

▶ **FILE #:** 4-I-16-RZ

AGENDA ITEM #: 42

AGENDA DATE: 4/14/2016

▶ **APPLICANT:** **UNIQUE BY NATURE**

OWNER(S): Unique By Nature

TAX ID NUMBER: 119 E C PART OF 022 WEST OF WALKER SPRINGS RD. AND EAST OF CREEK ONLY

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS:

▶ **LOCATION:** **Northwest side Walker Springs Rd., west of N. Gallaher View Rd.**

▶ **APPX. SIZE OF TRACT:** **5.5 acres**

SECTOR PLAN: Northwest County

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

ACCESSIBILITY: Access is via Walker Springs Rd., a minor arterial street with 4 lanes and a center turn lane having 56' of pavement width within 120' of right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Ten Mile Creek

▶ **PRESENT ZONING:** **RA (Low Density Residential) and F (Floodway)**

▶ **ZONING REQUESTED:** **CA (General Business) and F (Floodway)**

▶ **EXISTING LAND USE:** **Vacant land**

▶ **PROPOSED USE:** **Open air walking trail with vendors displaying and selling home improvement services and materials (landscaping, trees, flowers, mulch, hardscapes)**

EXTENSION OF ZONE: Yes, extension of CA from the south and east

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Utility facility / RB (General Residential)

South: Vacant land / CA (General Business)

East: Walker Springs Rd. - Vacant land / CA (General Business)

West: Ten Mile Creek, house, vacant land / RA (Low Density Residential) and F (Floodway)

NEIGHBORHOOD CONTEXT: This site is located to the north of Walmart and Sam's Club in a large vacant area, mostly zoned CA. A good portion of this area is within the 100 year floodplain of Ten Mile Creek. Residential uses are located to the north and west of the Ten Mile Creek.

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE CA (General Business) and F (Floodway) zoning, as requested.**

CA zoning at this location is an extension of zoning from the south and east, is consistent with the sector plan proposal and is compatible with surrounding zoning.

COMMENTS:

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. With the exception of this one, all of the properties in the floodplain area to the north of Walmart and Sam's Club is zoned CA.
2. The site is accessed from Walker Springs Rd., a four-lane, minor arterial street with sufficient capacity to support CA development.
3. The majority of the surrounding area is already zoned for commercial uses. Residential uses are located to the north and west, separated by Ten Mile Creek and Walker Springs Rd.

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.
4. A large portion of the property is located within the 100-year floodplain of Ten Mile Creek. The applicant will have to meet all requirements of Knox County Engineering as the property is developed, including, but not limited to, establishing a minimum floor elevation for any proposed structures.

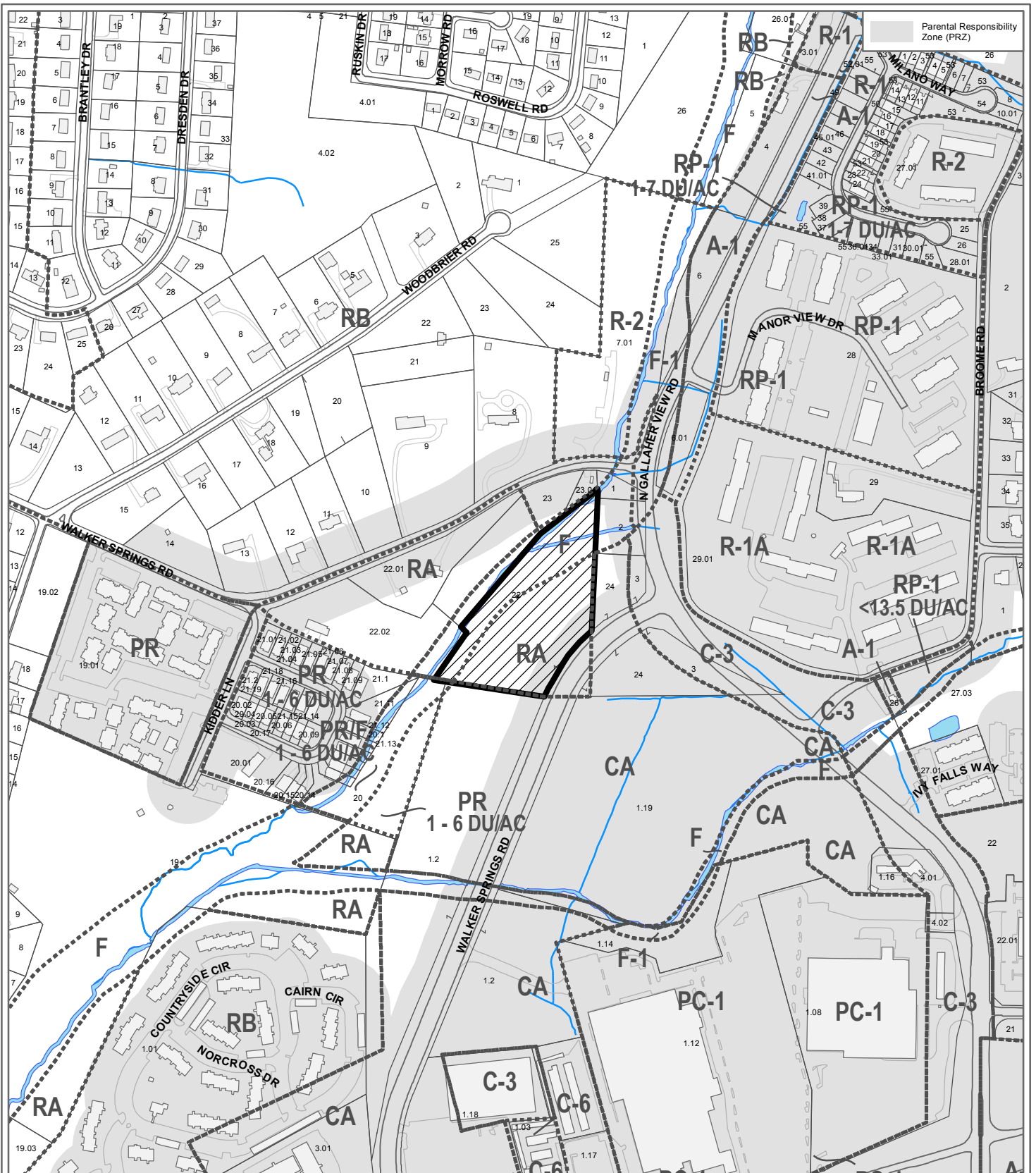
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Northwest County Sector Plan proposes commercial uses and stream protection for this site, consistent with the proposed CA and F zoning.
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.

ESTIMATED TRAFFIC IMPACT: Not required.

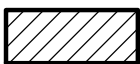
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 5/23/2016. 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-I-16-RZ
REZONING**

From: RA (Low Density Residential) and F (Floodway)
 To: CA (General Business) and F (Floodway)



Petitioner: Unique By Nature

Map No: 119
 Jurisdiction: County



Original Print Date: 3/21/2016 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902