



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

▶ **FILE #:** 10-G-16-RZ  
10-C-16-SP

**AGENDA ITEM #:** 47  
**AGENDA DATE:** 10/13/2016

▶ **APPLICANT:** **NORMAN DALE STEWART AND VALERIE TREECE STEWART**  
**OWNER(S):** Norman and Valerie Stewart

**TAX ID NUMBER:** 55 M A 02301,02302,02303,02304 AND PART OF [View map on KGIS](#)  
023, MAP ON FILE AT MPC

**JURISDICTION:** Commission District 7

**STREET ADDRESS:**

▶ **LOCATION:** **Southwest end Gardenstone Way, southwest of Old Clinton Pike**

▶ **TRACT INFORMATION:** **1.2 acres.**

**SECTOR PLAN:** North County

**GROWTH POLICY PLAN:** Planned Growth Area

**ACCESSIBILITY:** Access is via Stewart Run Way, a private joint permanent easement with 40' of right-of-way that connects with Clinton Hwy., a major arterial street with 4 lanes within 125' feet 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) / RA (Low Density Residential) and A (Agricultural)**

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

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

▶ **PROPOSED USE:** **Two mobile homes per lot**

**EXTENSION OF PLAN DESIGNATION/ZONING:** Yes

**HISTORY OF ZONING REQUESTS:** None noted

**SURROUNDING LAND USE, PLAN DESIGNATION, ZONING**  
North: Vacant land / LDR / A (Agricultural)  
South: Mobile home park / GC / RB (General Residential)  
East: Homes / LDR / RB (General Residential)  
West: Mobile home park / GC / CA (General Business)

**NEIGHBORHOOD CONTEXT:** This area is developed with a mix of commercial and residential uses along Clinton Hwy., zoned CA and RB, with residential uses to the rear, zoned A, RA, RB and PR.

**STAFF RECOMMENDATION:**

- ▶ **ADOPT RESOLUTION #10-C-16-SP, amending the North 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.)**

General commercial uses are appropriate to be extended to the northeast to accommodate expansion of the existing mobile home park or for future commercial uses. The mobile home park to the southeast extends back to the same depth as the subject property from Clinton Hwy.

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

The zoning recommendation is consistent with the recommended extension of the GC plan designation to the northeast. The GC plan designation is recommended for the entire area under the same ownership, most of which is already zoned CA. CA is a logical extension of commercial zoning from the southwest. Commercial uses for this site will be compatible with the surrounding land uses and zoning pattern. The recommended CA zoning will permit either the proposed mobile homes or commercial development.

**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. However, the commercial zoning is proposed to be extended to the northeast on land under the same ownership as the current CA zoned 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 southwest and will allow compatible uses to the surrounding development pattern.
2. The majority of the area owned by the applicants is already zoned CA. The applicant is requesting CA zoning for consistency with surrounding parcels to the southwest, already zoned CA. CA zoning will allow the proposed expansion of the mobile homes development onto the subject property.
3. The site is adjacent to commercially zoned parcels in the vicinity of the site, zoned CA. 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 either the proposed mobile homes or commercial development.

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 North 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.

