

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

ONE YEAR PLAN AMENDMENT



File Number: 1-B-23-PA Related File Number: 1-B-23-RZ
Application Filed: 10/28/2022 Date of Revision:
Applicant: DEIDRA MESSINGER

PROPERTY INFORMATION

General Location: South end of Zoe Way, southeast of Lonas Drive
Other Parcel Info.:
Tax ID Number: 107 I B 013 Jurisdiction: City
Size of Tract: 2.86 acres
Accessibility: Access is via Zoe Way, a private local street with a 25-ft pavement width within a 40-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Office
Surrounding Land Use:
Proposed Use: Density:
Sector Plan: Northwest City Sector Plan Designation: O (Office), HP (Hillside Protection)
Growth Policy Plan: N/A (Within City Limits)
Neighborhood Context: This property is located between a single family detached residential neighborhood and commercial and office properties among forested hillside.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 910 ZOE WAY
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: OP (Office Park), HP (Hillside Protection Overlay)
Former Zoning:
Requested Zoning: RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)
Previous Requests:
Extension of Zone: Yes/ Yes
History of Zoning: 6-N-89-RZ: RP-1 to O-3

PLAN INFORMATION (where applicable)

Current Plan Category: O (Office), HP (Hillside Protection)
Requested Plan Category: HP (Hillside Protection);LDR (Low Density Residential)

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Jessie Hillman

Staff Recomm. (Abbr.):

Approve the One Year Plan amendment to LDR (Low Density Residential) and HP (Hillside Protection) because it is compatible with surrounding land uses.

Staff Recomm. (Full):

Comments:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:
CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these.)

AN ERROR IN THE PLAN:

1. While the current classification of O (Office) is not the result of an error in the One Year Plan, it is tied to a rezoning that occurred in 1989. The rezoning case 6-N-89-RZ changed the land use classification of this property from LDR (Low Density Residential) to O. The request here is to return the property to its original LDR designation, which is a minor extension of LDR to the south and west of the subject property.

A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA:

1. In the 1980s and early '90s this area saw significant changes with the extension of I-40/ I-75 and new residential and office development. The original vision for the subject property was residential, but its rezoning to an office park in 1989 was also consistent with development trends at that time.

A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN:

1. Although staff consider all possible land uses within a classification, it is noteworthy that the applicant is seeking to utilize the existing vacant office building for a special education primary school. Before the City's zoning ordinance was updated in 2020 through the Recode Knoxville process, public and private schools were permitted by right in the subject property's O-3 (Office Park) zoning district. After Recode, primary and secondary educational facilities were no longer allowed in the office districts, which are the only zoning districts permitted in the One Year Plan's O land use designation. Educational facilities are permitted in the residential zones that fall within the LDR classification.
2. The One Year Plan also describes location criteria for educational facilities, which the subject property meets. It states that primary schools should be within or adjacent to residential areas, but at locations that will not adversely impact surrounding properties. The subject property is adjacent to the Weisgarber Heights neighborhood and part of the broader Lonas Drive Community Association, but it is accessible through a private drive and parking lot that would not bring additional traffic into these residential areas. The property is also surrounded by dense forest, which would buffer nearby homes from any potential noise.

NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY KNOXVILLE-KNOX COUNTY PLANNING) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT:

1. There are no new plans specific to this request. However, the LDR classification represents a return to the original plans for this area and is compatible with adjacent land uses.

Action:

Approved

Meeting Date: 1/12/2023

Details of Action:

Summary of Action:

Approve the One Year Plan amendment to LDR (Low Density Residential) and HP (Hillside Protection) because it is compatible with surrounding land uses.

Date of Approval:

1/12/2023

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 2/7/2023

Date of Legislative Action, Second Reading: 2/21/2023

Ordinance Number:

Other Ordinance Number References: O-31-2023

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: