

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

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

File Number: 9-E-09-RZ **Related File Number:** 9-C-09-SP
Application Filed: 7/27/2009 **Date of Revision:**
Applicant: JOAN AND TOMMY GRINDSTAFF

PROPERTY INFORMATION

General Location: Southwest side E. Emory Rd., northeast of Dry Gap Pike
Other Parcel Info.:
Tax ID Number: 47 PORTION OF 140 OTHER: MAP ON FILE AT MPC **Jurisdiction:** County
Size of Tract: 2.6 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Any use permitted in the CA zone **Density:**
Sector Plan: North County **Sector Plan Designation:** LDR
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

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

Street: 1702 E Emory Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
Former Zoning:
Requested Zoning: CA (General Business)
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:

Michael Brusseau

Staff Recomm. (Abbr.):

RECOMMEND that County Commission APPROVE OB (Office, Medical & Related Services) zoning. (Applicant requested CA.)

Staff Recomm. (Full):

The recommended OB zoning recommendation is compatible with surrounding development and zoning, is consistent with the recommended O designation, and would give the applicant reasonable use of the property, while not extending commercial uses any further east on E. Emory Rd. OB zoning is a transitional zone between the CA zoning to the west and residential development to the east.

Comments:

REZONING REQUIREMENTS:

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

1. OB will establish a transitional zone between the CA to the west and the residential zones to the east.
2. The surrounding area is developed with low and medium density residential and commercial uses. OB zoning gives the applicant reasonable use of the property without further extending commercial closer to residential uses.
3. OB zoning is warranted because the site is adjacent to commercial zoning. However, the requested CA zoning is an unnecessary extension of commercial into a residential area. There is a vacant property CA zoned property directly west of this site.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The requested CA zone is intended for general retail business and services, but not for manufacturing or for processing materials. OB zoning is intended to provide areas for professional and business offices and related activities that require separate buildings surrounded by landscaped yards and open areas. Further, OB provides centralized, compact locations for business offices, clinics, medical and dental offices near residential neighborhoods.
2. OB is a better zone for the subject property than CA, because of the adjacent residential development to the north and south of the site. However, further extension of office zoning east of this site may not be appropriate and should be considered on its own merits.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. OB zoning is compatible with surrounding development and should have a minimal impact on adjacent properties. CA zoning would allow uses that could have a more negative impact on adjacent residential properties, as well as increase traffic volumes that could have a negative impact on the nearby school, regarding safety and circulation.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the recommended amendment to O, the recommended OB zoning is consistent with the North County Sector Plan. The sector plan would have to be amended to C in order to consider rezoning it to the requested CA zoning.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

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: Approved **Meeting Date:** 9/10/2009

Details of Action:

Summary of Action: RECOMMEND that County Commission APPROVE OB (Office, Medical, and Related Services)

Date of Approval: 9/10/2009 **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: 10/26/2009

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: