

CASE SUMMARY

APPLICATION TYPE: REZONING

NORTHWEST COUNTY SECTOR PLAN AMENDMENT



File Number: 2-A-17-RZ **Related File Number:** 2-A-17-SP
Application Filed: 12/16/2016 **Date of Revision:**
Applicant: SOUTHEAST COMMERCIAL, LLC

PROPERTY INFORMATION

General Location: Northeast side Zion Ln., northwest of Ball Rd.
Other Parcel Info.:
Tax ID Number: 91 042 **Jurisdiction:** County
Size of Tract: 4.27 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Addiction treatment facility **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** LDR
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

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

Street: 3430 Zion Ln
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential)
Former Zoning:
Requested Zoning: OB (Office, Medical, and Related Services)
Previous Requests: 5-C-12-RZ (rezoned A to PR)
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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Michael Brusseau

Staff Recomm. (Abbr.):

DENY the rezoning to OB (Office, Medical & Related Services), consistent with the denial recommendation for the associated sector plan amendment.

Staff Recomm. (Full):

Approval of OB zoning for this site would be a spot rezoning, giving the applicant development rights that neighboring property owners do not have. The residential zoning pattern is well established in this area and should be maintained. Also, the current PR zoning and density allows reasonable use of the property. There is no justification for changing either the plan designation or zoning for this particular 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. This location is not suitable for OB zoning. If rezoned, it would be a clear, inappropriate spot zoning.
2. The existing PR zoning allows reasonable use of the property for residential development up to a density of 4 du/ac, which is more than 16 units.
3. The existing zoning pattern is appropriate. Low density residential uses continue to be the only appropriate uses along the north side of Ball Rd. in this area.

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

1. The requested OB zoning district 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.
2. Based on the above description and intent, as well as the permitted uses, this property is not appropriate to be rezoned to OB. It is surrounded on all sides by agricultural or residential uses in an area designated on the sector plan for low density residential uses 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. The low density residential zoning pattern along Zion Ln. should be maintained in its current form.
2. Allowing office use of this property could have a negative impact on the established residences on all sides.
3. Public water and sewer utilities are available in the area, but may need to be extended 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 Northwest County Sector Plan amendment to O, the requested OB zoning would be consistent with the sector plan.
3. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. The current zoning does not present any apparent conflicts with any adopted plans, and should be maintained.

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. The law now 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: Withdrawn

Meeting Date: 5/10/2018

Details of Action:

Summary of Action: Withdraw

Date of Approval:

Date of Denial:

Postponements:

Date of Withdrawal: 5/10/2018

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Date of Legislative Action:

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: