

CASE SUMMARY

APPLICATION TYPE: REZONING

NORTHWEST COUNTY SECTOR PLAN AMENDMENT

File Number: 4-C-17-RZ **Related File Number:** 4-B-17-SP
Application Filed: 2/21/2017 **Date of Revision:**
Applicant: BRD REALTY, LLC

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
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www.knoxmpc.org

PROPERTY INFORMATION

General Location: South side Dutchtown Rd., east side Dunbarton Ln.
Other Parcel Info.:
Tax ID Number: 119 01708 & 01709 **Jurisdiction:** County
Size of Tract: 6.7 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Office / warehouse **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** MDR & O
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: PR (Planned Residential) and A (Agricultural)
Former Zoning:
Requested Zoning: PC (Planned Commercial)
Previous Requests: None noted
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: MDR (Medium Density Residential) and O (Office)
Requested Plan Category: GC (General Commercial)

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 OB (Office, Medical & Related Services) zoning. (Applicant requested PC.)

Staff Recomm. (Full):

OB zoning allows reasonable use of the property, while maintaining the appropriate transitional area between residential and non-residential uses, as proposed by the recently updated sector plan.

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. The proposed rezoning is not appropriate at this location. It is not consistent with the current sector plan proposal and staff finds that the sector plan amendment request is not warranted based on the established criteria to be met for recommending approval of a sector plan amendment.
2. The recommended OB zoning will allow professional offices, medium density residential uses, as well as various other uses that allow reasonable use of the property.
3. Rezoning the site to OB maintains the transitional use between residential and non-residential uses, as proposed by the current sector plan.

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

1. The requested PC zoning is intended for a unified grouping of commercial buildings which do not require or desire a central business district location. It is the objective of this zone to achieve the highest quality site design, building arrangement, landscaping and traffic circulation patterns possible.
2. The recommended 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. The OB zoning district also allows residential development as permitted by the RB zoning district.
3. Based on the above general intents, this site is more appropriate for OB zoning than for the requested PC zoning.

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. Establishment of commercial uses at this location could have a negative impact on the established residential development to the west. Office uses are much more compatible with residential, as they generally create less traffic, noise and light and have shorter hours of operation, generally during daytime hours only.
2. OB zoning is consistent with the current sector plan proposal for the property.
3. Rezoning to OB maintains the transitional area, as proposed by the sector plan.

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. Staff is recommending denial of the proposed amendment to the Northwest County Sector Plan map to GC. Staff maintains that the plan amendment does not meet the criteria to warrant an amendment to the sector plan.
2. The recommended OB zoning is consistent with the recently adopted Northwest County Sector Plan.
3. The site is located in the Urban Growth boundary of Knoxville on the Knoxville-Knox County Growth Policy Plan.
3. The staff's recommendations do not present any apparent conflicts with any other adopted plans.

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 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: Approved **Meeting Date:** 4/13/2017

Details of Action:

Summary of Action: Recommend the Knox County Commission approve PC (Planned Commercial) zoning

Date of Approval: 4/13/2017 **Date of Denial:** **Postponements:**

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 5/22/2017 **Date of Legislative Action, Second Reading:**

Ordinance Number: **Other Ordinance Number References:**

Disposition of Case: Approved **Disposition of Case, Second Reading:**

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**