

# 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-P-01-RZ                      **Related File Number:**  
**Application Filed:** 3/14/2001              **Date of Revision:**  
**Applicant:** JOHN P NEWTON, JR.  
**Owner:**

### PROPERTY INFORMATION

**General Location:** West side Ebenezer Rd., south of Kingston Pike  
**Other Parcel Info.:**  
**Tax ID Number:** 132 36                      **Jurisdiction:** County  
**Size of Tract:** 3.7 acres  
**Accessibility:** Access is via Ebenezer Rd., a minor collector street with 21' of pavement within a 40' right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Office for law practice                      **Density:**  
**Sector Plan:** Southwest County              **Sector Plan Designation:**  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This vacant site is in an area of single family and office development occurring under PR, PC, CA and OA zones.

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

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

### ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural) & F (Floodway)  
**Former Zoning:**  
**Requested Zoning:** OB (Office, Medical, and Related Services) & F (Floodway)  
**Previous Requests:** Property was denied OA in 2000 (3-Q-00-RZ)  
**Extension of Zone:** No  
**History of Zoning:** Property was denied OA zoning in 2000, (3-Q-00-RZ)

### PLAN INFORMATION (where applicable)

**Current Plan Category:**  
**Requested Plan Category:**

**SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

Surveyor:

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: kp

Staff Recomm. (Abbr.): DENY OB (Office, Medical, & Related Services)

Staff Recomm. (Full): The staff continues to believe that this site is not suitable for development due to the potential for flooding, lack of a buildable area, steep slopes and limited access to Ebenezer Rd. The sector plan proposes stream protection for this site.

Comments: A request for OA zoning for the subject was denied by County Commission in 2000. The staff maintains its recommendation that the request to rezone the property for office development should be denied for several reasons: (1) Approximately 60 % of the site is within the floodway of Ten-Mile Creek. The depth of the buildable portion of the site, from the right-of-way of Ebenezer Road to the edge of the floodway ranges from approximately 110 ft. at the widest point to approximately 60 ft. at the most narrow point. When setbacks are accounted for, the buildable depth of the property is significantly reduced. (2) The site is characterized by slopes that average as high as 20 %, which further reduces the suitability of the property for office development. (3) At some points along the property's frontage, the site drops off sharply from Ebenezer Road, which would make it difficult to provide adequate and safe access to the roadway. The conditions have not changed from the denial of the previous request for OA zoning to warrant a change in staff's opinion regarding OB zoning.

MPC Action: Approved MPC Meeting Date: 4/12/2001

Details of MPC action:

Summary of MPC action: APPROVE OA (Office Park)

Date of MPC Approval: 4/12/2001 Date of Denial: Postponements:

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

**LEGISLATIVE ACTION AND DISPOSITION**

Legislative Body: County Commission

Date of Legislative Action: 5/29/2001 Date of Legislative Action, Second Reading: 6/25/2001

Ordinance Number: Other Ordinance Number References:

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

If "Other": If "Other":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance: