



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 1-M-07-RZ **AGENDA ITEM #:** 69
 1-F-07-PA (REVISED) **AGENDA DATE:** 4/12/2007

POSTPONEMENT(S): 1/11/2007-3/8/2007

▶ **APPLICANT:** DMP PROPERTIES, LLC
 OWNER(S): DON ANDERSON
 DMP PROPERTIES LLC
 BILLY & JUDY ANN JOHNSON
 DAVID LECKIE

TAX ID NUMBER: 133 E B 007, 008, 009, 010 & 011

JURISDICTION: Council District 2

▶ **LOCATION:** West side Rocky Hill Rd., north of S. Northshore Dr.

▶ **TRACT INFORMATION:** 3.3 acres.

SECTOR PLAN: West City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Rocky Hill Rd., a local street with 50' of right of way and 19' of pavement width.

UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / R-1 (Low Density Residential)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** O (Office) / O-1 (Office, Medical, and Related Services)

▶ **EXISTING LAND USE:** Dwellings

▶ **PROPOSED USE:** Any use permitted in the O-1 zone

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: MPC denied a rezoning and a one year plan amendment in 2002 (10-F-02-RZ/10-D-02-PA) to O-1 & O.

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
 North: Residences / R-1 (Low Density Residential)
 South: Residences / R-1 (Low Density Residential)
 East: Office Buildings / SC-1 (Neighborhood Shopping Center)
 West: Residences / R-1 (Low Density Residential)

NEIGHBORHOOD CONTEXT: This area is developed with residential uses to the north and west, under R-1 zoning. An SC-1 zoned shopping center is located on the east side of Rocky Hill Rd. Rocky Hill Elementary School is located to the north of this site where Rocky Hill Rd. intersects Morrell Rd.

STAFF RECOMMENDATION:

- ▶ **APPROVE O (Office) one year plan designation on parcels 8, 9, 10 & 11. Deny O (Office) one year plan designation on parcel 7.**

Office use of parcels 8-11 are compatible with the scale and intensity of the surrounding land uses and adds to the office transition between commercial uses to the south and residential uses to the north. The West City One Year Plan proposes low density residential for all parcels included in this request. If parcel 7 is excluded from this request, the office designation would evenly match up to the general commercial land use designation located to the east of these properties across Rocky Hill Rd.

- ▶ **APPROVE O-1 (Office, Medical & Related Services) zoning on parcels 8, 9, 10 & 11. Deny O-1 (Office Medical & Related Services) zoning on parcel 7.**

O-1 zoning is compatible with adjacent shopping center zoning as well as the office zoning and uses to the south on the same side of Rocky Hill Rd. By excluding parcel 7, the office zoning would evenly match up to the shopping center zoning located across Rocky Hill Rd. It is in staff's opinion that allowing parcel 7 to be rezoned to office, will create further intrusion into the residential character of the neighborhood.

COMMENTS:

The applicant originally requested that parcels 8 and 9 be rezoned to O-1. After postponing this item, the applicant revised this request to include 3 additional parcels (7, 10 & 11). The revised request now establishes a continuous office zoning pattern from S. Northshore Dr. whereas the original request excluded parcels 10 and 11, which would have left a pocket of R-1 zoned property.

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. These parcels are located in an area which is in transition to non-residential uses. Other residential properties to the south on the west side of Rocky Hill Rd. have been rezoned for office use.
2. The rezoning and One Year Plan amendment would allow office uses to be located directly across from the existing shopping center on Rocky Hill Rd.
3. O-1 zoning will permit the use of the existing residences as offices, which will maintain the same scale of development as found on surrounding properties.

