

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

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File Number: 4-F-08-RZ **Related File Number:**
Application Filed: 3/3/2008 **Date of Revision:**
Applicant: WILLIAM BELL

PROPERTY INFORMATION

General Location: Northwest side Lyons View Pike, northeast side Colony Way
Other Parcel Info.:
Tax ID Number: 107 N E 007 **Jurisdiction:** City
Size of Tract: 23000 square feet
Accessibility: Access is via Colony Way, a minor collector street with 23' of pavement width within 40' of right of way, or Lyons View Pike, a minor arterial street with 25' of pavement width within 45' of right of way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residence
Surrounding Land Use:
Proposed Use: Professional office **Density:**
Sector Plan: West City **Sector Plan Designation:** Office
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This site is within a mixed use area of offices and residential uses that have developed under R-1, R-2 and O-1 zoning. Commercial and office zoning and uses are located to the northeast and northwest. Residential development is located to the southeast and southwest.

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

Street: 4633 Lyons View Pike
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, extension of O-1 zoning from the northwest
History of Zoning: None noted for this site. Due mainly to neighborhood opposition, MPC denied O-1 zoning on the site to the west, across Colony Way, in 2005 (12-O-05-RZ). Staff had recommended conditional approval of the request.

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.):

APPROVE O-1 (Office, Medical & Related Services) zoning, subject to 2 conditions:

Staff Recomm. (Full):

1. Access to the site shall be from Colony Way only.
2. No parking shall be permitted within the front yards along either Colony Way or Lyons View Pike.

O-1 zoning with the above conditions will permit the requested use while maintaining the residential appearance of this arterial streetscape. The sector plan proposes office use for the site and the One Year Plan proposes mixed uses, limited to office and medium density residential.

Comments:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The conditioned O-1 recommendation is compatible with the scale and intensity of the surrounding land uses and zoning pattern.
2. The request is consistent with both the sector plan and One Year Plan proposals for the property.
3. The proposal is an extension of O-1 zoning from the northwest, across Colony Way. Additionally, the subject property is adjacent to C-3 zoning to the east and C-1 zoning to the north. Office zoning is an appropriate transitional zone between commercial uses to the north and east and residential uses to the south and west.
4. The conditions of the approval will ensure that the proposed office use of the property will minimize the impact on the residential uses to the south and west and maintain the current residential character of the property.
5. Several other properties in this area have transitioned from residential to non-residential uses over the years, and this proposal will continue that trend.
6. The site is adjacent to commercial uses to the north and east along Old Kingston Pike and Kingston Pike. The office use of this property will serve as a transition between those commercial uses and residential uses to the south and west.

THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. The proposal should have a minimal impact on streets and no impact on schools.
3. The recommendation is compatible with surrounding development and will have a minimal impact on adjacent properties.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The City of Knoxville One Year Plan proposes mixed uses, limited to office and medium density residential, for this site, consistent with O-1 zoning. The One Year Plan proposes the same mixed uses, including office, on the three parcels (8,9,10) directly west of this site, on the opposite side of Colony Way, fronting on Lyons View Pike. These three parcels are also developed with residences on individual lots. Staff would anticipate that if this request is approved, office zoning may also be requested on those parcels. MPC has previously denied a request for O-1 on parcel 8, on the opposite corner of Colony Way and Lyons View Pike, to the west, in 2005, due to neighborhood opposition. Staff had recommended conditional approval of that request. If this request is approved, that site may be once again proposed for O-1 zoning. However, the updated sector plan has now redesignated these sites for low density residential, so staff would not likely support any non-residential zoning requests.
2. The recently updated West City Sector Plan includes this site within a mixed use special district (WC-1), which is referred to as the Bearden Village concept. O-1 zoning is appropriate within this special sector plan district. The previously requested site on the opposite corner was proposed for MDR at the time of the 2005 request, but is now redesignated as LDR, neither of which is consistent with O-1 zoning.

3. This site is located within the Urban Growth Area (inside Knoxville City limits) on the Knoxville-Knox County Growth Policy Plan map.

MPC Action: Denied **MPC Meeting Date:** 4/10/2008
Details of MPC action: DENY O-1 (Office, Medical & Related Services) zoning.
Summary of MPC action: Deny O-1 (Office, Medical & Related Services)
Date of MPC Approval: **Date of Denial:** 4/10/2008 **Postponements:**
Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council
Date of Legislative Action: 5/6/2008 **Date of Legislative Action, Second Reading:** 5/20/2008
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:**