

# 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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**File Number:** 12-A-08-RZ  
**Application Filed:** 10/23/2008  
**Applicant:** XIONG DONG

**Related File Number:**  
**Date of Revision:**

### PROPERTY INFORMATION

**General Location:** Southeast side Middlebrook Pike, northeast side Sky Blue Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 105 O C 015 & 016 **Jurisdiction:** County  
**Size of Tract:** 1 acres  
**Accessibility:** Access is via Sky Blue Dr., a local street with 26' of pavement width within 50' of right of way, or from the east bound lanes of Middlebrook Pike, a four lane, median divided major arterial street within 100' of right of way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Single family residence  
**Surrounding Land Use:**  
**Proposed Use:** Any use permitted in the CA zone **Density:**  
**Sector Plan:** Northwest County **Sector Plan Designation:** Commercial  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** The subject property is located at the entrance to a subdivision

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

**Street:** 1024 Sky Blue Dr  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** RA (Low Density Residential)  
**Former Zoning:**  
**Requested Zoning:** CA (General Business)  
**Previous Requests:**  
**Extension of Zone:** Yes, extension of CA from the northwest  
**History of Zoning:** None noted

### 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 County Commission APPROVE OA (Office Park) zoning. (Applicant requested CA.)

Staff Recomm. (Full): OA zoning is more compatible with adjacent residential development and zoning than the requested CA zoning. CA would be a non-compatible intrusion into the existing neighborhood.

Comments: NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:  
1. Office uses are compatible with the scale and intensity of the surrounding development and zoning pattern.  
2. The site is located at the entrance to a residential subdivision and will be accessed from that local subdivision street (Sky Blue Dr.). These two parcels are platted as part of the adjacent Sky Blue/Hidden Valley Subdivision to the southeast. Commercial development at this location would be an intrusion into the neighborhood and could establish a precedent to allow commercial development further south on Sky Blue Dr.  
3. OA zoning provides the applicant reasonable use of the property above the current residential use and zoning.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:  
1. The CA zone, as described in the zoning ordinance, is intended for general retail businesses and services, but not for manufacturing or for processing materials.  
2. The OA zone, as described in the zoning ordinance, is intended for orderly development of office parks so that structures, access road improvements, utility distribution, landscaping, pedestrian circulation, waste disposal and related elements are complementary. The zone is designed to be compatible with surrounding residential areas and serves as a transitional area from residential to other less compatible land uses.  
3. OA is clearly the preferred zone over CA for this particular site.

THE EFFECTS OF THE PROPOSAL:  
1. Public water and sewer utilities are available to serve this site.  
2. The proposal will have no impact on schools. The impact on the street system will depend on the type of development that is proposed for the property. Access to the site will be somewhat limited for westbound traffic on Middlebrook Pike, due to the center median. All traffic entering the site will likely do so from Sky Blue Dr.  
3. The proposed CA zoning could have greater impact on adjacent residential uses than the recommended OA zoning. OA zoning allows professional offices, which generally close at nights and on weekends, making them more compatible neighbors with residential uses.  
4. If OA zoning is approved, the residential use of the house could continue as a grandfathered use or the property could be converted to an office use.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS:  
1. The Northwest County Sector Plan proposes commercial uses for the site, consistent with the proposal. However, establishment of CA zoning on this site would allow non-compatible uses to be placed at the entrance of a residential subdivision. OA zoning is permissible under the C plan designation and allows uses that would also be permitted under the C designation.  
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.  
3. This request may generate similar requests for commercial zoning in the future, leading to an undesirable strip commercial pattern along this section of Middlebrook Pike.

MPC Action: Denied

MPC Meeting Date: 12/11/2008

**Details of MPC action:** DENY CA (General Business) and OA (Office Park) zoning.

**Summary of MPC action:** Deny requested CA and OA.

**Date of MPC Approval:** **Date of Denial:** 12/11/2008 **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

### ***LEGISLATIVE ACTION AND DISPOSITION***

**Legislative Body:** Knox County Commission

**Date of Legislative Action:** 1/26/2009

**Date of Legislative Action, Second Reading:**

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:**

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**