

# 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-16-RZ                      **Related File Number:**  
**Application Filed:** 12/23/2015              **Date of Revision:**  
**Applicant:** FOUNTAIN CITY PARTNERS

### PROPERTY INFORMATION

**General Location:** West side Fountain Rd., north side Midlake Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 58 F F 024                      **Jurisdiction:** City  
**Size of Tract:** 0.22 acres  
**Accessibility:** Access is via Fountain Rd., a local street with 24' of pavement width within 38' of right-of-way, and Midlake Dr., a local street with 20' of pavement within 40' of right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Unused land  
**Surrounding Land Use:**  
**Proposed Use:** Parking lot expansion                      **Density:**  
**Sector Plan:** North City                      **Sector Plan Designation:** O and SLPA  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This property across Fountain Road from Fountain City Lake and is immediately surrounded by office uses. Nearby uses include retail, restaurants, offices, apartments and houses.

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

**Street:** 5401 Fountain Rd  
**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:** Yes  
**History of Zoning:** The adjacent medical office property was rezoned from R-2 to O-1 in 1994 and 1999.

### 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:

Mike Reynolds

Staff Recomm. (Abbr.):

RECOMMEND that City Council APPROVE O-1 (Office, Medical, and Related Services District) zoning, subject to 1 condition.

Staff Recomm. (Full):

1) Extension of the parking onto this property for the adjacent office use, as proposed, shall have landscaping consistent with the existing parking lot, new retaining walls visible from a street frontage shall be of similar material or look as the existing stone retaining walls on the site, and shrubs and trees shall be provided at the base of retaining walls.

Comments:

The subject property is in a pedestrian-oriented area, between residential areas to the west and south and Fountain City Lake and commercial area along Hotel Rd. to the east and north. The improvements to this site should be complimentary to the adjacent park and enhance the pedestrian environment. The recommended conditions are meant to accomplish this by requiring compatible retaining wall material and landscaping to shield the parking lot and reduce the visual impact of tall retaining walls visible from street and park.

The requested zoning, with the recommended conditions, is consistent with surrounding development and zoning, the sector plan and One Year Plan proposals for the area.

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. O-1 (Office, Medical, and Related Services) zoning is appropriate for this site because it is an extension of the adjacent O-1 district and consistent with adopted plans.

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

1. The O-1 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. The intent herein is to provide centralized, compact locations for business offices, clinics, medical and dental offices, as well as suburban locations near residential neighborhoods.

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. Potential negative impacts of the proposed use, parking lot expansion, will be minimized by the conditions recommended by staff.

2. The proposed zoning and use is compatible with the mix of commercial, office, and residential uses in the area.

3. This proposal will not create a direct or indirect adverse effects in the surrounding area or any other part of the County.

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. The proposed O-1 zoning is consistent with the North City Sector Plan and One Year Plan.

2. This site is located within the City Limits of Knoxville on the Knoxville-Farragut-Knox County Growth Policy Plan map.

3. This proposal does not present any apparent conflicts with any other adopted plans.

Action:

Approved

Meeting Date: 2/11/2016

**Details of Action:** 1) Extension of the parking onto this property for the adjacent office use, as proposed, shall have landscaping consistent with the existing parking lot, new retaining walls visible from a street frontage shall be of similar material or look as the existing stone retaining walls on the site, and shrubs and trees shall be provided at the base of retaining walls.

**Summary of Action:** O-1 (Office, Medical, and Related Services) District subject to 1 condition.

**Date of Approval:** 2/11/2016      **Date of Denial:**      **Postponements:**

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

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

<b>Legislative Body:</b>	Knoxville City Council	<b>Date of Legislative Action, Second Reading:</b>	3/29/2016
<b>Date of Legislative Action:</b>	3/15/2016	<b>Other Ordinance Number References:</b>	
<b>Ordinance Number:</b>		<b>Disposition of Case, Second Reading:</b>	Approved
<b>Disposition of Case:</b>	Approved	<b>If "Other":</b>	
<b>If "Other":</b>		<b>Amendments:</b>	
<b>Amendments:</b>		<b>Effective Date of Ordinance:</b>	
<b>Date of Legislative Appeal:</b>			