: CN (Neighborhood Commercial)



Petitioner: Ron Worley (Worley Builders Inc.)

Map No: 118

Jurisdiction: County



Original Print Date: 5/21/2014
 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTHWEST 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 Northwest 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**, Ron Worley (Worley Builders Inc.), has submitted an application to amend the Sector Plan from Low Density Residential to Neighborhood Commercial for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Northwest 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 12, 2014, 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 Northwest County Sector Plan, with its accompanying, staff report and map, file #6-B-14-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