

CASE SUMMARY

APPLICATION TYPE: REZONING

NORTHWEST 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
F A X • 215 • 2068
w w w • k n o x m p c • o r g

File Number: 8-H-15-RZ

Related File Number: 8-E-15-SP

Application Filed: 6/26/2015

Date of Revision:

Applicant: DAVID PRESLEY

PROPERTY INFORMATION

General Location: North side Hardin Valley Rd., east of Hardin Farms Ln.

Other Parcel Info.:

Tax ID Number: 104 01102

Jurisdiction: County

Size of Tract: 1 acres

Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Residence

Surrounding Land Use:

Proposed Use: Medical office

Density:

Sector Plan: Northwest County **Sector Plan Designation:** TP

Growth Policy Plan: Planned Growth Area

Neighborhood Context:

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

Street: 10437 Hardin Valley Rd

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural) / TO (Technology Overlay)

Former Zoning:

Requested Zoning: CA (General Business) / TO (Technology Overlay)

Previous Requests: None noted

Extension of Zone:

History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: TP (Technology Park)

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 County Commission APPROVE OB (Office, Medical & Related Services) / TO (Technology Overlay) zoning. (Applicant requested CA/TO.)

Staff Recomm. (Full): Staff recommends OB/TO zoning, rather than the requested CA/TO, consistent with the sector plan recommendation. The same reasoning for the plan recommendation listed above applies to the rezoning request. OB zoning will allow reasonable use of the property for a professional/medical office, bank, beauty salon, residence(s) or other allowable use within the OB zoning district.

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. OB zoning provides reasonable use of the property, without introducing intrusive commercial uses directly adjacent to established residential uses.
2. OB uses are compatible with the surrounding land use and zoning pattern and will establish a transition area between adjacent commercial zoning to the east and residential uses to the west.
3. With the recommended Northwest County Sector Plan amendment to Office on the associated application (8-E-15-SP), OB zoning would be consistent with applicable adopted plans for the area.

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

1. The recommended 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, as requested.
3. The requested CA zoning is for general retail businesses and services but not for manufacturing or for processing materials.
4. Depending on the type of development proposed, site plans may be subject to review and approval of a development plan by the Tennessee Technology Corridor Development Authority (TTCDA), since it is located within the TO overlay. The TO overlay will remain, regardless of any change in the base 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 OB zoning is compatible with the surrounding land uses and zoning pattern.
2. OB 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 additional traffic generated by allowing office or commercial uses on this site.
4. The requested CA zoning would allow intrusive commercial uses directly behind a residential lot within Hardin Farms subdivision to the west.

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 of the Northwest County Sector Plan to Office, OB zoning would be consistent with the plan. The plan would need to be amended to GC to allow consideration of the requested CA zoning.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth

Policy Plan map.

3. The recommended OB zoning does not present any apparent conflicts with any other adopted plans.

4. Because of the property's location within the TO (Technology Overlay), the TTCDA will need to approve a Certificate of Appropriateness for this rezoning from the TTCDA. This request is scheduled to be considered by TTCDA on Mon., August 10, 2015 (8-A-15-TOR).

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. The law now 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:** 8/13/2015

Details of Action:

Summary of Action: RECOMMEND the Knox County Commission approve OB (Office, Medical, and Related Services) / TO (Technology Overlay) zoning.

Date of Approval: 8/13/2015 **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: 9/28/2015 **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:**