

CASE SUMMARY
APPLICATION TYPE: REZONING
ONE YEAR PLAN AMENDMENT



File Number: 7-C-14-RZ **Related File Number:** 7-B-14-PA
Application Filed: 5/27/2014 **Date of Revision:**
Applicant: CARL H. LANSDEN

PROPERTY INFORMATION

General Location: Northwest side Asheville Hwy., west side Nokomis Rd.
Other Parcel Info.:
Tax ID Number: 71 J F 028 **Jurisdiction:** City
Size of Tract: 1.5 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Residence
Surrounding Land Use:
Proposed Use: Any use permitted in C-3 zoning **Density:**
Sector Plan: East City **Sector Plan Designation:** LDR
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context:

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

Street: 5315 Asheville Hwy
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1 (Low Density Residential)
Former Zoning:
Requested Zoning: C-3 (General Commercial)
Previous Requests: 4-A-05-RZ/4-A-05-PA
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)
Requested Plan Category: GC (General Commercial)

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-1 (Office, Medical & Related Services) zoning. (Applicant requested C-3.)

Staff Recomm. (Full): O-1 zoning will create a transitional area between commercial uses to the south and east and residential uses to the north and west. O-1 zoning is compatible with the scale and intensity of surrounding development and zoning pattern. C-3 zoning would allow some uses, such as a drive-through restaurant, that could have significant negative impact on surrounding residential uses.

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-1 zoning for the subject property creates a transitional area between commercial uses to the south and east and residential uses to the north and west. Since the property fronts on a major arterial street and is in close proximity to commercial development and zoning to the south and east at the interchange, the property is less desirable for residential uses.
2. O-1 uses are compatible with the surrounding land use and zoning pattern.
3. The site is about 1.5 acres, which is enough area to locate office uses and the associated parking on site.
4. Establishing office uses at this location will establish an appropriate stopping point for commercial uses heading west from the Asheville Hwy./ I-40 interchange.

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

1. The O-1 zone, as described in the zoning ordinance, is intended to provide areas for professional and business offices and related activities that require separate buildings surrounded by landscaped yards and open areas. The intent is to provide centralized, compact locations for business offices, clinics, medical and dental offices, as well as suburban locations near residential neighborhoods.
2. Based on the above general intent, this site is appropriate for O-1 zoning.
3. The C-3 zone, as described in the zoning ordinance, is for personal and business services and general retail businesses. This zoning category is intended to include areas where commercial development has displaced or is displacing residential development, or is moving in on vacant land. Further, the regulations are designed to guide future change so as to discourage formation of future commercial slums, to preserve the carrying capacity of the streets, and to provide for off-street parking and loading. It is not the intent of this district to encourage the extension of existing strip commercial areas, but rather to provide concentrations of general commercial activities.
4. With the wide range of commercial uses allowed under C-3, including businesses that could cause negative impacts to adjacent residential uses, this site is not appropriate for the requested C-3 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-1 zoning is compatible with the surrounding land uses and zoning pattern. The requested C-3 zoning allows some uses that would not be compatible with adjacent residential uses.
2. O-1 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 any additional traffic generated by allowing office uses on the site, and the site's location is appropriate for transitional office uses between commercial and residential uses.

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. With the recommended amendment to the East City Sector Plan to office on the accompanying application (7-C-14-SP), O-1 zoning would be consistent with the plan. In order for the requested C-3 zoning to be considered, the sector plan would have to be amended to the C (Commercial) designation.
2. With the recommended amendment of the City of Knoxville One Year Plan to O, the proposed O-1 zoning would be consistent with the plan. In order for the requested C-3 zoning to be considered, the One Year Plan would have to be amended to the GC (General Commercial) designation.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This recommended O-1 zoning does not present any apparent conflicts with any other adopted plans.

Action: Approved **Meeting Date:** 8/14/2014

Details of Action: RECOMMEND that City Council APPROVE O-1 (Office, Medical & Related Services) zoning, subject to one condition:

1. A Type 'A' landscape screen must be installed along the east property line adjacent to Nokomis Rd.

Summary of Action: O-1 (Office, Medical & Related Services) zoning, subject the condition that a Type 'A' landscape screen must be installed along the east property line adjacent to Nokomis Rd.

Date of Approval: 8/14/2014 **Date of Denial:** **Postponements:** 7/10/14

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 9/16/2014 **Date of Legislative Action, Second Reading:** 9/30/2014

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

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

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

Amendments: **Amendments:**

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