



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

▶ **FILE #:** 5-A-16-RZ
5-A-16-SP

AGENDA ITEM #: 32
AGENDA DATE: 5/12/2016

▶ **APPLICANT:** FRANCES L. WADDELL
OWNER(S): Frances L. Waddell

TAX ID NUMBER: 67 21101 [View map on KGIS](#)

JURISDICTION: Commission District 6

STREET ADDRESS: 6925 Clinton Hwy

▶ **LOCATION:** West side Clinton Hwy., north of Rhealand Ln.

▶ **TRACT INFORMATION:** 0.3 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Clinton Hwy., a major arterial street with 4 lanes and a center turning lane within 120' 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) / PC (Planned Commercial) and RB (General Residential)

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

▶ **EXISTING LAND USE:** Vacant parking

▶ **PROPOSED USE:** Commercial use

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of GC from the east

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Retail business / LDR / PC (Planned Commercial)

South: Business / LDR / PC (Planned Commercial)

East: Shopping center / GC / PC (Planned Commercial)

West: Vacant land, house / LDR / A (Agricultural)

NEIGHBORHOOD CONTEXT: This section of Clinton Hwy. is developed with commercial uses along the road frontage, zoned PC, CA and CB. Residential uses are to the rear, zoned A, RB and PR.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION #5-A-16-SP, amending the Northwest County Sector Plan to GC (General Commercial) and recommend the Knox County Commission also approve the sector plan amendment,**

to make it operative. (See resolution, Exhibit A.)

The site is already zoned for commercial uses. The current PC zoning is not appropriate for this small site. The requested CA zone will allow continued commercial use of the site without some of the large setback requirements of the PC zone, which would likely require variances. Although the sector plan does not support commercial at this location, the site is already zoned PC and there are large areas of CA and CB zoning already established to the north and south.

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

The zoning recommendation is consistent with the recommended sector plan amendment to GC for the entire parcel. The GC plan designation is recommended for the entire subject parcel, most of which is already zoned PC commercial. CA is a logical extension of commercial zoning from three sides. Commercial uses for this site will be compatible with the surrounding land uses and zoning pattern. The recommended CA zoning will allow more flexibility for the marketing and development of the site and should eliminate the need for variances.

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 this area. However, utilities are in place and Clinton Hwy. is a major arterial street that is adequate to handle traffic that will be generated by commercial development of this site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan now proposes low density residential uses for the site, which is not consistent with the current PC, CA and CB zoning in place on the west side of Clinton Hwy. in this area. There is not necessarily an error or omission in the plan, but consideration of commercial uses on this site are appropriate, considering surrounding development and zoning, and the property's frontage on a major arterial street.

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

With previous approvals of commercial zoning and development in the surrounding area, a pattern has been established to allow commercial development in the area.

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

A trend of commercial development has been established all around the site. 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. CA is a logical extension of commercial zoning from the north and will allow compatible uses to the surrounding development pattern.
2. The majority of the subject parcel is already zoned PC. The applicant is requesting CA zoning for consistency with surrounding parcels to the south, already zoned CA. CA zoning will allow more flexibility for the marketing and development of the site and should eliminate the need for variances.
3. The site is surrounded by commercially zoned parcels in the vicinity of the site, including PC, CA and CB zoning. The proposal is an extension of that appropriate zoning pattern on a property that has frontage on a major arterial street.

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. CA zoning is appropriate for this site and will not adversely affect any adjacent properties or other parts of the County.
2. The extension of CA zoning to this site is appropriate in this existing commercial area.
3. CA zoning will allow for marketing and development of the site without the likely need for multiple variances.

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 the general commercial land use classification, CA zoning would be consistent with the Northwest County Sector Plan.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Staff has not identified any conflicts with other adopted plans.

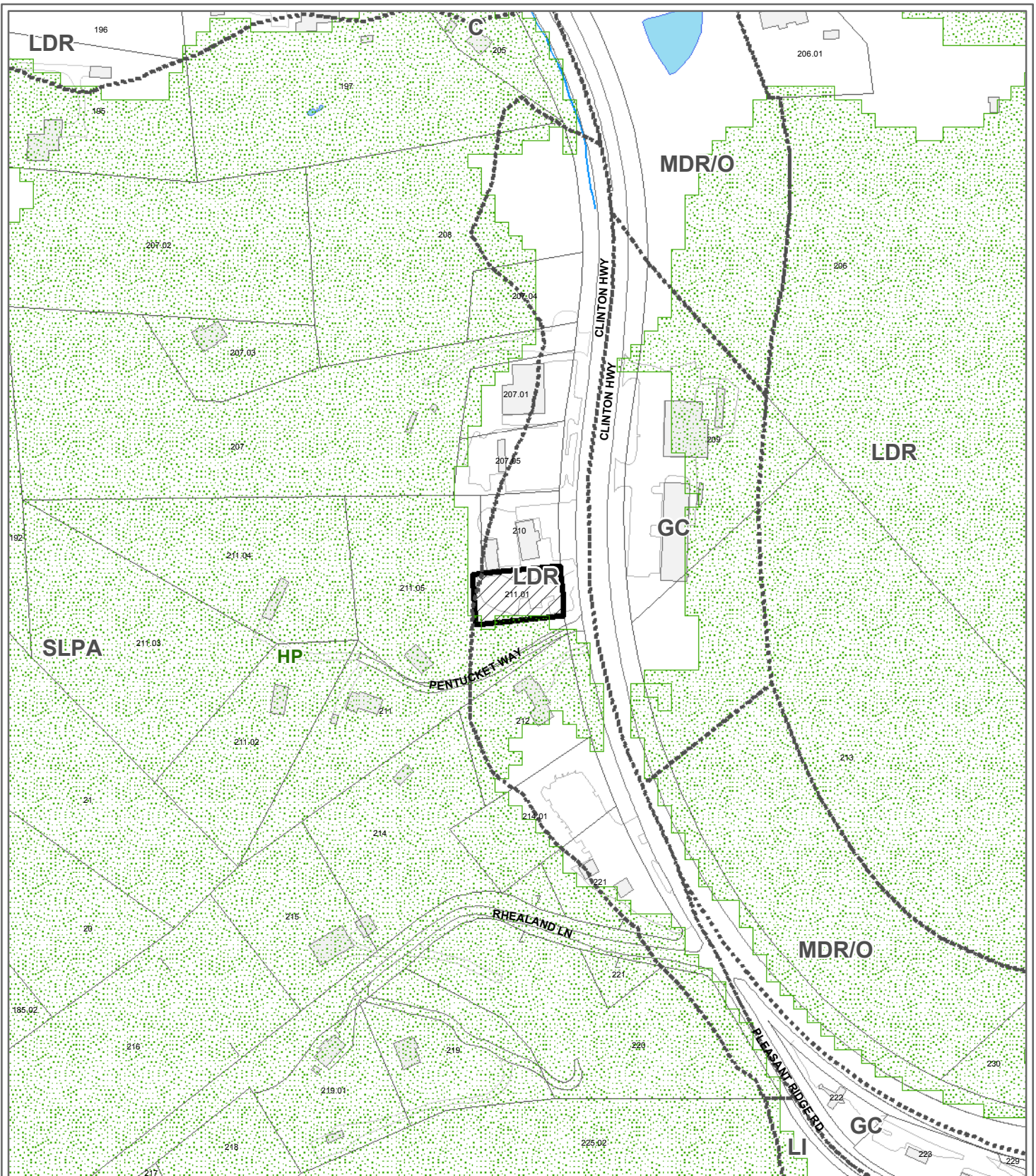
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

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 6/27/2016. 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.



