

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: 9-E-07-RZ **Related File Number:** 9-C-07-SP
Application Filed: 7/27/2007 **Date of Revision:**
Applicant: ALEX SCHUBERT

PROPERTY INFORMATION

General Location: Northwest side S. Northshore Dr., northeast side Wallace Rd.
Other Parcel Info.:
Tax ID Number: 133 K A 003 OTHER: 132NA032 **Jurisdiction:** County
Size of Tract: 3.2 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Rental housing
Surrounding Land Use:
Proposed Use: Office building **Density:**
Sector Plan: West City **Sector Plan Designation:** Low Density Residential
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context:

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

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

ZONING INFORMATION (where applicable)

Current Zoning: RA (Low Density Residential)
Former Zoning:
Requested Zoning: OA (Office Park)
Previous Requests: None noted
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:

Ken Pruitt

Staff Recomm. (Abbr.):

APPROVE OA (Office Park) zoning

Staff Recomm. (Full):

OA Office Park zoning is compatible with surrounding residential uses, which includes a large two story assisted living facility.

Comments:

MPC Action:

Approved

MPC Meeting Date: 9/13/2007

Details of MPC action:

12 Conditions agreed to by DunbarOaks Neighborhood Association:

1. If Developer or a related party purchases property adjacent to the lots included in this application he will abide by the restrictions found herein if the adjacent property is rezoned to OA or any other non-residential zoning designation.

2. The uses permitted in the Office Park Zone be restricted to those stated in Article 5.40.02 A and H only; (A)Professional, business and governmental offices in which no activity is carried on catering to retail trade with the general public, and no stock of goods is maintained for sale to customers. These shall include, but not limited to offices for lawyers, architects, engineers, insurance and real estate agents. (H)Accessory buildings and uses customarily incidental and subordinate to permitted uses and structures. No retail branch bank shall operate on the premises.

3. While landscaping on the proposed development should remain consistent with MPC's OA zoning requirements, additional restrictions should include:

a. A berm or landscaping or a combination of the two shall be used along Northshore Drive to prevent cars parked on the property along Northshore Drive from being seen by passing motorists.

b. The owner or ownership association must provide irrigation and a lawn maintenance service to facilitate the proper maintenance of the property;

4. The building(s) on the property shall be constructed so as to be more consistent with a residential look rather than a commercial. Subject to approval by the appropriate permitting authority the building shall be:

a. Primarily constructed from brick, stone and stucco;

b. Architecturally complimentary of the surrounding residences;

c. Use residential doors and windows; and

d. Compliant with building size and usage restrictions consistent with MPC's OA zoning;

5. Limit access to the property to a single entrance from Wallace Road;

a. This restriction should also apply to all vehicles during the construction phase of the proposed development;

6. Signage must follow the following limitations:

a. Road side signage must be limited to two signs at the Wallace Road entrance that are no higher than five(5) feet and with a design that uses the same materials found on the buildings exterior while in keeping with the building's architecture; and

b. Business signage must be:

i. Limited to one sign per business except for the tenant

identification sign at the entrance;

ii. Use a uniform design such as inset cement or marble; and

iii. Must be adjacent to the door – not on or above the door;

7. Lighting on the proposed development must be designed to target the signage, buildings and parking areas using lights and lighting fixtures that minimize light pollution on the property and the adjacent roads and residences;

8. Parking spaces on the property should:

a. Be limited to a maximum of 10% more spaces than the minimum required number of spaces per applicable building codes;

b. Be designed so that employees/tenants/occupants park on the north side of the building and not along Northshore Drive; and

- c. Spaces along Northshore Drive are limited to the spaces necessary to provide adequate parking to visitors/clients of the business occupants;
- 9. The developer shall incorporate these restrictions in the master deed.
- 10. The owner or ownership association of the property must not allow overnight parking on the premises except for tenants. There shall be no storage of RVs, trucks or boats on the premises;
- 11. Trash receptacles should not be visible from Northshore Drive or Wallace Road;
 - a. Trash collection should be limited to daylight hours only
- 12. All applicable noise restrictions must be followed by construction crews during the development of the property. In the absence of appropriate restrictions, construction must be limited to daylight hours on weekdays and 8am to sundown on weekends. Construction trades working indoors which do not cause disturbance to nearby residents properties are not limited by these restrictions.

Summary of MPC action: APPROVE OA(k) (Office Park) subject to 12 conditions as agreed to by the neighborhood (see attachments)

Date of MPC Approval: 9/13/2007 **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: 10/22/2007 **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:**