

# 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

Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
865 • 215 • 2500  
F A X • 215 • 2068  
www.knoxmpc.org

**File Number:** 2-B-09-RZ                      **Related File Number:** 2-B-09-SP  
**Application Filed:** 12/16/2008                      **Date of Revision:**  
**Applicant:** MAC AND BARBARA WILHOIT, LLC

### PROPERTY INFORMATION

**General Location:** Southwest side S. Peters Rd., northwest of Sony Ln.  
**Other Parcel Info.:**  
**Tax ID Number:** 132 F C 003                      **Jurisdiction:** County  
**Size of Tract:** 1.67 acres  
**Accessibility:**

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Senior living facility  
**Surrounding Land Use:**  
**Proposed Use:** Neighborhood pharmacy                      **Density:**  
**Sector Plan:** Southwest County                      **Sector Plan Designation:** Office  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:**

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

**Street:** 273 S Peters Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** OB (Office, Medical, and Related Services)  
**Former Zoning:**  
**Requested Zoning:** CA (General Business)  
**Previous Requests:** None noted  
**Extension of Zone:**  
**History of Zoning:**

### 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:

Ken Pruitt

Staff Recomm. (Abbr.):

DENY CA (General Business) zoning for this site

Staff Recomm. (Full):

CA zoning of this site would be an encroachment of commercial into a stable office/residential development area that is only proposed for office/residential uses by the adopted sector plan.

Comments:

REZONING REQUIREMENTS:

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

1. The subject property has OB zoning on three sides and is adjacent to a single family residence which would be adversely impacted by commercial uses that would be permitted under the proposed CA (General Business) zoning.
2. A commercial designation and CA zoning on this site would be giving these property owners a more intensive use for their property that is out of character with the surrounding residential/office uses and zoning, as well as what is proposed for this area by the adopted plan. Approval of this request would constitute a spot zoning of this property.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The CA zone provides for a wide range of business uses. The nature of such businesses is to attract large volumes of automobile traffic and to have adverse effects on surrounding properties. Hence, they are generally incompatible with residential or institutional uses or with other uses that require an environment free of noise, odors and congestion. Uses permitted in the CA zone are intensive users of roads, sewers and other public facilities.
2. Based on the above description, the proposed site is deemed inappropriate for CA zoning.

THE EFFECTS OF THIS PROPOSAL:

1. Public water and sewer are available to serve the site.
2. The proposal will have minimal impact on streets and no impact on schools.
3. Approval of the requested sector plan amendment and rezoning may lead to additional commercial uses being requested in the area, leading to strip commercial development along this section of S. Peters Rd.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS:

1. The requested sector plan amendment to C (Commercial) is required in order to approve CA zoning for this site.
2. The site is located within the Planned Growth Area of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. It is expected that the approval of this plan amendment and rezoning would lead to additional similar requests in this area.

MPC Action:

Denied

MPC Meeting Date: 2/12/2009

Details of MPC action:

Summary of MPC action:

DENY CA (General Business) zoning for this site

Date of MPC Approval:

Date of Denial: 2/12/2009

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?:  Action Appealed?:

## **LEGISLATIVE ACTION AND DISPOSITION**

Legislative Body:

**Date of Legislative Action:**

**Ordinance Number:**

**Disposition of Case:**

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

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

**Other Ordinance Number References:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**