

CASE SUMMARY

APPLICATION TYPE: REZONING

KNOXVILLE-KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N

T E N N E S S E E

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www.knoxmpc.org

File Number: 1-D-07-RZ **Related File Number:** 1-B-07-PA
Application Filed: 11/28/2006 **Date of Revision:**
Applicant: MICHAEL SMITH

PROPERTY INFORMATION

General Location: Northwest side Dutch Valley Dr., southwest of Plummer Rd.
Other Parcel Info.:
Tax ID Number: 69 J B 046 **Jurisdiction:** City
Size of Tract: 37723 square feet
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Office and warehouse **Density:**
Sector Plan: North City **Sector Plan Designation:** Low Density Residential
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context:

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

Street: 1121 Dutch Valley Dr
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1 (Low Density Residential)
Former Zoning:
Requested Zoning: C-3 (General Commercial)
Previous Requests: None noted
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category:
Requested Plan Category:

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.:

MPC ACTION AND DISPOSITION

Planner In Charge:

Michael Brusseau

Staff Recomm. (Abbr.):

APPROVE O-1 (Office, Medical and Related Services) zoning, subject to the following conditions:

Staff Recomm. (Full):

1. New construction shall maintain a similar setback to the existing residential structures to the east.
2. Parking shall be to the side or the rear of the structure and may be accessed from Wings Way. Since Wings Way is a private easement serving a neighboring church, permission would have to be granted to the applicant for the use of this easement. If this access cannot be established, the access point should be established along the eastern side of the subject property.
3. Parking shall be buffered from adjacent lots by the evergreen tree provision of the Type B Screen Standards (that is, evergreens, planted at a minimum of 10 feet on center, capable of attaining at least a 20 foot height, with the species to be chosen from the Knoxville Street Tree Master Plan); side yard parking to Wings Way shall be in accordance with the evergreen hedge provision of the Type B screen; additionally, at least two trees capable of attaining a 40 foot height at maturity shall be planted on the lot.
5. Signs shall be of a monument type with illumination from an external light shield.
6. Standards for parking light fixtures shall be no more than 12 feet high, and lights shall be shielded so as not to spill over onto neighboring properties.
7. Maximum building height is 35 feet (no more than two stories), and a pitched roof shall be used.
8. No metal buildings shall be permitted.
9. Maximum amount of impervious coverage shall be 40%; landscaping of the yard shall include turf and/or other natural ground cover and landscaping shall be provided around the building.

Comments:

MPC originally approved the requested office plan designation and O-1 zoning at their January 11, 2007 meeting. These requests were referred back to MPC by City Council at their April 24, 2007 meeting. There were concerns from the neighborhood about the O-1 zone, as well as non-residential development on this property, without consideration being given to design elements affecting compatibility with nearby residential uses. Such concerns have been addressed during the process to update the North City Sector Plan. The listed zoning conditions should address those concerns.

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The recommended conditional approval of these requests will allow the property to be converted to office use but will minimize the impact to adjacent properties.
2. Office uses at this location will serve as a transitional buffer between the residential uses to the north and the commercial/industrial uses to the south.
3. No rezoning to non-residential zones has occurred on the north side of this section of Dutch Valley Rd., except for some O-1 zoning to the west, which is not consistent with the sector plan proposal. Office zoning at this site with the specified conditions noted will minimize the impacts to adjacent properties.

THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are in place to serve the site.
2. The proposal will have no impact on schools. The impact on the street would depend on the size and type of office development that is proposed. The application lists office/warehouse as the proposed use.
3. The recommended conditional O-1 zoning will permit a use that will be compatible with adjacent uses.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The current North City Sector Plan proposes LDR (Low Density Residential) uses for the site, consistent with the current R-1 zoning. This plan is currently being updated and being considered for "residential office" in a mixed use district. See the attached comments regarding this case from MPC's Comprehensive Planning staff.
2. With the approval of the plan amendment to office, the O-1 zoning is consistent with the One Year Plan.

3. Approval of this request may generate similar requests for office plan designations and zones on the north side of Dutch Valley Dr.

4. The request on this property is compatible with surrounding uses. Some similar, individual properties in the area have been rezoned for those uses. Ideally, it would be best if all established residential property owners with frontage on the north side Dutch Valley Dr. were in agreement with rezoning their properties for medium density and/or non-residential uses and were included on one application.

MPC Action: Approved

MPC Meeting Date: 5/10/2007

Details of MPC action:

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Summary of MPC action: O-1 (Office, Medical and Related Services) zoning, subject to the following conditions:

Date of MPC Approval: 5/10/2007

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: 6/5/2007

Date of Legislative Action, Second Reading: 6/19/2007

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved as Modified

If "Other": Postponed 2/13/07, 2/27, 4/10

If "Other":

Amendments:

Amendments:

Referred back to MPC 4/10/07

17-day waiting period deleted

Date of Legislative Appeal:

Effective Date of Ordinance: