

# 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

Suite 403 • City County Building  
4 0 0 M a i n S t r e e t  
Knoxville, Tennessee 37902  
8 6 5 • 2 1 5 • 2 5 0 0  
F A X • 2 1 5 • 2 0 6 8  
w w w • k n o x m p c • o r g

**File Number:** 6-A-15-RZ                      **Related File Number:**  
**Application Filed:** 4/14/2015              **Date of Revision:**  
**Applicant:** COMFORT HOTEL LLC

### PROPERTY INFORMATION

**General Location:** North side Kingston Pike, east side Montvue Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 120 G A 00402                      **Jurisdiction:** City  
**Size of Tract:** 1.85 acres  
**Accessibility:** Primary access is through state-owned property to the south from Kingston Pike, a major arterial street with six lanes and center median within 180' of right-of-way. Secondary access is through adjacent parcels to east from West Town Way, a one-way east, major collector street with 3 lanes within the large I-40/75 right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Hotel  
**Surrounding Land Use:**  
**Proposed Use:** Assisted living facility                      **Density:**  
**Sector Plan:** West City                      **Sector Plan Designation:** GC  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This site is part of the commercial development pattern along Kingston Pike adjacent to West Town Mall. Surrounding commercial zoning includes C-3, C-4, C-5, C-6 and SC-3.

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

**Street:** 7737 Kingston Pike  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** C-4 (Highway and Arterial Commercial)  
**Former Zoning:**  
**Requested Zoning:** O-3 (Office Park)  
**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 City Council APPROVE O-3 (Office Park) zoning.

**Staff Recomm. (Full):** The requested O-3 zoning is less intense than the current C-4 zoning and will allow the redevelopment of the existing hotel as an assisted living facility. The proposal is consistent with the One Year Plan and sector plan proposals for the site.

**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. O-3 is a less intense zoning district than the current C-4 zoning on the subject property. However, the applicant wishes to convert the existing hotel into an assisted living facility, which is not permitted under the current C-4 zoning.
- 2. O-3 uses are compatible with the surrounding land use and zoning pattern.
- 3. O-3 zoning is consistent with both the One Year Plan and sector plan proposals for the property.

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

- 1. The purpose of the O-3 zone, as described in the zoning ordinance, is to create a district which is compatible with surrounding residential areas and services as a transitional area from residential to other less compatible uses.
- 2. Based on the above general intent, this site is appropriate for O-3 zoning. All surrounding properties have more intense commercial zoning, so this proposal is clearly compatible with surrounding land uses and zoning.

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. The recommended O-3 zoning is compatible with the surrounding land uses and zoning pattern.
- 2. O-3 zoning will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.
- 3. The existing streets are adequate to handle traffic generated by allowing office uses on the site. An existing parking lot is already on the site and has been for many years. The applicant is proposing to convert the existing hotel into an assisted living facility, which requires less parking than a hotel. Existing parking on the site should be more than adequate to serve the proposed use.

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 West City Sector Plan and the City of Knoxville One Year Plan both propose GC (General Commercial) uses for the site, consistent with the proposed O-3 zoning.
- 2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
- 3. This recommended O-3 zoning does not present any apparent conflicts with any other adopted plans.

**Action:** Approved

**Meeting Date:** 6/11/2015

**Details of Action:**

**Summary of Action:** O-3 (Office Park)

**Date of Approval:** 6/11/2015

**Date of Denial:**

**Postponements:**

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:**

***LEGISLATIVE ACTION AND DISPOSITION***

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 7/7/2015

**Date of Legislative Action, Second Reading:** 8/18/2015

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:** Postponed

**Disposition of Case, Second Reading:** Denied  
(Withdrawn)

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

8/4/2015 withdrawn by applicant

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**