

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

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File Number: 6-S-06-RZ **Related File Number:** 6-H-06-SP
Application Filed: 5/8/2006 **Date of Revision:**
Applicant: OLIVER A. SMITH

PROPERTY INFORMATION

General Location: Northeast side Lake Heritage Way, southwest side I-140, southeast of Westland Dr.
Other Parcel Info.:
Tax ID Number: 144 O A 003 **Jurisdiction:** County
Size of Tract: 3.84 acres
Accessibility: Access is via Lake Heritage Way, a private street with 26' of pavement width. This private drive leads to Heritage Lakes Apartments from Westland Dr., a minor arterial street with 35' of pavement width within 90' of right of way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Professional and business office **Density:**
Sector Plan: Southwest County **Sector Plan Designation:** Low Density Residential
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This area is developed with a mix of uses, including apartments, single family dwellings, a church, a children's hospital, offices, a daycare facility and a convenience store, under CA, PC, PR and RA zoning.

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

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) and CA (General Business)
Former Zoning:
Requested Zoning: OB (Office, Medical, and Related Services)
Previous Requests: None noted
Extension of Zone: No
History of Zoning: None noted for this site. Property to north was rezoned CA in 1997.

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 OB (Office, Medical & Related Services) zoning.

Staff Recomm. (Full): OB zoning for this site creates a transition area between commercial/office uses to the north along Westland Dr. and residential uses to the south and west.

Comments:

REZONING REQUIREMENTS:

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

1. OB zoning is appropriate at this location as a transitional zone between commercial and residential uses.
2. The proposal is an extension of zoning from the northwest and is compatible with surrounding land uses.
3. OB zoning is appropriate at this location, which is in close proximity to a major interstate interchange.

CONSISTENCY WITH INTENT AND PURPOSE OF THE 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.

THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. The proposal will have a minimal impact on streets and no impact on schools.
3. The recommended OB zoning is compatible with surrounding development and will have a minimal impact on adjacent properties.
4. If rezoned from PR to OB, this 3.84 acre site will no longer be counted toward overall density calculations for future residential development on the adjacent PR zoned property.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the recommended sector plan amendment to office, OB zoning is consistent with the Southwest County Sector Plan.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This request may lead to future rezoning requests for office zoning on other properties in the area, however the sector plan does not propose office or commercial uses further to the west along Westland Dr.

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. New law 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:** 9/8/2011

Details of Action:

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

Date of Approval: 9/8/2011 **Date of Denial:** **Postponements:** 6/8/06-9/13/07, 8/11/11

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 10/24/2011

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: