

CASE SUMMARY
APPLICATION TYPE: REZONING
ONE YEAR PLAN AMENDMENT



File Number: 1-G-14-RZ **Related File Number:** 1-F-14-PA
Application Filed: 11/25/2013 **Date of Revision:**
Applicant: SHANE ADDINGTON

PROPERTY INFORMATION

General Location: Southwest side Schubert Rd., southeast of Merchant Dr.
Other Parcel Info.:
Tax ID Number: 68 N E 029 **Jurisdiction:** City
Size of Tract: 17500 square feet
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Duplex
Surrounding Land Use:
Proposed Use: Offices **Density:**
Sector Plan: Northwest City **Sector Plan Designation:** LDR
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context:

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

Street: 5111 Schubert Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1A (Low Density Residential)
Former Zoning:
Requested Zoning: O-1 (Office, Medical, and Related Services)
Previous Requests: None noted
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)
Requested Plan Category: O (Office)

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.): DENY O-1 (Office, Medical & Related Services) zoning.

Staff Recomm. (Full): O-1 zoning is not consistent with the proposals of the adopted plans for the area, which appropriately call for office uses to end to the northwest of this site. Allowing O-1 zoning to extend further southeast down Schubert Rd. would constitute an unnecessary extension of non-residential uses into a residential neighborhood. The current duplex use and R-1A zoning gives the applicant reasonable use of the property.

Comments: 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. No significant changes have occurred in the area that warrant the requested change in zoning. This section of Schubert Rd. is developed with residences from this site to the southeast.
2. The property is surrounded by residential uses and zoning on three sides. The parcel to the northwest of the subject property is zoned O-1, but the adopted land use plans for the area propose that non-residential uses end at that point. Staff maintains that this proposal is appropriate and should be maintained.
3. The subject property is zoned R-1A and developed with a duplex, allowing for reasonable use of the site consistent with the adopted plans for the area.

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

1. The O-1 zone, as described in the zoning ordinance, is intended to provide areas for professional and business offices and related activities that require separate buildings surrounded by landscaped yards and open areas. The intent is to provide centralized, compact locations for business offices, clinics, medical and dental offices, as well as suburban locations near residential neighborhoods.
2. Based on the above description and intent, as well as the permitted uses, this property is not appropriate to be rezoned to O-1. It is surrounded on three sides by residential uses in an area designated on the adopted plans for residential use only.

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. Establishment of O-1 zoning at this location could adversely impact nearby residential properties, allowing further intrusion of non-residential uses into an established residential neighborhood.
2. O-1 zoning allows many uses that would not be compatible with nearby residential land uses and zoning.
3. Allowing O-1 zoning to extend further southeast down Schubert Rd. would constitute an unnecessary extension of non-residential uses into a residential neighborhood.

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 requested plan amendment to the office land use classification, O-1 zoning would be consistent with the One Year Plan. However, staff is recommending that the current plan designation and zoning be maintained for compatibility with surrounding land uses and zoning.
2. The site is located inside the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. With approval of a Northwest City Sector Plan amendment to office, O-1 zoning would be consistent with the plan. There is an accompanying sector plan amendment request for the site requesting a

change from LDR to O (1-E-14-SP). MPC staff is also recommending denial of that request.
4. Approval of this request may lead to future rezoning and plan amendment requests for non-residential development on other properties further southeast along Schubert Rd.

Action: Approved **Meeting Date:** 1/9/2014
Details of Action: approved O-1
Summary of Action: O-1 (Office, Medical & Related Services)
Date of Approval: 1/9/2014 **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, Second Reading:	
Date of Legislative Action:	2/4/2014	Other Ordinance Number References:	
Ordinance Number:		Disposition of Case, Second Reading:	
Disposition of Case:	Denied	If "Other":	
If "Other":		Amendments:	
Amendments:		Effective Date of Ordinance:	
Date of Legislative Appeal:			

Moot because 1-E_14-SP did not pass