

# PLAN AMENDMENT/ REZONING REPORT

► FILE #: 12-G-21-RZ AGENDA ITEM #: 9

12-A-21-SP AGENDA DATE: 1/13/2022

POSTPONEMENT(S): 12/9/2021

► APPLICANT: ROBERT W. MONDAY

OWNER(S): Robert W. Monday

TAX ID NUMBER: 122 O J 005 <u>View map on KGIS</u>

JURISDICTION: Commission District 9
STREET ADDRESS: 0 Mount Vernon Dr.

► LOCATION: East of Dresser Road, south of Mount Vernon Drive

► TRACT INFORMATION: 1.21 acres.

SECTOR PLAN: South County

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via Dresser Road, a local road, with a pavement width of 40-ft to

50-ft

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Tennessee River

► PRESENT PLAN LDR (Low Density Residential) / RB (General Residential) & RA (Low

DESIGNATION/ZONING: Density Residential)

► PROPOSED PLAN MU-SD (Mixed Use Special District) / SC (Shopping Center)

DESIGNATION/ZONING:

► EXISTING LAND USE: Single family residential

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EXTENSION OF PLAN Yes, MU-SD SCO-3 and SC are adjacent. DESIGNATION/ZONING:

HISTORY OF ZONING

**REQUESTS:** 

None noted.

SURROUNDING LAND USE,

PLAN DESIGNATION,

ZONING

North: Right-of-Way / ROW (Right-of-Way) / RA (Low Density Residential)

South: Commercial / MU-SD SCO-3 (Alcoa Highway Small Area) / SC

(Shopping Center)

East: Single family residential / LDR (Low Density Residential) / RA (Low

Density Residential)

West: Right-of-way / ROW (Right-of-Way) / RB (General Residential)

NEIGHBORHOOD CONTEXT: This area is adjacent to the major improvements along Alcoa Highway at the

Dresser Road flyover. It abuts a low density residential neighborhood and is

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#### STAFF RECOMMENDATION:

- ► Approve the South County Sector Plan amendment to the MU-SD SCO-3 (Mixed Use-Special District, Alcoa Highway Small Area) land use classification because it is a minor extension of the land use class and there have been major adjacent infrastructure improvements.
- Approve SC (Shopping Center) zoning because it is a minor extension of the existing zoning.

## **COMMENTS:**

SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. This area is adjacent to the major infrastructure improvements for Alcoa Highway. This parcel is also immediately adjacent to the new frontage road and flyover, Dresser Road.

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. While the Alcoa Highway improvements were anticipated during the last sector plan update for this area, the exact design was uncertain. The addition of the frontage road along the east side of Alcoa Highway increases accessibility for the adjacent areas.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There are no obvious or significant errors or omissions in the plan, however, this is a minor extension of the existing mixed use special district along the corridor.

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

1. Vacancy of commercial and office properties has increased along this corridor over the last decade while the Alcoa Highway improvements were designed and constructed. Commercial, office, and residential development is anticipated to increase in the areas adjacent to the highway, as safety and access have improved.

State law regarding amendments of the general plan (which includes 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:

- 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.
- 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.

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6:30.01, THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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. This area is adjacent to the major infrastructure improvements for Alcoa Highway. This parcel is also immediately adjacent to the recently completed new frontage road and flyover, Dresser Road.

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2. An existing entrance onto Dresser Road was provided as part of the frontage road improvements for this parcel and access to Mt. Vernon Road became access-controlled.

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

- 1.The SC (Shopping Center) Zone is intended to encourage and insure the development of unified retail shopping centers which will promote the public health, safety, morals, and general welfare for the citizens of the county.
- 2. The purpose of the SC zone district is: a) to promote safe and efficient movement of traffic within the site of the shopping center and in connection with adjacent access streets, b) to lessen the adverse effects such shopping centers might have on the uses of adjacent land, and c) to prohibit the development of uses of a heavy repair, wholesaling, industrial, and residential character in SC, Shopping Center Zones.
- 3. The SC zone district requires a development plan to be approved by the Planning Commission.

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. Where adjacent to residentially zoned properties, the SC zone district requires a 50-ft setback and screening as part of a development plan.
- 2. The required review of a development plan by the Planning Commission for this zone district encourages impacts to be addressed through site design.
- 3. An access-control fence was installed along the north and west sides of the property, limiting entrance for the parcel onto Dresser Road only.

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 recommended SC zone district is in compliance with the recommended South County Sector Plan amendment to MU-SD SCO-3 (Alcoa Highway Small Area).
- 2. The amendment is in compliance with all 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 2/22/2022. If denied, Knoxville-Knox County Planning Commission'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 a Planning Commission decision in the County.

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# Request to Postpone • Table • Withdraw

Name of Applicant: ROBERT W. MODOAY

AS IT APPEARS ON THE CURRENT PLANNING COMMISSION AGENDA

Original File Number(s): 12-A-ZI-SP / 17-G-ZI-ZZ

Date Scheduled for Planning Review: 1-13-2.Z

Date Request Filed: 1.11.22 Request Accepted by: Skirny Michienzi

	REQ	UEST		
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#### PLEASE NOTE

Consistent with the guidelines set forth in Planning's Administrative Rules and Procedures:

## **POSTPONEMENTS**

Any first time (new) Planning application is eligible for one automatic postponement. This request is for 30 days only and does not require Planning approval if received no later than 3:30 p.m. on the Friday prior to the Planning Commission meeting. All other postponement requests must be acted upon by Planning before they can be officially postponed to a future public meeting.

## **TABLINGS**

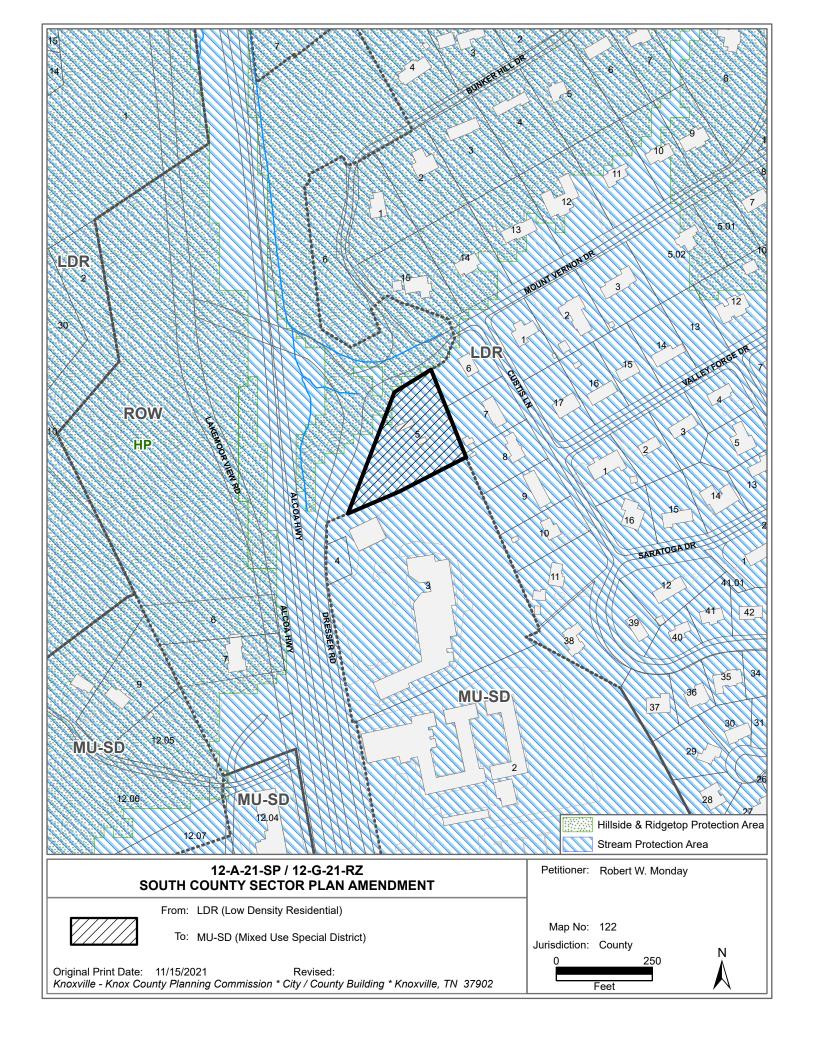
Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled.

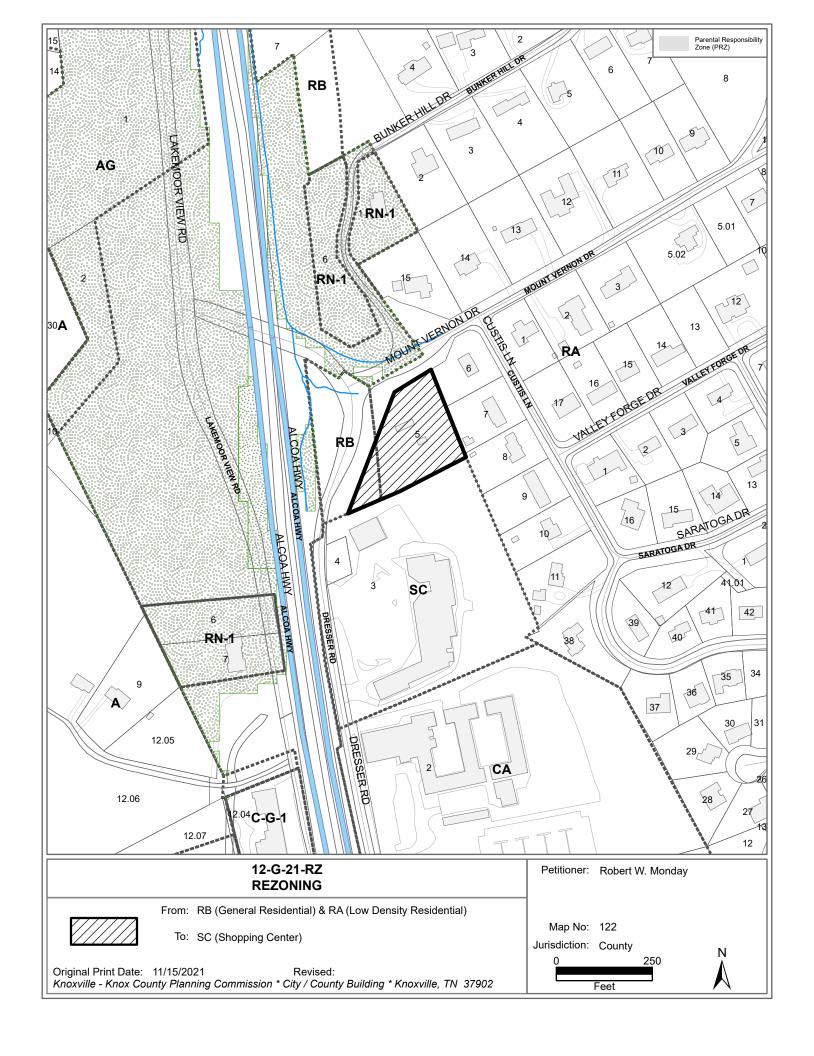
#### WITHDRAWALS

Any item is eligible for automatic withdrawal. A request for withdrawal must be received no later than 3:30p.m. on the Friday prior to the Planning Commission meeting. Withdrawal requests that do not meet these guidelines must be acted upon by Planning Commission before they can be officially withdrawn.

Any new item withdrawn may be eligible for a fee refund according to the following:

Application withdrawal with fee refund will be permitted only if a written request is received prior to public notice. This request must be approved by either the Executive Director, or the Planning Services Manager. Applications may be withdrawn after this time, but without fee refund.





# KNOXVILLE-KNOX COUNTY PLANNING COMMISSION A RESOLUTION AMENDING THE SOUTH COUNTY SECTOR PLAN

WHEREAS, the Knoxville-Knox County 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 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 Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the South 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, Robert W. Monday has submitted an application for an amendment to the South County Sector Plan for property described in the application; and

WHEREAS, the Planning Commission recommends approval of an amendment to the Sector Plan from Low Density Residential to Mixed Use Special District, Alcoa Highway Small Area 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 Planning Commission, at its regularly scheduled public hearing on January 13, 2022 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 PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the South County Sector Plan, with its accompanying staff report and map, file #12-A-21-SP.

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that Knox County Commission likewise consider this revised amendment to the General Plan 2033.

