

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

▶ **FILE #:** 5-D-14-RZ
 5-B-14-SP

AGENDA ITEM #: 23
AGENDA DATE: 5/8/2014

▶ **APPLICANT:** ANGELA ELIZABETH WILLIS AND ALLISON P. CORNELL
 OWNER(S): Angela Elizabeth Willis and Allison Cornell

TAX ID NUMBER: 21 007 & 00701
 JURISDICTION: Commission District 8
 STREET ADDRESS: 7415 Tazewell Pike

▶ **LOCATION:** West side Tazewell Pike, south of E. Emory Rd.

▶ **TRACT INFORMATION:** 1.1 acres.

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Tazewell Pike, a minor arterial street with 22' of pavement width within 80' of right-of-way.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Beaver Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** O (Office) / A (Agricultural)

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

▶ **EXISTING LAND USE:** Residences

▶ **PROPOSED USE:** Retail/commercial

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

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, North: Parking / C / CA (General Business)

PLAN DESIGNATION, South: House / O / CA (General Business)

ZONING East: Tazewell Pike - Vacant parcel and retail store / O / CA (General Business)

West: Vacant residential lots / LDR / PR (Planned Residential) @ 1-3 du/ac

NEIGHBORHOOD CONTEXT: The lots fronting on this section of Tazewell Pike are developed with commercial, office or residential uses under CA zoning.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION # 5-B-14-SP, amending the Northeast County Sector Plan to C (Commercial) and**

recommend that County Commission also adopt the sector plan amendment. (See attached resolution, Exhibit A.)

The proposal is a logical extension of the C sector plan designation from the north to include the subject property. Commercial uses are compatible with the surrounding land uses and zoning. CA zoning is already established to the north and south of the subject property.

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

CA zoning at this location is an extension of zoning from the north and south and is compatible with surrounding land uses and zoning.

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 recently to Tazewell Pike in front of this site. However, it is classified as a minor arterial street that is sufficient to accommodate commercial use of the site. Public water and sewer utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The plan currently calls for office uses for these properties. However, the sites to the north and south are zoned CA and commercial uses are proposed to the north. These two parcels are the only non-commercially zoned sites along this stretch of Tazewell Pike.

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

The property is located between two CA zoned properties to the north and south. Commercial development and zoning have been established and are appropriate at this location.

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

The trend has been long established that this section of Tazewell Pike, just south of E. Emory Rd. is appropriate for commercial development. This proposal continues that trend.

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. All of the properties fronting on Tazewell Pike in the immediate area are already zoned CA with the exception of the two subject parcels.
2. The site is accessed from Tazewell Pike, a minor arterial street with sufficient capacity to support CA development.
3. The majority of the surrounding area is already zoned for commercial uses. Some residential uses are still in place in the area, but the sector plan proposes commercial or office uses for the properties that front on Tazewell Pike.

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

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

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 and sewer utilities are available in the area, but may have to be extended to serve the site.
2. Establishment of CA zoning at this location would have little to no adverse impact on surrounding properties.
3. This proposed amendment of the zoning map will not adversely affect any other part of the County.

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 plan amendment to commercial, CA zoning is consistent with the Northeast County Sector Plan.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This proposal does not present any apparent conflicts with any other adopted plans.

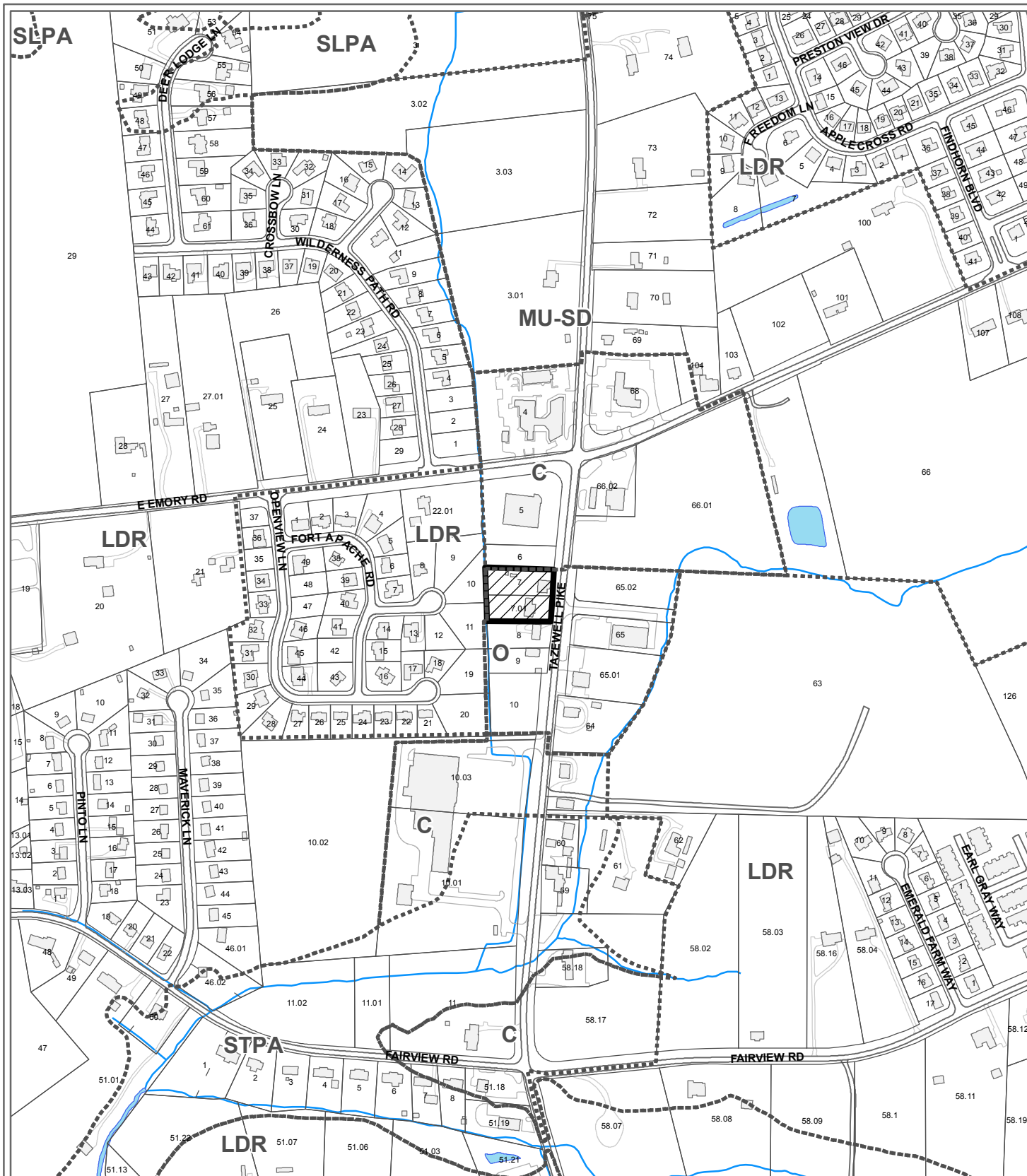
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

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 required.

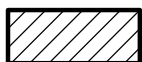
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 6/23/2014. 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.



**5-B-14-SP / 5-D-14-RZ
NORTHEAST COUNTY SECTOR PLAN AMENDMENT**

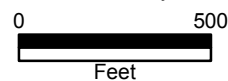
From: O (Office)
To: C (Commercial)

