

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

SOUTHWEST COUNTY SECTOR PLAN AMENDMENT

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
FAX • 215 • 2068
www.knoxmpc.org

File Number: 8-C-08-SP Related File Number: 8-F-08-RZ
Application Filed: 6/30/2008 Date of Revision:
Applicant: CHARLES PILGRIM

PROPERTY INFORMATION

General Location: West side Ebenezer Rd., south of Bluegrass Rd.
Other Parcel Info.:
Tax ID Number: 144 M A 011.01 & 053 Jurisdiction: County
Size of Tract: 3.95 acres
Accessibility: Access is via Ebenezer Rd., a five lane minor arterial street within an 80' to 100' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residence and vacant land
Surrounding Land Use:
Proposed Use: Professional offices Density:
Sector Plan: Southwest County Sector Plan Designation: LDR & SLPA
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This site is located adjacent to residences on the south and west zoned RA, and CA commercially zoned, undeveloped property to the north. There is also a Weigel's store to the north of the property within the CA zone.

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

Street: 1631 Ebenezer Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential)
Former Zoning:
Requested Zoning: OB (Office, Medical, and Related Services)
Previous Requests: 11-K-06-RZ, 1-I-07-RZ and 7-G-00-RZ
Extension of Zone: No
History of Zoning: Property was denied for OB zoning and approved for PR zoning in 2000. The PR density increased from 3 du/ac. to 5 du/ac. in 2006.

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential) & SLPA (Slope Protection Area)

Requested Plan Category: O (Office) & SLPA (Slope Protection Area)

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: Ken Pruitt

Staff Recomm. (Abbr.): DENY the Request for O (Office) sector plan designation.

Staff Recomm. (Full): This site was denied Office designation and OB zoning at the time it was rezoned to its present PR classification in 2000. There have been no significant changes in the area to warrant reconsideration of office use on this property. The LDR designation is the most appropriate proposal for this site given that it is adjacent to residential uses on three sides.

Comments:

SECTOR PLAN REQUIREMENTS:

CHANGES IN CONDITIONS WARRANTING AMENDMENT OF THE SECTOR PLAN

NEW ROAD OR UTILITY IMPROVEMENTS:

There have been no changes to the road and utility network in recent years to warrant changing the property's low density land use designation.

ERROR OR OMISSION IN CURRENT PLAN:

The current land use designation for the property is appropriate considering that adjacent properties to the north, west and south are also shown and developed with low density residential uses.

CHANGES IN GOVERNMENT POLICY:

The property was denied a rezoning change in 2000 that would have allowed office uses on the subject property. The change in density approved in 2006 only serves to reaffirm the sector plan's current land use designation.

CHANGES IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:

The area has not experienced any appreciable changes in development, population or traffic trends to warrant consideration of changing the low density residential land use designation for the subject property. The surrounding development pattern is essentially the same as was present when the property was rezoned in 2000 to planned residential at 3 du/ac.

REZONING REQUIREMENTS:

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

1. There has been no change in the area since the property was denied OB zoning and rezoned to PR (Planned Residential) in 2000 to warrant reconsideration of office zoning. The PR density was increased from 3 du/ac to 5 du/ac in 2006. The same development pattern is still in place in this area as was prevalent in 2000.
2. The PR zoning in place at up to 5 du/ac provides an appropriate transition between the commercial zoning at the Ebenezer Road/Blue Grass Road intersection and the low density residential uses to the south and west.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE

1. Although the OB zone promotes office development near neighborhoods, the scale and intensity of the office development that could occur on this site would not be compatible with the adjoining residential uses.

EFFECTS OF THE PROPOSAL:

1. Public water and sewer are in place to serve this site for either residential or office uses.
2. The proposed rezoning will have no impact on schools, but will result in additional traffic being added to the area street network.
3. The proposed OB zoning and larger scale office development would not be compatible with the scale and intensity of the abutting residential properties to the north, west and south of the subject

property.

4. Office zoning on the subject property would result in pressure to rezone the residential property to the north for non-residential uses.

CONFORMITY OF THE PROPOSAL WITH ADOPTED PLANS

1. The proposal is not consistent with the current sector plan designation for the subject property.
2. The subject property is located in the Planned Growth Area of the Growth Policy Plan, which supports a suburban intensity development pattern.

MPC Action: Approved

MPC Meeting Date: 11/13/2008

Details of MPC action:

Summary of MPC action: Approve Resolution #8-C-08-SP amending the Southwest County Sector Plan to O (Office) and SLPA (Slope Protection Area) as originally requested and recommend Knox County Commission adopt by resolution the amendment.

Effective as of June 13, 2008, T.C.A. 13-3-303 has been amended to require thirty (30) day publication notice prior to the adoption of any amendment to the General Plan. This request was previously acted upon by MPC after the effective date of the new rule and, as a result, the previous actions by MPC are not valid. To rectify this situation, this plan amendment and rezoning request has been readvertised consistent with the 30 day requirement for ratification and reconfirmation of the previous MPC action on 9/11/2008 and County Commission action on 10/27/2008.

Date of MPC Approval: 11/13/2008

Date of Denial: 9/11/2008

Postponements: 8/14/2008

Date of Withdrawal:

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 12/15/2008

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: