

# 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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400 Main Street  
Knoxville, Tennessee 37902  
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F A X • 215 • 2068  
w w w • k n o x m p c • o r g

File Number: 8-A-10-RZ

Related File Number: 8-A-10-SP

Application Filed: 6/2/2010

Date of Revision:

Applicant: JOE G. TATE

### PROPERTY INFORMATION

General Location: South side Oak Ridge Hwy., east side Meadowrun Ln.

Other Parcel Info.:

Tax ID Number: 90 D B 024

Jurisdiction: County

Size of Tract: 0.92 acres

Accessibility:

### GENERAL LAND USE INFORMATION

Existing Land Use: Office/beauty salon

Surrounding Land Use:

Proposed Use: Commercial use

Density:

Sector Plan: Northwest County

Sector Plan Designation: Low Density Residential

Growth Policy Plan: Planned Growth Area

Neighborhood Context:

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

Street: 3224 Meadowrun Ln

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

### ZONING INFORMATION (where applicable)

Current Zoning: OA (Office Park)

Former Zoning:

Requested Zoning: CA (General Business)

Previous Requests: MPC approved CA zoning on 7/13/06, but County Commission denied on 10/23/06 (7-B-06-RZ/7-A-06-

Extension of Zone:

History of Zoning:

### 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.):** DENY CA (General Business) zoning.

**Staff Recomm. (Full):** Approval of CA zoning for this site is not appropriate or necessary. There are numerous sites in the immediate area that are zoned CA but are under utilized for commercial purposes. The property directly east of the site is zoned CA, but has uses that could be permitted under office zoning. Approval of CA zoning for this site would allow commercial uses of this site, which would not be compatible with surrounding office, residential and institutional uses, under various zones.

**Comments:**

REZONING REQUIREMENTS:

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

1. Nothing has changed in the area since the denial of these requests in 2006.
2. A rezoning of this site to CA would allow this site to be developed with incompatible commercial uses.
3. The site is located at the entrance to a residential street. Staff believes the current OA zoning is most appropriate for this site and should be retained. The property to the west, on the opposite side of Meadowrun Ln., is also zoned OA. Commercial uses are more appropriate at intersections of collector or arterial streets, not at this intersection of a local street that provides sole access to a residential neighborhood.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The requested CA zoning district is for general retail businesses and services, but not for manufacturing or for processing materials.
2. This location, at the entrance of a neighborhood, is not appropriate for CA uses. The applicant has reasonable use of the property under the current, more appropriate OA zoning. There are numerous properties in the area that are already zoned CA for retail businesses and services.

THE EFFECTS OF THIS PROPOSAL

1. Public water is available to the site. Sewer utilities are available in the general area, but may have to be extended to serve this site.
2. The proposal would have no impact on schools. Depending on how the property were developed, the streets could be negatively impacted with additional traffic generated from a commercial use.
3. Commercial uses can have detrimental impacts on residential properties with the potential for increased noise, lighting, signage and traffic.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. Staff is recommending that the Northwest County Sector Plan be amended to office for this site, consistent with the OA zoning currently in place. In order to consider the requested CA zoning, the sector plan would have to be amended to C (Commercial). Office is an extension of the plan designation from the west.
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of these requests could lead to future requests for commercial uses and zoning in the area, which could lead to an undesirable strip commercial pattern along this section of Oak Ridge Hwy.

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:** Denied **Meeting Date:** 9/9/2010

**Details of Action:**

**Summary of Action:** DENY CA (General Business)

**Date of Approval:** **Date of Denial:** 9/9/2010 **Postponements:** 8/12/10

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

## **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:**

**Date of Legislative Action:**

**Date of Legislative Action, Second Reading:**

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:**

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**