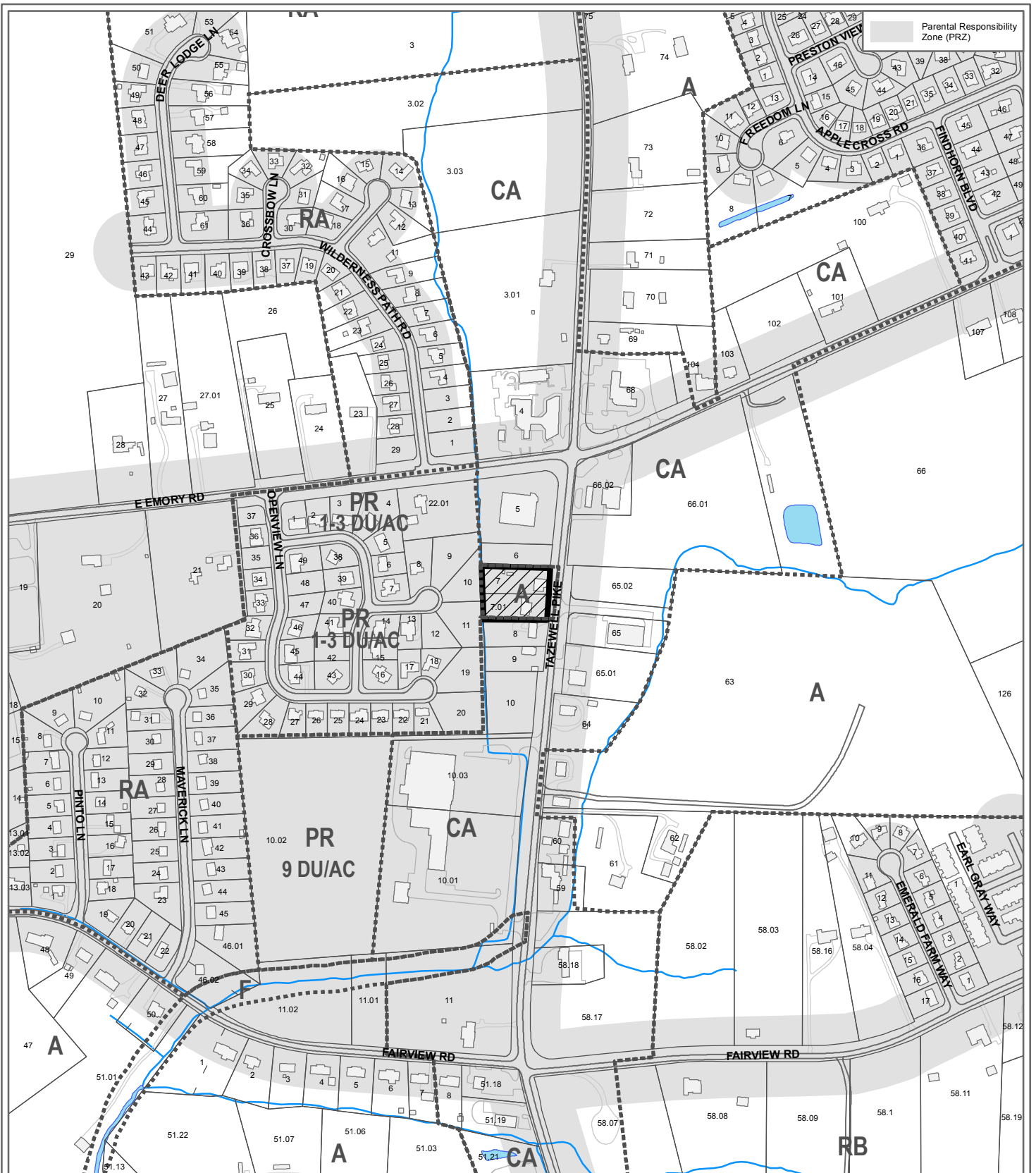


Original Print Date: 4/11/2014 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Angela Elizabeth Willis and Allison P. Cornell

Map No: 21
Jurisdiction: County





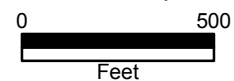
**5-D-14-RZ
REZONING**

From: A (Agricultural)
To: CA (General Business)



Petitioner: Angela Elizabeth Willis and Allison P. Cornell

Map No: 21
Jurisdiction: County



Original Print Date: 4/11/2014
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

**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**, Charles Thompson has submitted an application to amend the Sector Plan from Office to 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 May 8, 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 Northeast County Sector Plan, with its accompanying, staff report and map, file #5-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