

# CASE SUMMARY

## APPLICATION TYPE: REZONING



**File Number:** 5-G-10-RZ                      **Related File Number:** 5-D-10-SP  
**Application Filed:** 3/29/2010              **Date of Revision:**  
**Applicant:** STEPHEN C. WALLING, TRUSTEE

### PROPERTY INFORMATION

**General Location:** Southeast side Sherrill Blvd., west of Park 40 North Blvd.  
**Other Parcel Info.:**  
**Tax ID Number:** 119 018, 01851    **OTHER:** PORTION SOUTH OF SHERRILL    **Jurisdiction:** County  
**Size of Tract:** 30 acres  
**Accessibility:** Access is via Sherrill Blvd., a 4-lane, median-divided, major collector street with a 90' right-of-way, or via Park 40 North Blvd., a 4-lane, median-divided, local street within 80' of right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Office/hospitality/retail                      **Density:**  
**Sector Plan:** Northwest County    **Sector Plan Designation:** Office and Slope Protection Area  
**Growth Policy Plan:** Urban Growth Area (Outside City Limits)  
**Neighborhood Context:** This area is developed primarily with Parkwest Hospital and related uses, in the PC and PC-1 zones. To the north, across Sherrill Blvd., is vacant land and the eastern end of Dead Horse Lake Golf Course.

### 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) & PR (Planned Residential)  
**Former Zoning:**  
**Requested Zoning:** OB (Office, Medical, and Related Services)  
**Previous Requests:** None noted  
**Extension of Zone:** No  
**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 PC (Planned Commercial) zoning for the entire site, subject to two conditions. (Applicant requested OB.)

**Staff Recomm. (Full):**

1. Uses are limited to the uses permitted and uses permitted on review in the OB (Office, Medical & Related Services) zoning district.
2. No clearing or grading of the site shall occur prior to use on review development plan approval by MPC.

The recommended PC zoning, with conditions, will require use on review development plan approval by MPC prior to construction. Restricting development to OB uses only keeps the zoning request consistent with the sector plan, which proposes office uses for the site. The development plan review will give staff the opportunity to make recommendations regarding grading and development of the slope protection area on the site (see attached sector plan map), as well as other development issues. It will also provide the opportunity for public comment.

**Comments:**

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. The sector plan proposes office and slope protection for this site. Limiting the site to OB uses keeps the zoning consistent with the sector plan. PC zoning requires use on review development plan approval by MPC prior to construction, which will allow staff to address the slope protection areas of the site. The site is adjacent to other PC zoning, as well as the City's similar PC-1 zoning. There is no established OB zoning in the immediate area surrounding the site.
2. Considering the size of the site is almost 30 acres, a planned zoning district (PC) is preferable to an unplanned zone (OB). Staff maintains that planned zones are preferable for large scale developments such as this.
3. Staff recommends that PC zoning be established on the entire site in order to keep the use on review development plan requirement in place, so that slope protection and other issues can be addressed prior to development of the site. Staff expects that the applicant's site design will respect and preserve the steep, north-facing slopes along Sherill Blvd. A slope map and analysis is attached to show the areas of steepest slope on the site. Almost 32% of the site has slopes of greater than 25%, which should be preserved. About 66% of the site has slopes of 15% or greater. The site is constrained by the steep slopes on various areas of the site. Almost the entire site is heavily wooded, as seen on the attached aerial photograph. Many of the trees on the site are providing stabilization of the hillsides and should also be preserved.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The 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 further intent is to provide centralized, compact locations for business offices, clinics, medical and dental offices near residential neighborhoods.
2. The PC zoning district is intended for a unified grouping of commercial buildings which do not require or desire a central business location. It is the objective of this zone to achieve the highest quality site design, building arrangement, landscaping and traffic circulation patterns possible.
3. The site is almost 30 acres in size and is not located near any residential neighborhoods. The size and location of the site warrant the PC recommendation, rather than the requested OB zoning. The site is surrounded by other PC and PC-1 zoning. These are both similar zones that require plan approval prior to construction.
4. When possible, staff prefers to keep large scale development subject to development plan review and allow the public to comment via the public hearing process. Therefore, staff recommends approval of PC zoning for the entire site, as a preferred alternative to the requested OB zoning.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to the site.
2. The proposal would have no impact on schools. The impact to the street system will depend on the type of development proposed.
3. The PC zone requires use on review approval of a development plan by MPC prior to construction. This will provide the opportunity for MPC and County Engineering staff to review the plan and address issues such as clearing and grading, traffic circulation, layout, access, landscaping, drainage and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.

**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

1. The Northwest County Sector Plan proposes office uses for the site, which is consistent with either the staff recommended PC zoning with conditions or with the requested OB zoning.
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of OB zoning could lead to future requests for OB on surrounding properties, most of which are designated for office uses on the sector plan.

**Action:** Approved **Meeting Date:** 5/13/2010

**Details of Action:** APPROVE OB (Office, Medical & Related Services) zoning for the entire site, subject to two conditions.  
 1. All uses are subject to use on review development plan approval by MPC (similar to Planned Commercial).  
 2. No clearing or grading of the site shall occur prior to use on review development plan approval by MPC.

**Summary of Action:** APPROVE OB (Office, Medical, and Related Services) zoning for the entire site, subject to two conditions.  
 1. All uses are subject to use on review development plan approval by MPC (similar to Planned Commercial).  
 2. No clearing or grading of the site shall occur prior to use on review development plan approval by MPC.

**Date of Approval:** 5/13/2010 **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:** 6/28/2010 **Date of Legislative Action, Second Reading:**

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

**Disposition of Case:** Approved as Modified **Disposition of Case, Second Reading:**

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

**Amendments:** **Amendments:**

Approved OB WITHOUT CONDITIONS

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