

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 5-C-23-RZ **Related File Number:**
Application Filed: 3/23/2023 **Date of Revision:**
Applicant: DC FOUNDATIONS, INC.

PROPERTY INFORMATION

General Location: South side of Oak Ridge Hwy, east of Hazelnut Ln, west of Malone Creek Dr
Other Parcel Info.:
Tax ID Number: 79 049.01 **Jurisdiction:** County
Size of Tract: 2.58 acres
Accessibility: Access is via Oak Ridge Hwy., a major arterial street with a 25-ft pavement width within a right-of-way that ranges from 93 ft to 108 ft in width.

GENERAL LAND USE INFORMATION

Existing Land Use: Rural Residential
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** MU-SD (Mixed Use Special District), SP (Stream P
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context: The area in general consists of a mix of uses, including commercial, low and medium density residential, and a public golf course, though many parcels remain undeveloped. The Grassy Creek Shopping Center is just to the east.

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

Street: 6789 OAK RIDGE HWY
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
Former Zoning:
Requested Zoning: OB (Office, Medical, and Related Services)
Previous Requests:
Extension of Zone: No
History of Zoning: None noted

PLAN INFORMATION (where applicable)

Current Plan Category: MU-SD (Mixed Use Special District), SP (Stream Protection)

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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Michelle Portier

Staff Recomm. (Abbr.):

Approve the OB (Office, Medical, and Related Services) zone since it is consistent with the sector plan's MU-SD, NWCO-10 (Mixed Use-Special District, Schaad Road/Oak Ridge Highway Crossroads) land use designation.

Staff Recomm. (Full):

Comments:

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6.30.01, THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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. Many of the surrounding properties with frontage on Oak Ridge Highway and Malone Creek Drive have CA (General Business) zoning. Some of these zones pre-date the zoning ordinance and others are a result of a string of rezonings beginning in the early 2000s. Oak Ridge Highway predominantly consists of various commercial zones along its length and is a commercial corridor.

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

1. The OB (Office, Medical, and Related Services District) zone 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.
2. The OB zone allows office uses and multifamily developments with a density of up to 12 du/ac as a permitted use, or with density above 12 du/ac as a use on review.
3. Rezonings should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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. More than half of the site is affected by FEMA designations. A large portion of the property is in the Grassy Creek floodway, with bands of the 100-yr and 500-yr floodplains extending further into this property. Site plans would be required to comply with the Knox County Stormwater Ordinance and would be subject to approval by the Knox County Department of Engineering and Public Works (EPW). The Stormwater Division of EPW would work with the applicant and provide a no-fill line, beyond which no infill of the site could occur. Approximately 0.67 acres, or 29,150 square feet of the property, is not within the floodplains or floodway and would be a better location for development than the southeast half of the site.
2. Oak Ridge Highway is a state route, so the applicant would be required to work with TDOT to provide access.
3. Office uses allowed in the OB zone would provide a transition from the commercial uses to the east and southeast and the residential uses to the west and southwest. Multifamily development, if that is the intent, should be kept to a density that is compatible with the single family neighborhood in which this property is located.
4. Oak Ridge Highway is classified as a major arterial, so traffic would not be required through residential side streets to reach this development.
5. This property is bordered by commercially-zoned properties to the east and southeast, and by single family residential properties to the west and southwest. When a commercial property abuts a residential property, a "Type A" (Dense) Landscape Screen is required along the eastern shared lot line with that residential zone per Sections 4.10.11.A & B of the Knox County Zoning Ordinance.

Should this property be developed with a commercial use, that landscape screen would be required during the permitting process.

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 General Plan calls for mid-rise office buildings next to commercial or industrial areas.
2. The Northwest County Sector Plan's MU-SD, NWCO-10 (Schaad Road/Oak Ridge Highway Crossroads) land use designation recommends office and medium density residential land uses for the western part of the special district in which the subject parcel is located.
3. The proposed amendment to the OB zone is consistent with and not in conflict with any other adopted plan.

Action: Approved **Meeting Date:** 5/11/2023

Details of Action:

Summary of Action: Approve the OB (Office, Medical, and Related Services) zone since it is consistent with the sector plan's MU-SD, NWCO-10 (Mixed Use-Special District, Schaad Road/Oak Ridge Highway Crossroads) land use designation.

Date of Approval: 5/11/2023 **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: 8/28/2023 **Date of Legislative Action, Second Reading:**

Ordinance Number: **Other Ordinance Number References:**

Disposition of Case: Denied **Disposition of Case, Second Reading:**

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**