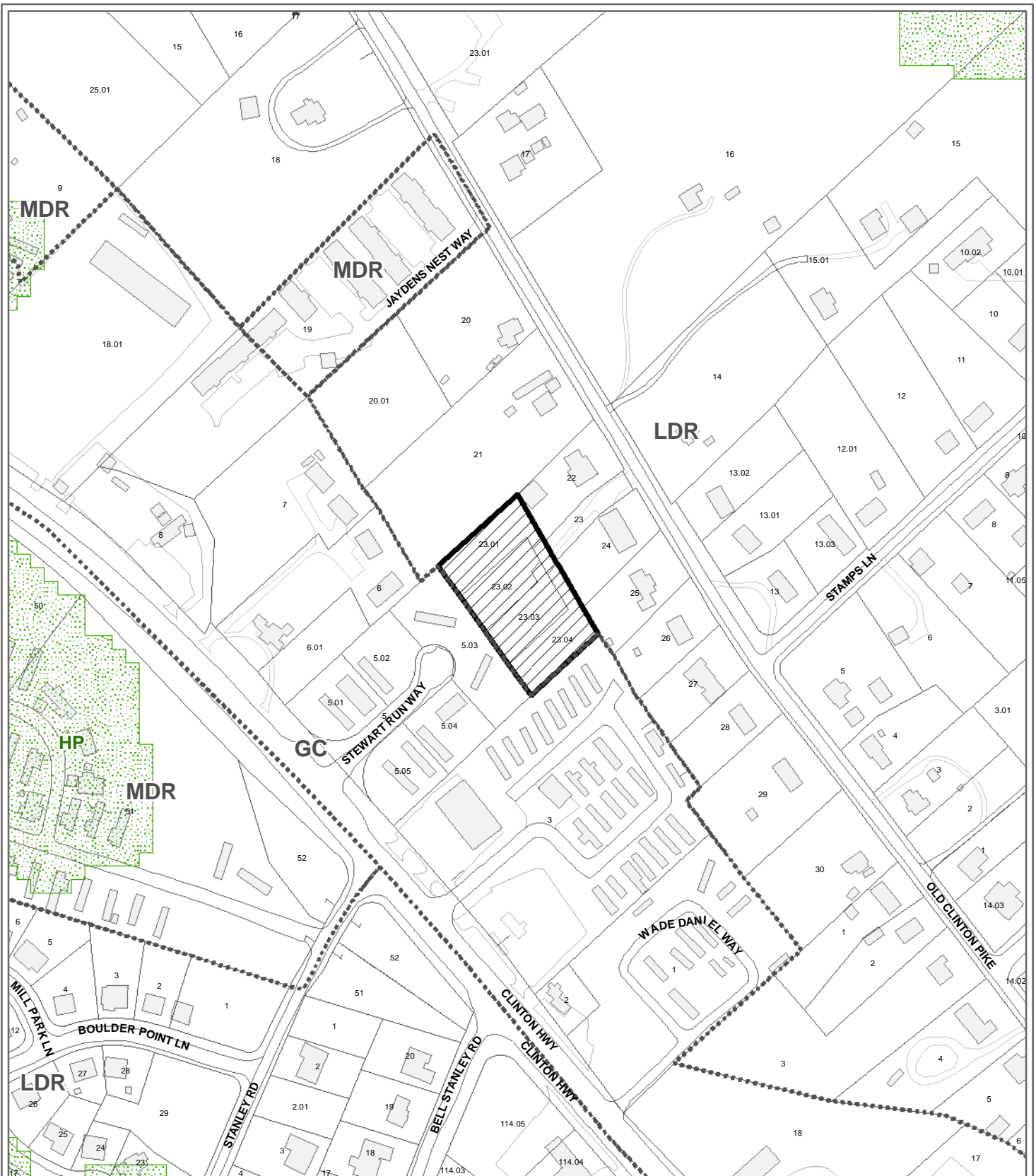
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

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 11/21/2016. 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.



**10-C-16-SP / 10-G-16-RZ  
NORTH COUNTY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)



To: GC (General Commercial)

Petitioner: Norman Dale Stewart and  
Valerie Treece Stewart

Map No: 55

Jurisdiction: County



Original Print Date: 9/22/2016      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



Parental Responsibility Zone (PRZ)

**10-G-16-RZ  
REZONING**

From: RA (Low Density Residential) and A (Agricultural)

To: CA (General Business)



Petitioner: Norman Dale Stewart and Valerie Treece Stewart

Map No: 55

Jurisdiction: County



Original Print Date: 9/22/2016      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

*KNOXVILLE-KNOX COUNTY  
METROPOLITAN PLANNING COMMISSION  
A RESOLUTION AMENDING THE NORTH 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 North 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, Norman Dale Stewart and Valerie Treece Stewart, 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 North 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 October 13, 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 North County Sector Plan, with its accompanying staff report and map, file #10-C-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*

REZONING PLAN AMENDMENT

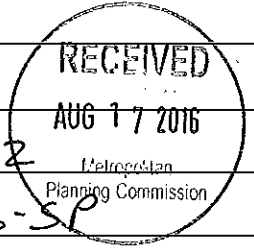
Name of Applicant: Norman Dale Stewart & Valerie Treece Stewart

Date Filed: August Meeting Date:

Application Accepted by: Thomas Brechler

Fee Amount: 1000.00 File Number: Rezoning 10-G-16-RZ

Fee Amount: \$ 600.00 File Number: Plan Amendment 10-C-16-SP



PROPERTY INFORMATION Address: 3414, 3420 + 3421 Gardenstone Way General Location: Southwest end of Gardenstone Way, southwest of Old Clinton Pike Parcel ID Number(s): 055MA02301, 055MA02302, 055MA02303, and 055MA02304 and part Tract Size: 1.2 acres of 055MA023 Existing Land Use: Vacant land Planning Sector: North County Growth Policy Plan: Planned Growth Census Tract: 61.03 Traffic Zone: 197 Jurisdiction: [X] County Commission 7 District

PROPERTY OWNER OPTION HOLDER PLEASE PRINT Name: Norman & Valerie Stewart Company: Address: 8139 Timberstone LN City: Powell State: TN Zip: 37849 Telephone: 865-310-5681 Fax: 865-523-4869 E-mail: vstewart@mc.utmc.k.edu

APPLICATION CORRESPONDENCE All correspondence relating to this application should be sent to: PLEASE PRINT Name: Same as above Company: Address: City: State: Zip: Telephone: Fax: E-mail:

Requested Change REZONING FROM: RA and A TO: CA PLAN AMENDMENT [X] North County Sector Plan FROM: LDR TO: GC

APPLICATION AUTHORIZATION I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form. Signature: Valerie Stewart PLEASE PRINT Name: Valerie Stewart Company: Address: 8139 Timberstone LANE City: Knox State: TN Zip: 37849 Telephone: Fax: E-mail: Same as above

PROPOSED USE OF PROPERTY Two mobile homes per lot Density Proposed Units/Acre Previous Rezoning Requests:

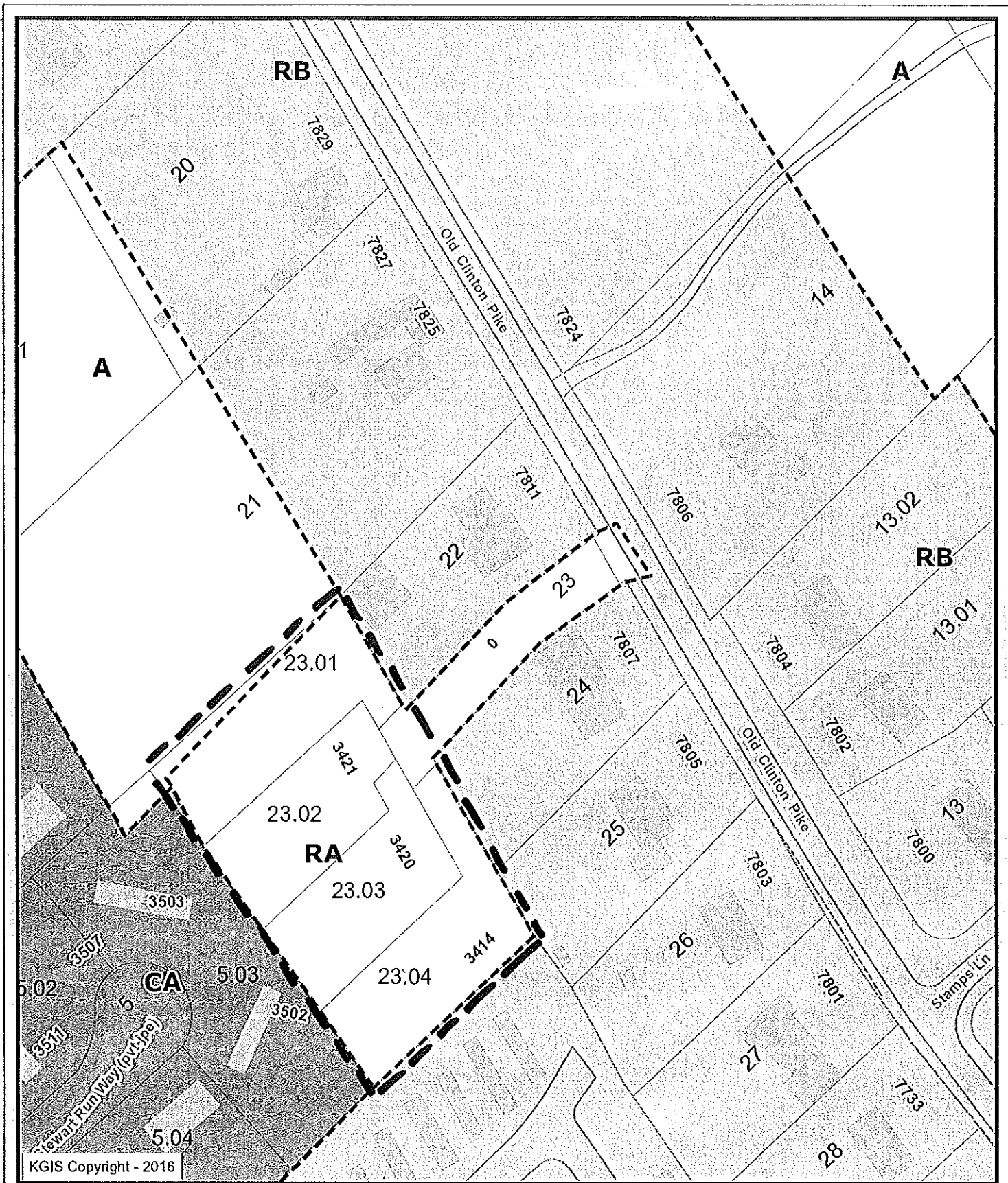
**NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:**

Please Print or Type in Black Ink:

(If more space is required attach additional sheet.)

Name	Address	City	State	Zip	Owner	Option
Norman Dale Stewart ↓ Valerie Treece Stewart	8139 Timberstone Ln,	Powell,	TN	37844	✓	

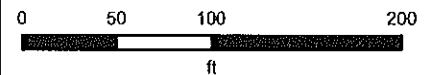




Letter Portrait

Printed: 8/17/2016 at 3:10:31 PM

Knoxville - Knox County - KUB Geographic Information System



KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and futher covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

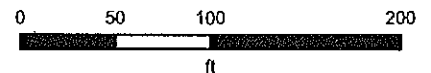


KGIS Copyright - 2016

### Letter Portrait

Printed: 8/17/2016 at 3:21:22 PM

### Knoxville - Knox County - KUB Geographic Information System



KGIS makes no representation or warranty as to the accuracy of its map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.