

# 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-H-09-RZ                      **Related File Number:**  
**Application Filed:** 2/27/2009              **Date of Revision:**  
**Applicant:** RONALD A WATKINS

### PROPERTY INFORMATION

**General Location:** Northeast and southwest sides of Lovell Crossing Way, north side new Yarnell Rd. realignment  
**Other Parcel Info.:**  
**Tax ID Number:** 118 017 & 017.04    **OTHER:** PORTION NORTH OF YARN    **Jurisdiction:** County  
**Size of Tract:** 5.76 acres  
**Accessibility:** Access to the site is via Yarnell Rd., a major collector street with 20' of pavement width within 60' of right of way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Apartment development                      **Density:**  
**Sector Plan:** Northwest County    **Sector Plan Designation:** Mixed Uses  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This area is developed with businesses, offices and a business park along Lovell Rd. frontage. The adjacent property is developed with an apartment complex, under OB/TO zoning. Further west, along Yarnell Rd. are lower density residential uses.

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

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

### ZONING INFORMATION (where applicable)

**Current Zoning:** PC (Planned Commercial) / TO (Technology Overlay)  
**Former Zoning:**  
**Requested Zoning:** OB (Office, Medical & Related Services) / TO (Technology Overlay)  
**Previous Requests:** 11-E-04-RZ, 12-B-04-SP  
**Extension of Zone:** Yes, extension of OB/TO zoning from the northwest.  
**History of Zoning:** This property and the adjacent property to the northwest were rezoned in to OB/TO and PC/TO in 2004.

### 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.):** RECOMMEND that County Commission APPROVE PR (Planned Residential)/TO (Technology Overlay) zoning, limited to a maximum of 72 dwelling units. (Applicant requested OB/TO.)

**Staff Recomm. (Full):** PR/TO is the most appropriate zone for residential development. It will require MPC review of a use on review development plan prior to construction, giving staff the opportunity to address access, landscaping, traffic circulation, signage and other development issues. It also gives the opportunity for public comment. The current PC zoning also requires use on review approval, and staff recommends retaining the plan review, despite the rezoning of the property.

**Comments:** NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:  
1. The recommended PR/TO zoning and maximum units is compatible with the scale and intensity of the surrounding development and zoning pattern in the area.  
2. The adjacent site has already been developed with apartments, under OB zoning, as proposed in this case. The proposal is to expand the existing apartment complex to the south with an additional 72 units. PR zoning will allow that development to be considered and give the opportunity for development plan review.  
3. This parcel will be split with the realignment of Yarnell Rd. to line up with Bob Gray Rd. The applicant is requesting rezoning north of the new Yarnell Rd. alignment only. The current PC/TO zoning will remain on the portion of this parcel that ends up southwest of Yarnell Rd. The proposed medium density residential development creates a transition between commercial and residential uses.

**CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:**

1. OB zoning is intended to provide areas for professional and business offices and related activities. OB zoning also allows all uses permitted under RB zoning, including apartments. No MPC review is required unless the proposed development density exceeds 12 du/ac.
2. The PR zone requires use on review approval of a development plan by MPC prior to construction. This will provide the opportunity for staff to review the plan and address issues such as traffic circulation, lot layout, access, signage, recreational amenities, drainage, types of units and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting. The PR zone is the most appropriate zone for any type of large scale residential development in the County.
3. The subject parcel is appropriate for the requested OB or the recommended PR zoning, but since the intent is to develop apartments on the site, PR is the more appropriate of the two.
4. The property is located within the TO (Technology Overlay) district and the TO overlay will remain with the base zoning. The Tennessee Technology Corridor Development Authority (TTCDA) will consider a Certificate of Appropriateness for this rezoning at their April 6, 2009 meeting. Residential development plans, however, do not require review by TTCDA.

**THE EFFECTS OF THIS PROPOSAL**

1. Public water and sewer utilities are available to serve the site.
2. Either the requested OB or recommended PR zoning would be less intense than the current PC zoning.
3. The effects of this proposal on adjacent properties will be minimal.
4. The applicant intends to construct 72 additional apartment units on the site. This development will add about 7 children to the school system and about 710 additional vehicle trips per day to the street system.
5. PR or OB zoning will allow the applicant to develop apartments, similar to the existing apartments to the north. Apartments and office uses are permitted uses within the OB zoning district.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan, as amended by the TTCDA Comprehensive Development Plan, 2008 update, designates that this site is located within a Mixed Use Special District (MU-NWCO4). Either PR or OB zoning would be consistent with the sector plan proposal.

2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

3. Approval of this request may lead to future requests for OB or PR zoning on adjacent parcels, especially those zoned BP (Business and Technology Park) /TO. The BP zone is generally intended for larger sites. The remaining parcels in the area still zoned BP may not be appropriate for that zoning.

**Action:** Approved

**Meeting Date:** 4/9/2009

**Details of Action:**

**Summary of Action:** RECOMMEND that Knox County Commission APPROVE PR (Planned Residential)/TO (Technology Overlay) zoning, limited to a maximum of 72 dwelling units.

**Date of Approval:** 4/9/2009

**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:** 5/26/2009

**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:**