

CASE SUMMARY

APPLICATION TYPE: REZONING

NORTHWEST COUNTY SECTOR PLAN AMENDMENT

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-B-14-RZ **Related File Number:** 5-A-14-SP
Application Filed: 3/10/2014 **Date of Revision:**
Applicant: BRIGHTLAND, LLC

PROPERTY INFORMATION

General Location: Southwest side Middlebrook Pike, southeast of Lovell Rd.
Other Parcel Info.:
Tax ID Number: 104 18801 **Jurisdiction:** County
Size of Tract: 1.37 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Residence
Surrounding Land Use:
Proposed Use: Commercial uses **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** LDR & STPA
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

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

Street: 9704 Middlebrook Pike
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RA (Low Density Residential)
Former Zoning:
Requested Zoning: OB (Office, Medical, and Related Services)
Previous Requests: None noted
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential) & STPA (Stream Protection Area)
Requested Plan Category: O (Office) & STPA (Stream Protection Area)

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.

Staff Recomm. (Full): OB zoning is appropriate for this property that is located on a major arterial street and is buffered from adjacent residential uses. The site is located just east of a large area of CA commercial zoning. Establishment of OB zoning at this location provides a transition between commercial and residential uses.

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. This site, which is located along Middlebrook Pike, a major arterial street, is appropriate for office uses, as proposed by the applicant.
2. OB zoning will allow uses compatible with surrounding development and zoning.
3. OB zoning for this site starts to create a transitional area between commercial uses to the west and residential uses to the south and east.
4. The subject property is situated between Middlebrook Pike and a creek to the south, which provides a buffer for the residential subdivision to the south.

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.

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. Middlebrook Pike is classified as a major arterial street that is 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.

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. With the recommended amendment to the Northwest County Sector Plan, OB zoning will be consistent with the plan.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This proposal does 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 now 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: 5/8/2014

Details of Action:

Summary of Action: RECOMMEND the Knox County Commission APPROVE OB (Office, Medical, and Related Services) zoning.

Date of Approval: 5/8/2014

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: 6/23/2014

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: