

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: 5-A-13-RZ **Related File Number:**
Application Filed: 3/11/2013 **Date of Revision:**
Applicant: HOLROB THOMAS LLC

PROPERTY INFORMATION

General Location: Northeast and southwest sides Waterville Ln., northeast of Schaeffer Rd.
Other Parcel Info.:
Tax ID Number: 104 115 & 11501 **OTHER:** PORTION ZONED BP/TO **Jurisdiction:** County
Size of Tract: 13.15 acres
Accessibility: Access is Waterville Ln., a local public street with a currently gravel driving surface within 50' of right-of-way. Access is also available to Schaeffer Rd., a minor collector street with 18' of pavement width within 50' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Apartments or offices **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** MDR/O and SLPA
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This area of Schaeffer Rd. just north of Lovell Rd. is developed with a mix of businesses under CA, CB, PC, BP and OB zoning.

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

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

ZONING INFORMATION (where applicable)

Current Zoning: BP (Business and Technology) / TO (Technology Overlay)
Former Zoning:
Requested Zoning: OB (Office, Medical, and Related Services) / TO (Technology Overlay)
Previous Requests: None noted
Extension of Zone: Yes, extension of OB/TO from the northwest
History of Zoning: None noted

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 OB (Office, Medical & Related Services) / TO (Technology Overlay) zoning, subject to 1 condition:

Staff Recomm. (Full): 1. No further clearing or grading of the site prior to approval of Certificate of Appropriateness for a development plan by TTCDA.

The requested OB base zoning is compatible with the surrounding development and zoning pattern and is consistent with the sector plan proposal for the property.

Comments: The applicant proposes to develop the property with either apartments or offices, both of which are permitted in the OB zoning district. It is staff's understanding that a second tract to the north, already zoned OB/TO, will be consolidated with the subject property for future development. Two plans to develop the property as an office park were approved by TTCDA in 2004 and 2005. As a result, a portion of the site has been graded and mature vegetation removed, but those plans have never been fully implemented.

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. OB/TO is an extension of zoning from the north and is less intense than surrounding CA, CB and BP zoning.
2. The property is located in the Planned Growth Area on the Growth Policy Plan and is proposed for medium density residential and office uses on the sector plan, consistent with the proposal.
3. The proposed OB base zoning is compatible with the scale and intensity of the surrounding development and zoning pattern, which includes commercial development to the south and west, zoned CA and CB, as well as PC and BP zoned areas in the area.
4. The TO overlay zone, which will be retained on the zoning, will require the review of a development plan and approval of a Certificate of Appropriateness by TTCDA prior to construction. This will provide the opportunity for staff to review the plan and address issues such as traffic circulation, lot layout, recreational amenities, drainage, types of units and other potential development concerns. It will also give the opportunity for public comment at the TTCDA meeting.

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

1. The requested 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.
2. Based on the above description and intent of OB zoning, this property is appropriate to be rezoned to OB, as requested.
3. Site plans will be subject to review and approval of a development plan by the Tennessee Technology Corridor Development Authority (TTCDA), since it is located within the TO overlay. MPC would review a development plan for residential uses if the proposed density exceeds 12 du/ac.

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. Public water and sanitary sewer are available to serve the site.
2. The impact to the streets and school system will depend on the type of development proposed. The existing Schaeffer Rd. and the future paving of Waterville Ln. will be sufficient to handle additional

traffic that would be generated by uses permitted in the OB zoning district.

3. This proposed amendment of the zoning map will not adversely affect any other part of the County, and the site plan approval required by the Tennessee Technology Corridor Development Authority (TTCDA) provides that no direct or indirect adverse effects will result from the change of zoning.

4. The property is characterized by some steep slopes. Care will need to be taken in developing the property to respect its physical characteristics. The site has undergone some disturbance and will need to be stabilized prior to development. Staff has recommended a condition that no additional clearing and grading will be permitted on the site prior to approval of a Certificate of Appropriateness for a development plan by TTCDA.

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. The Northwest County Sector Plan proposes medium density residential and office, with slope protection, uses for this property, consistent with the requested OB/TO zoning.

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 could lead to future requests for OB or medium density residential zoning on other BP-zoned properties in the vicinity, consistent with the sector plan's proposal for the area.

Action: Approved **Meeting Date:** 5/9/2013

Details of Action: 1. No further clearing or grading of the site prior to approval of Certificate of Appropriateness for a development plan by TTCDA.

Summary of Action: RECOMMEND that County Commission APPROVE OB (Office, Medical & Related Services) / TO (Technology Overlay) zoning, subject to 1 condition:

Date of Approval: 5/9/2013 **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: 6/24/2013

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: