

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
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

File Number: 6-C-05-RZ **Related File Number:**
Application Filed: 5/5/2005 **Date of Revision:**
Applicant: GBS ENGINEERING
Owner:

PROPERTY INFORMATION

General Location: Northwest side Hardin Valley Rd., southwest side Charlevoix Rd.
Other Parcel Info.:
Tax ID Number: 103 E A 002, 003 **Jurisdiction:** County
Size of Tract: 4.73 acres
Accessibility: Access is via Hardin Valley Rd., a four lane, median divided street within 200' of right of way or via Charlevoix Rd., a local street with 36' of pavement width within 50' of right of way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Any use permitted under CA/TO zoning **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** Commercial
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This area is developed with commercial and business park uses around the Pellissippi Pkwy./Hardin Valley Rd. interchange and is zoned BP/TO and CA/TO.

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

Street: 10641 Hardin Valley Rd
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: CA (General Business) / TO (Technology Overlay)
Previous Requests: None noted
Extension of Zone: Yes, extension of CA/TO from the east.
History of Zoning: None noted

PLAN INFORMATION (where applicable)

Current Plan Category:
Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

Surveyor:

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.):

APPROVE CA (General Business) / TO (Technology Overlay) zoning, limited to the commercial uses permitted under BP zoning and other commercial and office uses that do not require outside storage or display of merchandise.

Staff Recomm. (Full):

CA/TO is an extension of commercial zoning from the south and west and is consistent with the sector plan proposal for the property.

Comments:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. CA/TO zoning is a logical extension of commercial zoning from the south and west, consistent with the sector plan proposal. There is also CA/TO zoning to the west, on the west side of Pellissippi Pkwy.
2. CA/TO zoning, limited to commercial uses allowed under BP zoning, is compatible with the scale and intensity of the surrounding land uses and zoning pattern. See the attached list of commercial uses allowed under BP zoning.
3. Commercial uses are appropriate on these parcels, which front on Hardin Valley Rd., an arterial street, and are near the interchange with Pellissippi Pkwy.

THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. The proposal will have no impact on schools. Hardin Valley Rd. is a minor arterial street that has the capacity to handle additional trips that would be generated by commercial development of this site.
3. The impact to adjacent properties should be minimal. Commercial uses are compatible with surrounding land uses. Review of development plans will be required by the Tennessee Technology Corridor Development Authority (TTCDA). Such plans will need to be consistent with the requirements of the TTCDA Design Guidelines.
4. The subject property is currently owned by the Development Corporation of Knox County and is under an option contract by the applicant. The Development Corporation recorded deed restrictions on the property which prohibit certain commercial uses on the site, such as, a convenience store, gasoline stations, fast food restaurants and off premise sales of beer, except within a supermarket setting. See attached deed restrictions, as provided by the applicant.
5. MPC staff does not consider deed restrictions on properties in making its' rezoning and other recommendations. Therefore, the recommendation reflects a condition to limit the allowable uses. This will prevent outdoor displays of merchandise and certain more undesirable commercial uses.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan proposes commercial uses for this site, consistent with the proposal.
2. The subject property was designated for commercial uses, as allowed under the current BP zone, when a master development plan was approved for Pellissippi Corporate Center in 1998. Although the sector plan designates this site for commercial uses, the intent of the Pellissippi Corporate Center master development plan should be maintained as means to serve the commercial needs of those uses in the center, as well as the other development taking place in the surrounding area.
3. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. Because the subject property is located within the Technology Overlay district, a Certificate of Appropriateness from the TTCDA will also be required for this rezoning proposal. TTCDA will consider this proposal at their June 6, 2005 meeting.
5. This request may lead to future requests for commercial zoning around this interchange. However future commercial rezonings would also require sector plan amendments, because the sector plan does not currently propose commercial uses for any additional properties which are not already zoned commercial.

MPC Action: Approved **MPC Meeting Date:** 6/9/2005
Details of MPC action: APPROVE CA (General Business) / TO (Technology Overlay) zoning, limited to commercial and office uses that do not require outside storage or display of merchandise.
Summary of MPC action: APPROVE CA (General Business) / TO (Technology Overlay) zoning, limited to commercial and office uses that do not require outside storage or display of merchandise.
Date of MPC Approval: 6/9/2005 **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: 7/25/2005 **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:**