	Date	-	
Chairman		Secretary	

Exhibit B. 12-G-21-RZ / 12-A-21-SP Contextual Images

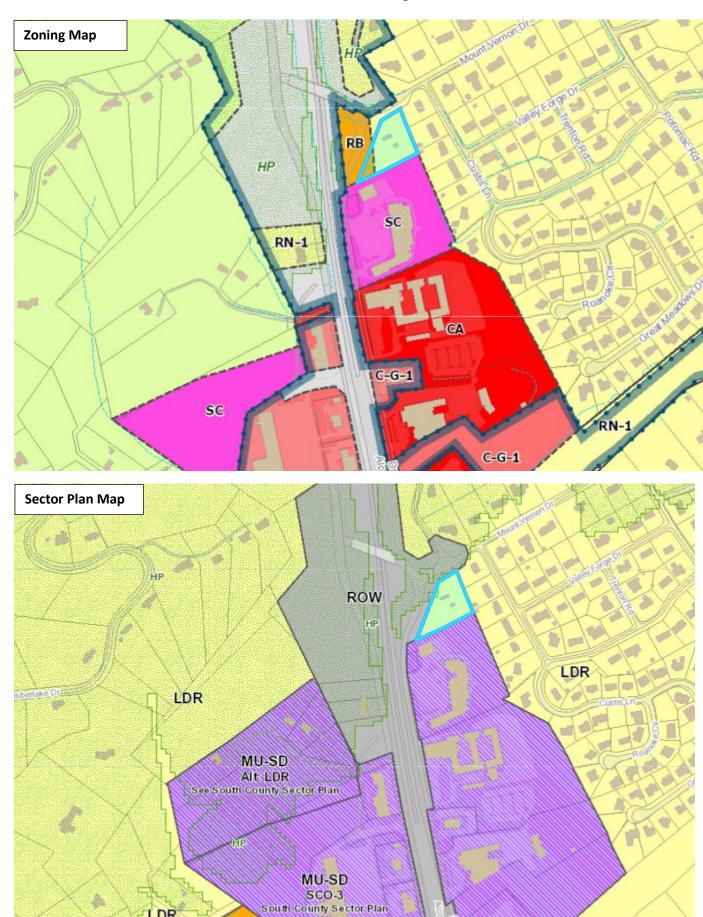


Exhibit B. 12-G-21-RZ / 12-A-21-SP Contextual Images

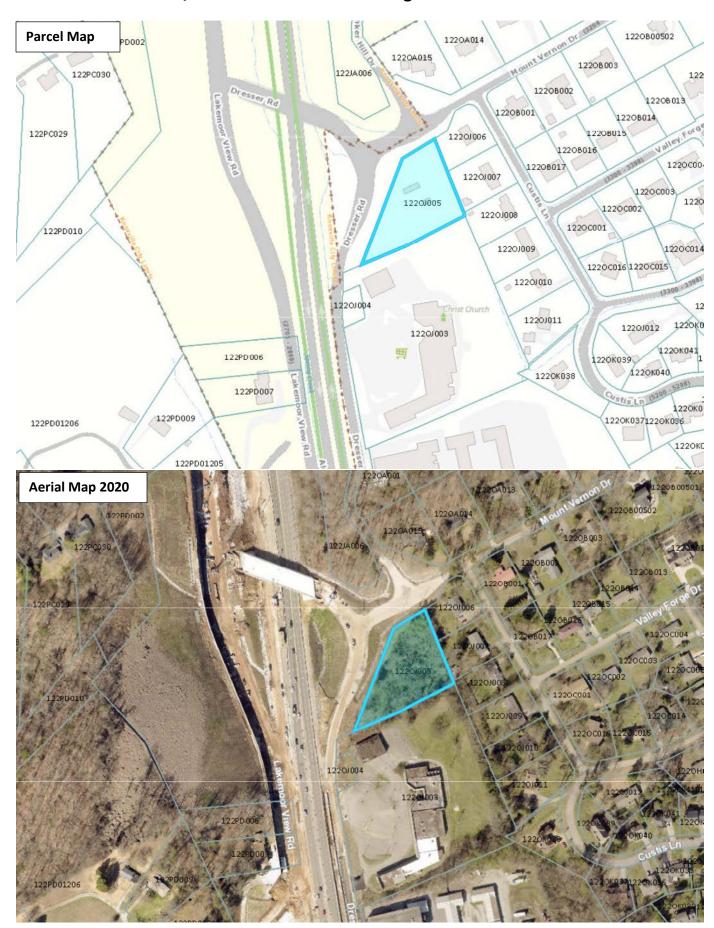


Exhibit B. 12-G-21-RZ / 12-A-21-SP Contextual Images



Planning KNOXVILLE I KNOX COUNTY	Development  Development Plan  Planned Development  Use on Review / Special Hillside Protection COA	□ Co □ Fi al Use	eques DIVISION DINCEPT Plan Inal Plat	ZONING  X Plan Amend X SP [ Z Rezoning	dment _ OYP
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Robert W.	Monaay		Affiliation		
Applicant Name	74-15 x 50 12 12 x 50 x 5				umber(s)
10/25/21	12/9/21		12-G-2		
Date Filed	Meeting Date (if applic	able)	12-A-2	21-SP	
	All correspondence related to this o	annlication should b	e directed to the ap	proved contact list	ed below.
CORRESPONDENCE			NEW RESIDENCE AND RESIDENCE		
☐ Applicant ☐ Owner ☐	☐ Option Holder ☐ Project Survey	yor 🔯 Engineer	Architect/Land	iscape Aleintee	
David Horlon		Baton!	Homes		
Name		Company			
E-CONTRACTOR (ED)		V. 110	TNI	31909	
4834 Papermi	11 1me	City	State	ZIP	
Address					
588-6472	harbin @ b	m-p.cm			
Phone	Email				
CURRENT PROPERTY IN	NFO				
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Robert W.	Owner Add	ress	37912	Owner Phone	
Owner Name (if different)	, O Kno	ress exuille TN	- Axx	005	
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041	RB & RA		Single family	/ residential	

9th

Zoning District

LDR (Low Density Residential)

Sector Plan Land Use Classification

☐ City County District

**South County** 

Planning Sector

Existing Land Use

**Urban Growth** 

Growth Policy Plan Designation

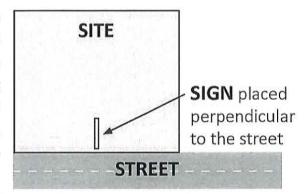
DEVELOPMENT REQUEST			Polated City	Permit Number(s)
☐ Development Plan ☐ Use on Review / Specia	al Use	on COA	Related City	
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Home Occupation (specify)				
Other (specify)				
SUBDIVISION REQUEST			Dalated Pa	zoning File Number
Street Control of the			Related Ne	ZOTHING THE MAINISC.
Proposed Subdivision Name				
Unit / Phase Number	Jotaina	ımber of Lots Crea	ted	
Other (specify)				
☐ Attachments / Additional Requirements				
ZONING REQUEST			Pendin	g Plat File Number
☑ Zoning Change 5C				
Proposed Zoning				
Proposed Plan De	esignation(s)			
Proposed Density (units/acre)	revious Rezoning Requests			
Other (specify)				
Other (specify)				
STAFF USE ONLY		Fee 1		Total
PLAT TYPE				
☐ Staff Review ☐ Planning Commission		0326	\$1,000.00	
ATTACHMENTS	15-15-15-15-15-15-15-15-15-15-15-15-15-1	Fee 2		
☐ Property Owners / Option Holders ☐ Vari	iance Request			\$1,600.00
ADDITIONAL REQUIREMENTS		0526	\$600.00	
☐ Design Plan Certification (Final Plat)		Fee 3		
☐ Use on Review / Special Use (Concept Plan)				
☐ Traffic Impact Study				
COA Checklist (Hillside Protection)				
AUTHORIZATION By signing below,	I certify I am the property o			ized representative.
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Phone Number	Email	**		0/25/2021 sw
Liz Albertson	liz.albertson@knoxplanning.org			
Staff Signature	Please Print		D	u.cu



# Sign Posting & Removal Requirement

Revised April 2021

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

#### LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

### TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission public hearing** and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and reabove guidelines and between the dates of:	emoving the sign(s) provided consistent with the
and (applicant or staff to post sign)	Dec 10,2021
(applicant or staff to post sign)	(applicant to remove sign)
Applicant Name: Robert W. Myn Date: 10/85/21 File Number: 12 6-21-RZ 12-A-2	Sign posted by Staff