



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

▶ **FILE #:** 8-D-15-RZ  
8-A-15-SP

**AGENDA ITEM #:** 45  
**AGENDA DATE:** 8/13/2015

▶ **APPLICANT:** **NORTHSIDE CHURCH OF CHRIST**  
OWNER(S): Northside Church of Christ

TAX ID NUMBER: 47 07515 [View map on KGIS](#)

JURISDICTION: Commission District 7

STREET ADDRESS: 7615 Bishop Rd

▶ **LOCATION:** **Southwest side Bishop Rd., northwest of E. Emory Rd.**

▶ **TRACT INFORMATION:** **2.77 acres.**

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Bishop Rd., a major collector 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) / A (Agricultural)**

▶ **PROPOSED PLAN DESIGNATION/ZONING:** **GC (General Commercial) / PC (Planned Commercial)**

▶ **EXISTING LAND USE:** **Church**

▶ **PROPOSED USE:** **Commercial**

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of GC designation and PC zoning from the south

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Detached residential subdivision / LDR / PR (Planned Residential) at 4 du/ac

South: Vacant land / GC / PC (Planned Commercial)

East: Bishop Rd., attached residential development / MDR / PR (Planned Residential) at 9 du/ac

West: Vacant land / HI / I (Industrial)

NEIGHBORHOOD CONTEXT: To the south, on properties with direct access to E. Emory Rd., are industrial, commercial and office uses, zoned I, PC, CA and OB. To the north and east, are low to medium density residential uses, zoned PR and RA.

**STAFF RECOMMENDATION:**

- ▶ **DENY the request to amend the future land use map of the North County Sector Plan to GC (General Commercial) land use classification.**

There is a creek along the south property line of the subject parcel that forms a logical, natural, dividing line between commercial and residential uses. All the nearby properties that are designated for commercial or industrial uses have direct access to E. Emory Rd. The subject property has access only to Bishop Rd., which is developed exclusively with agricultural or residential uses.

- ▶ **RECOMMEND that County Commission DENY the request to change the zoning map to PC (Planned Commercial).**

PC zoning at this location would allow uses that would not be compatible with adjacent residential uses and is not consistent with the recommended sector plan proposal for the property. The current sector plan proposal for this area, which is recommended to be maintained, is appropriate in that it uses a natural creek as a boundary between residential and non-residential uses. The current plan also proposes limiting commercial uses to properties that have direct access to E. Emory Rd., which this property does not.

**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 road or utility improvements have been made recently in the area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The plan currently calls for low density residential (LDR) development at this location. This property is located on the edge of a large area of LDR designated and developed land. Approval of general commercial uses at this location is not appropriate. The sector plan appropriately proposes low density residential uses north of the creek on properties accessed by Bishop Rd.

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

There have been no significant changes that have taken place to justify amendment of the sector plan, as requested. Staff maintains that general commercial uses are not appropriate at this location. Commercial development in the immediate area has been limited to properties with direct access to E. Emory Rd. only. The subject property only has access to Bishop Rd. and is north of a creek which forms a natural boundary between residential and non-residential uses.

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

There are no apparent trends that warrant an amendment to the sector plan. Staff recognizes that there is a metal building on the site that is used as a church. Churches are permitted use under the current Agricultural zoning. With no review by MPC, the church was permitted with the look of a metal, commercial building in close proximity to residential uses. Approval of the site for commercial uses could introduce non-compatible uses to the area, which could significantly increase the intensity of use of the site and negative impact to surrounding residential uses. A church is a much less intense use than commercial uses, which generally have longer periods of activity and increased traffic than would a church. The sector plan proposes that commercial uses be placed within the CA or PC zoned areas to the south. There is available land for development in that area that is already zoned for 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. No significant changes have occurred in the area that warrant the requested change to PC zoning at this location.

2. Despite being developed with a church in a metal, commercial-looking building, this property is not appropriate for commercial uses. The site could continue to be utilized for a church.
3. The creek along the southern property line of the subject property is an appropriate boundary between residential and non-residential uses, and should be maintained.
4. In this area, the sector plan recommends that commercial uses be limited to parcels that have direct access to E. Emory Rd. The subject property has access only to Bishop Rd., which is zoned and developed exclusively with agricultural and residential uses.

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

1. The requested PC zoning district is intended for a unified grouping of commercial buildings that do not require a central business district location. Commercial uses should not be placed directly across from residential uses, regardless of which type of commercial zoning is requested.
2. Based on the above description and intent, as well as the uses permitted, this property is not appropriate to be rezoned to PC.
3. The PC zone does require use on review approval of a development plan prior to construction.

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. Establishment of PC zoning at this location could adversely impact nearby residential properties.
2. PC zoning allows many uses that would not be compatible with nearby residential land uses and zoning.
3. Commercial uses in this area should be located to the south of the subject property, on the opposite side of the creek, within the existing CA/PC zoned area with access to E. Emory Rd. There is at least one parcel, directly south of the subject property, that is vacant and already zoned PC.

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 proposed amendment of the North County Sector Plan to GC, the requested PC zoning would be consistent with the sector plan. However, staff is recommending that the current LDR sector plan designation be maintained.
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 rezoning and plan amendment requests for non-residential development on other properties in the area, especially on properties to the north fronting on Bishop Rd.

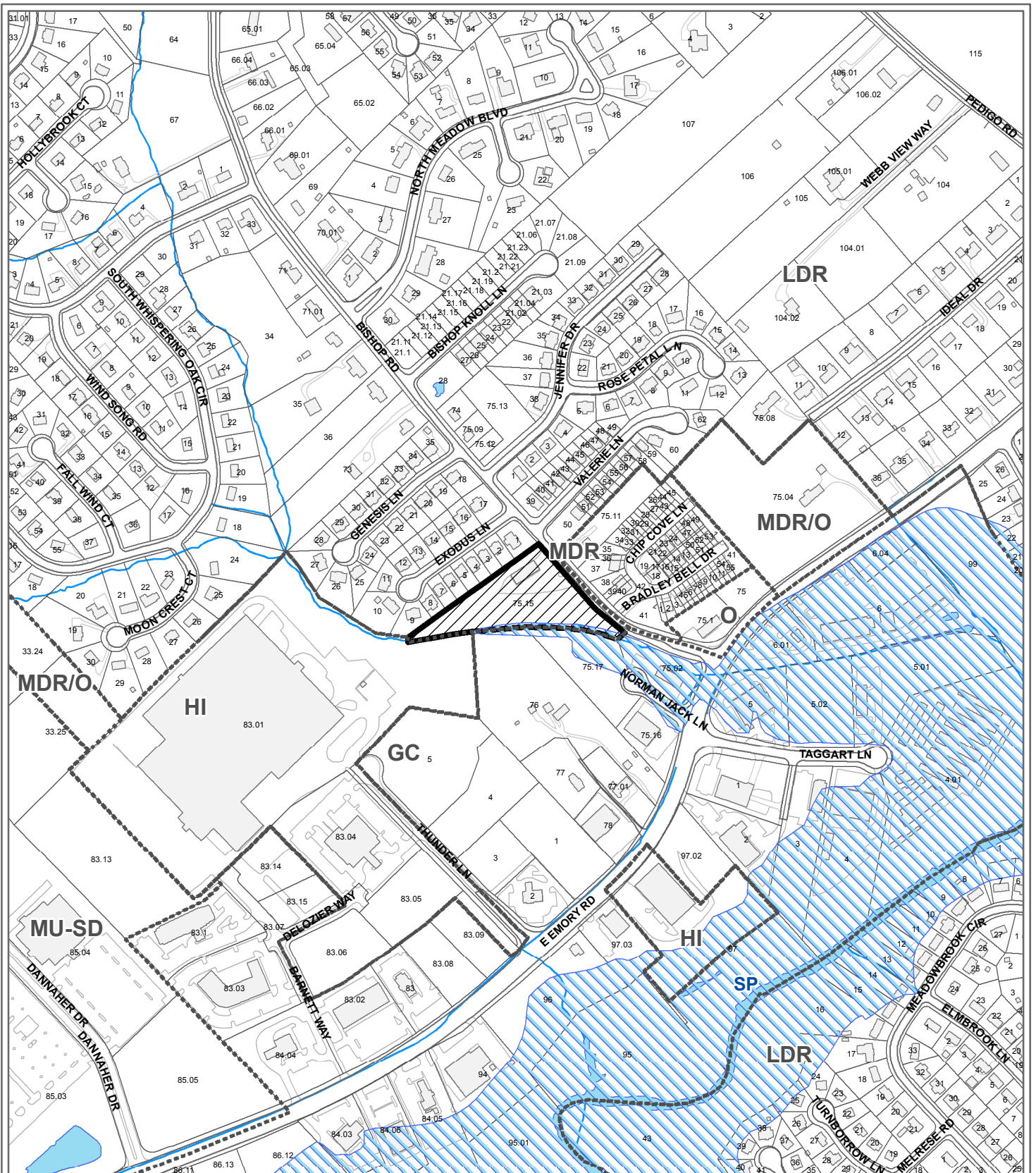
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

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 9/28/2015. 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.



**8-A-15-SP / 8-D-15-RZ  
NORTH COUNTY SECTOR PLAN AMENDMENT**

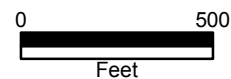
From: LDR (Low Density Residential)  
To: GC (General Commercial)



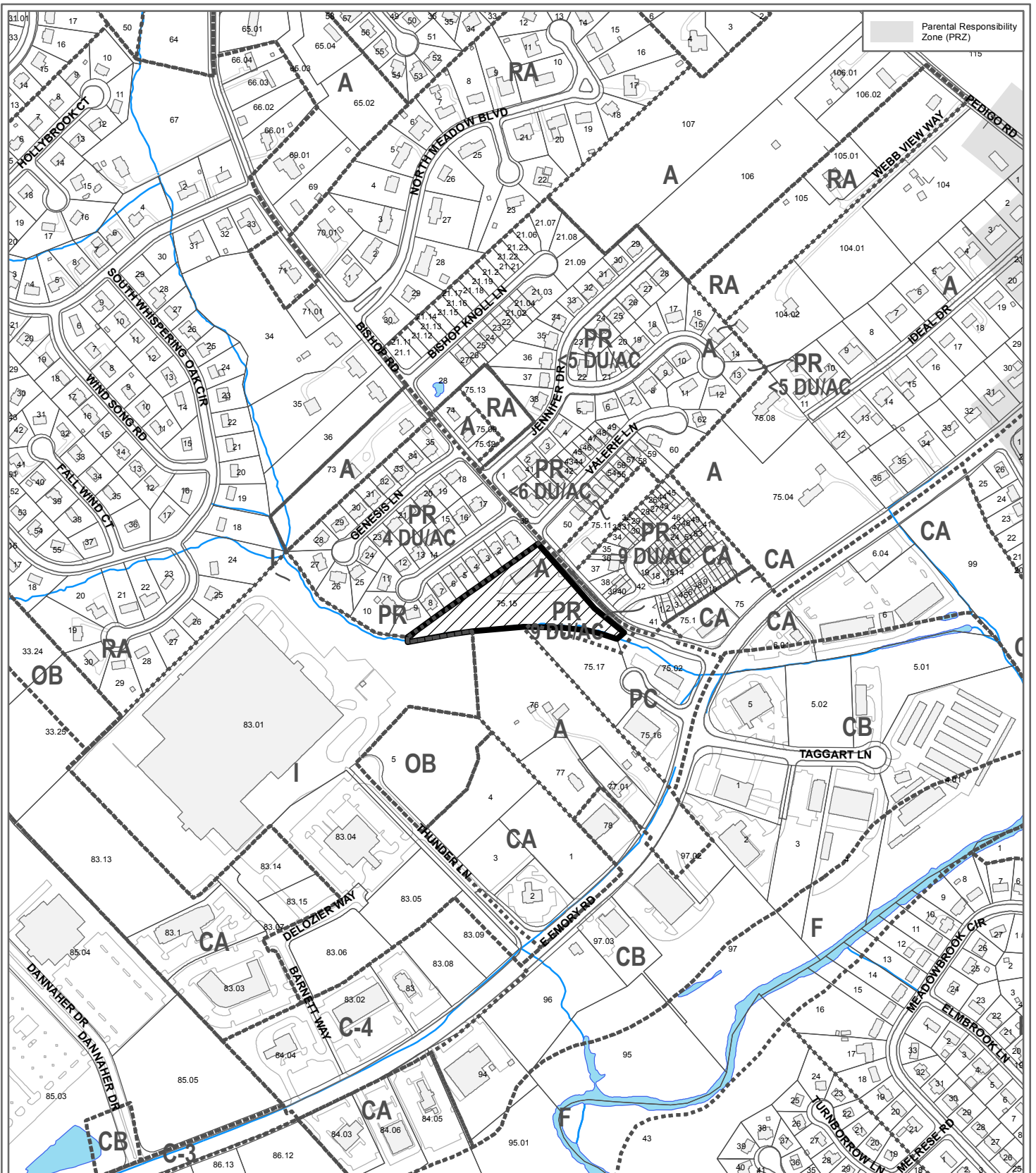
Petitioner: Northside Church of Christ

Map No: 47  
Jurisdiction: County

Original Print Date: 7/24/2015      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902







**8-D-15-RZ  
REZONING**

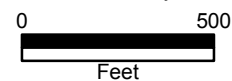
From: A (Agricultural)  
To: PC (Planned Commercial)



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