**5-A-16-SP / 5-A-16-RZ
NORTHEAST COUNTY SECTOR PLAN AMENDMENT**

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

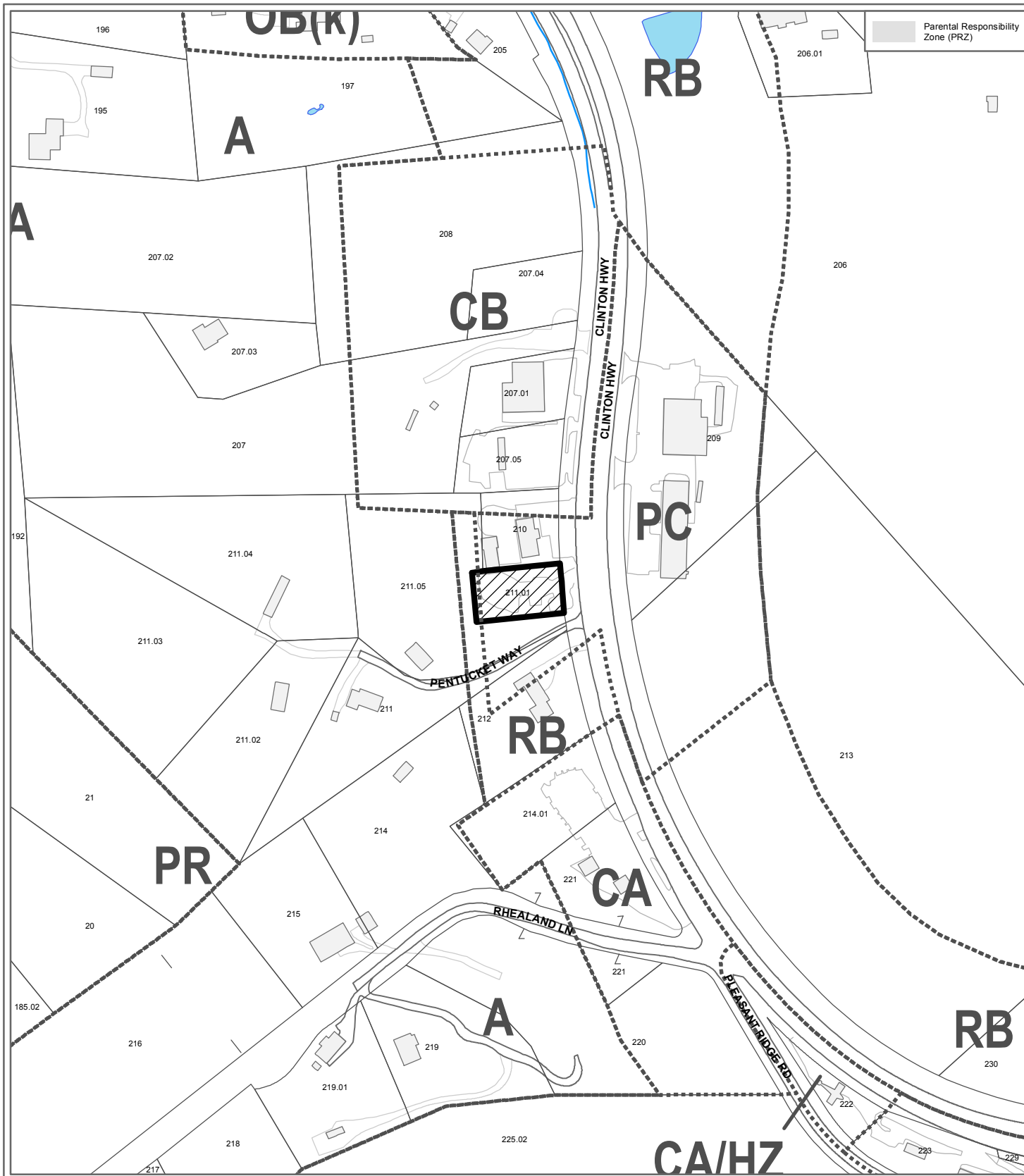


Petitioner: Waddell, Frances L.

Map No: 67
Jurisdiction: County



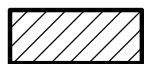
Original Print Date: 4/18/2016 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



Parental Responsibility Zone (PRZ)

**5-A-16-RZ
REZONING**

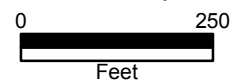
From: PC (Planned Commercial) and RB (General Residential)
To: CA (General Business)



Petitioner: Waddell, Frances L.

Map No: 67

Jurisdiction: County



Original Print Date: 4/18/2016 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 plans initiated by the Planning Commission or in response to applications from property owners; and*

***WHEREAS**, Frances L. Waddell, has submitted an application to amend the Sector Plan from Low Density Residential to General 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 May 12, 2016, after consideration of the staff recommendation and testimony from those persons in support and opposed to the 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 #5-A-16-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