

CASE SUMMARY
APPLICATION TYPE: REZONING
ONE YEAR PLAN AMENDMENT

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-O-17-RZ **Related File Number:** 1-G-17-PA
Application Filed: 11/28/2016 **Date of Revision:**
Applicant: DIXON GREENWOOD

PROPERTY INFORMATION

General Location: Northwest side Lyons View Pike, southwest of Colony Way
Other Parcel Info.:
Tax ID Number: 107 N E 012 **Jurisdiction:** City
Size of Tract: 0.47 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Church
Surrounding Land Use:
Proposed Use: Real estate office using existing building (Offices) **Density:**
Sector Plan: West City **Sector Plan Designation:** MDR
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context:

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

Street: 4811 Lyons View Pike
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-2 (General 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: MU (Mixed Use) (MDR-Medium Density Residential, 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 the rezoning to O-1 (Office, Medical & Related Services), consistent with the denial recommendations for the associated plan amendments.

Staff Recomm. (Full): There is a large area of O-1 zoning directly north of this property, not accessed from Lyons View Pike. Approval of O-1 zoning for this site would be a spot rezoning, giving the applicant development rights that neighboring properties on either side do not have. The residential zoning pattern is well established in this area and should be maintained. Also, the current R-2 zoning allows reasonable use of the property and the existing building on it. For example, R-2 zoning allows use on review consideration of a medical facility, nursing home, assisted living facility, assembly hall, church or child day care facility.

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. There is adequate O-1 zoning available in the area to meet demand.
2. The West City Sector Plan recommends only residential land uses and zoning on Lyons View Pike, west of Colony Way,
3. The existing zoning pattern is appropriate, as it establishes a transition between the Bearden mixed use area to the north and the low density residential use on the south side of Lyons View Pike.

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 general intent, this site is not appropriate for O-1 zoning.

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. The residential zoning pattern along Lyons View Pike, west of Colony Way, should be maintained in its current form. It creates a transitional area between the Bearden mixed use area to the north and low density residential uses to the south.
2. Allowing office use of this property could have a negative impact on the established residences to the north, east and west.
3. Two similar rezoning requests were denied in this same area in 2005 and 2008 (see attached map), further establishing the policy of reserving this area for residential uses only.
4. Public water and sewer utilities are available to serve the site.

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 approval of the requested One Year Plan amendment to O, the requested O-1 zoning would be consistent with the plan.
2. With approval of the requested West City Sector Plan amendment to O, the requested O-1 zoning would be consistent with the sector plan.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This current zoning does not present any apparent conflicts with any other adopted plans, and should be maintained.

Action: Approved **Meeting Date:** 1/12/2017

Details of Action: RECOMMEND that City Council APPROVE O-1 (Office, Medical & Related Services) zoning, subject to 2 conditions:
 1. Use on review approval by MPC is required prior to office occupancy.
 2. Existing building must remain.

Summary of Action: O-1 (Office, Medical, and Related Services) zoning, subject to 2 conditions:
 1. Use on review approval by MPC is required prior to office occupancy.
 2. Existing building must remain.

Date of Approval: 1/12/2017 **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: 3/28/2017
Date of Legislative Action: 2/14/2017	Other Ordinance Number References:
Ordinance Number:	Disposition of Case, Second Reading: Approved
Disposition of Case: Approved	If "Other":
If "Other": Postponed 2-28 until 3-28	Amendments:
Amendments:	Effective Date of Ordinance:
Date of Legislative Appeal:	