

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 10-A-10-RZ **Related File Number:** 10-A-10-PA
Application Filed: 7/7/2010 **Date of Revision:**
Applicant: CAD PROPERTIES (REFERRED BACK BY CITY COUNCIL)

PROPERTY INFORMATION

General Location: Northwest side Tazewell Pike, northeast of Smithwood Rd.
Other Parcel Info.:
Tax ID Number: 58 L D 039.01 **Jurisdiction:** City
Size of Tract: 1.18 acres
Accessibility: Access is via Tazewell Pike, a minor arterial street with 26' of pavement width within 60' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Medical office
Surrounding Land Use:
Proposed Use: Professional office **Density:**
Sector Plan: North City **Sector Plan Designation:** Medium Density Residential
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This area is developed with a mix of low to medium density residential, office and institutional uses, under R-1, R-2, O-1 and O-3 zoning.

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

Street: 3403 Tazewell 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) or O-3 (Office Park) as requested by City Council
Previous Requests: 1-F-07-RZ/1-C-07-PA
Extension of Zone: Yes, extension of O-1 zoning from the northeast
History of Zoning: MPC approved a One Year Plan amendment to O and a rezoning to O-1 on 1/11/07. City Council denied the requests on 2/13/07 (1-F-07-RZ/1-C-07-PA).

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.): RECOMMEND that City Council APPROVE O-1 (Office, Medical & Related Services) zoning.

Staff Recomm. (Full): The recommended O-1 zoning is compatible with surrounding development and zoning and is a logical extension of office zoning from the northwest. MPC unanimously voted to recommend approval of O-1 zoning for this site on 10/14/10. MPC also unanimously approved a One Year Plan amendment and North City Sector Plan amendment to office at that meeting (10-A-10-PA/10-A-10-SP). On 11/16/10, City Council voted to refer the rezoning case back to MPC to consider O-3 zoning.

Either O-1 or O-3 zoning are consistent with the sector plan and One Year Plan proposals for the property. Staff maintained its original recommendation to approve O-1 zoning. Several properties in the surrounding area are currently zoned O-1. Most surrounding properties are zoned R-2. O-1 zoning allows the office use of the site, but also retains the opportunity to develop residential uses, the same as all of the adjacent properties. Rezoning the property O-3 would take away residential development rights that all neighboring properties currently have. Additionally, O-3 zoning is intended for office park development, which generally occurs on larger properties and contains multiple office buildings arranged in a campus-like setting.

O-1 zoning allows a wider range of uses, a greater maximum building height of 45', a larger rear yard setback and less signage than O-3. O-3 zoning allows less uses, has a maximum building height of 35', a smaller rear yard setback and allows more wall signage. Both zones allow a monument sign with a maximum of 6 feet in height and 36 square feet in area.

Comments: MPC unanimously voted to recommend approval of O-1 zoning for this site on 10/14/10. MPC also unanimously approved a One Year Plan amendment and North City Sector Plan amendment to office at that meeting (10-A-10-PA/10-A-10-SP). On 11/16/10, City Council voted to refer the rezoning case back to MPC to consider O-3 zoning.

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NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. O-1 is a logical extension of the already established office zoning to the northeast of the site.
2. The surrounding area is developed with residential, office and institutional uses. O-1 zoning is compatible with surrounding development and zoning.
3. O-1 zoning is appropriate at this location along a minor arterial street, surrounded by other offices, apartments and a school.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The requested O-1 zoning is intended to provide areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards

and open areas. Further, 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, O-1 is an appropriate zone for this site.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. O-1 zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.
3. The impact on the street system will depend on the type of office development proposed.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the recommended amendment to O, the recommended O-1 zoning is consistent with the City of Knoxville One Year Plan.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. A North City Sector Plan amendment accompanies these One Year Plan amendment and rezoning requests (10-A-10-SP). That request is to amend the sector plan from medium density residential to office. This amendment must also be approved to be consistent with the requested O-1 zoning.

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. New law provides for two methods to amend the plan at TCA 13-3-304:

1. 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.
2. 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.

Action: Approved **Meeting Date:** 12/9/2010

Details of Action:

Summary of Action: O-1 (Office, Medical & Related Services)

Date of Approval: 12/9/2010 **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: 1/11/2011

Date of Legislative Action, Second Reading: 1/25/2011

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved as Modified

Disposition of Case, Second Reading: Approved as Modified

If "Other":

If "Other":

Amendments:

Amendments:

Approved O-3 Office Park

Approved O-3 Office Park

Date of Legislative Appeal:

Effective Date of Ordinance: