

# 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  
w w w • k n o x m p c • o r g

**File Number:** 2-O-07-RZ                      **Related File Number:** 2-C-07-SP  
**Application Filed:** 1/8/2007              **Date of Revision:**  
**Applicant:** WALT DICKSON

### PROPERTY INFORMATION

**General Location:** North side Middlebrook Pike, northwest of Albany Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 105 L A 006, 008 & 009                      **Jurisdiction:** County  
**Size of Tract:** 2.16 acres  
**Accessibility:**

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Residences and office  
**Surrounding Land Use:**  
**Proposed Use:** Any use permitted in the CA zone (possibly a restaurant).                      **Density:**  
**Sector Plan:** Northwest County              **Sector Plan Designation:** Mixed Uses  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:**

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

**Street:**  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural) and OA (Office Park)  
**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:

Michael Brusseau

Staff Recomm. (Abbr.):

DENY CA (General Business) zoning for entire site.  
APPROVE OA (Office Park) zoning for parcel 105LA006

Staff Recomm. (Full):

CA zoning is not appropriate to be placed in this section of Middlebrook Pike. An appropriate transitional zoning pattern is currently established and should be maintained. The recommended extension of OA zoning to the easternmost parcel would establish a consistent zone on the applicant's entire site, and is consistent with the sector plan. An expanded OA zone would allow the property owner reasonable use of his property.

Comments:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. An appropriate transitional zoning and development pattern is currently established and should be maintained.
2. MPC denied a request for CA zoning on parcels 8 through 11 on 4/13/2000 (4-D-00-RZ). That application included parcels 8 and 9 from this proposal and parcels 10 and 11 to the west.
3. The sector plan proposes only office and medium density residential uses for this site, which would serve as transitional uses between commercial use to the west and low density residential use to the east.
4. The proposed site is two parcels away from existing commercial development and zoning to the west, at Joe Hinton Rd. It is not an extension and it is not consistent with the sector plan proposal.
5. The recommended extension of OA zoning to the easternmost parcel would establish a consistent zone on the applicant's entire site, and is consistent with the sector plan.

THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are in place to serve the site.
2. The proposal will have no impact on schools. The impact on the street would depend on the size and type of commercial or office development that is proposed.
3. The proposed CA zoning is not compatible with adjacent residential uses on all sides and may have a negative impact on them. The existing and recommended OA zoning is more suitable for this site.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan, as amended by the Middlebrook Pike Corridor Study, proposes Mixed Uses, limited to Office and Medium Density Residential for this site, consistent with the existing and recommended OA zoning, but not consistent with the proposed CA zoning.
2. The Knoxville-Knox County-Farragut Growth Policy Plan designates this site as Planned Growth Area.
3. Approval of this request may generate similar requests for commercial plan designations and zones on the north side of Middlebrook Pike.

MPC Action:

Denied

MPC Meeting Date: 5/10/2007

Details of MPC action:

DENY CA (General Business) zoning for entire site.

Summary of MPC action:

DENY CA (General Business) for the entire site

Date of MPC Approval:

Date of Denial: 5/10/2007

Postponements: 2/8/07,3/8/07

Date of Withdrawal:

Withdrawn prior to publication?:  Action Appealed?: 5/15/2007

## LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Knox County Commission

Date of Legislative Action: 6/25/2007

Date of Legislative Action, Second Reading:

**Ordinance Number:**

**Disposition of Case:** Denied appeal. Denial stands.

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Other Ordinance Number References:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**