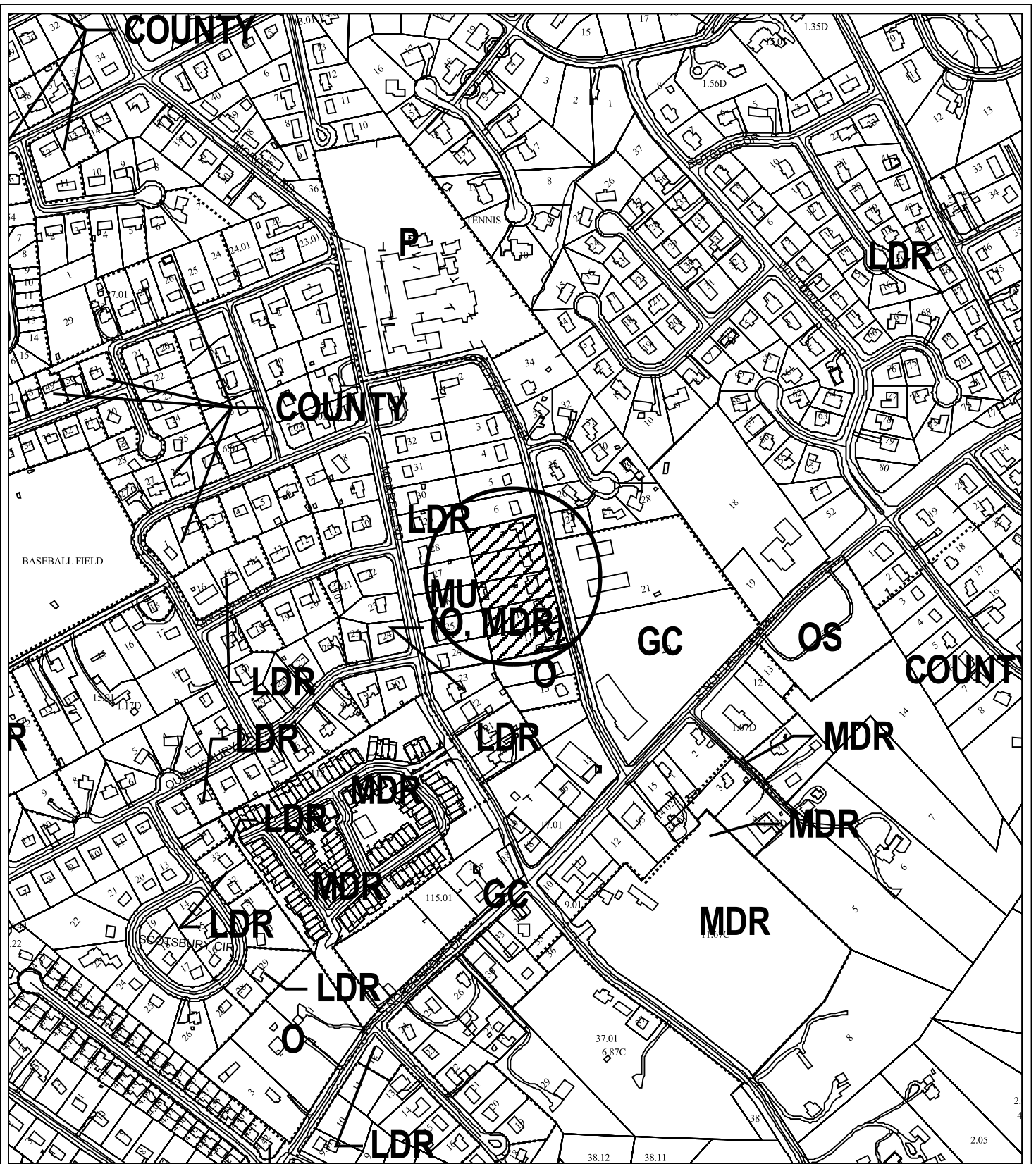
EFFECTS OF THE PROPOSAL

1. This change of zoning would not adversely impact traffic flow on this street, which already has school, office and commercial traffic.
2. Public water and sewer are also available to the site.
3. O-1 zoning is consistent with surrounding development and zoning and will not negatively impact surrounding properties. Directly across Rocky Hill Rd. to the east is an existing shopping center. This zoning change will provide a transition between commercial development to the south and the shopping center uses to the east, from the residential uses further north on Rocky Hill Rd.
4. As the existing residences are converted into offices, the boundary between the residential and office zones should be screened with a continuous vegetative buffer found in the Type A Landscape Guidelines (see attached guidelines). This buffer will help to preserve the character of the residential neighborhood and screen any inappropriate office uses.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. Office use of these properties continues to establish an office transition zone and is an extension of the mixed use proposal by the West City Sector Plan.
2. It is anticipated that additional requests for changes from residential to office uses will occur along this street in the future; however, it is in staff's opinion that these properties should be the last to be rezoned to O-1.

If approved, this item will be forwarded to Knoxville City Council for action on 5/8/2007 and 5/22/2007. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



1-F-07-PA/1-M-07-RZ
 PLAN AMENDMENT

Petitioner: DMP Properties, LLC

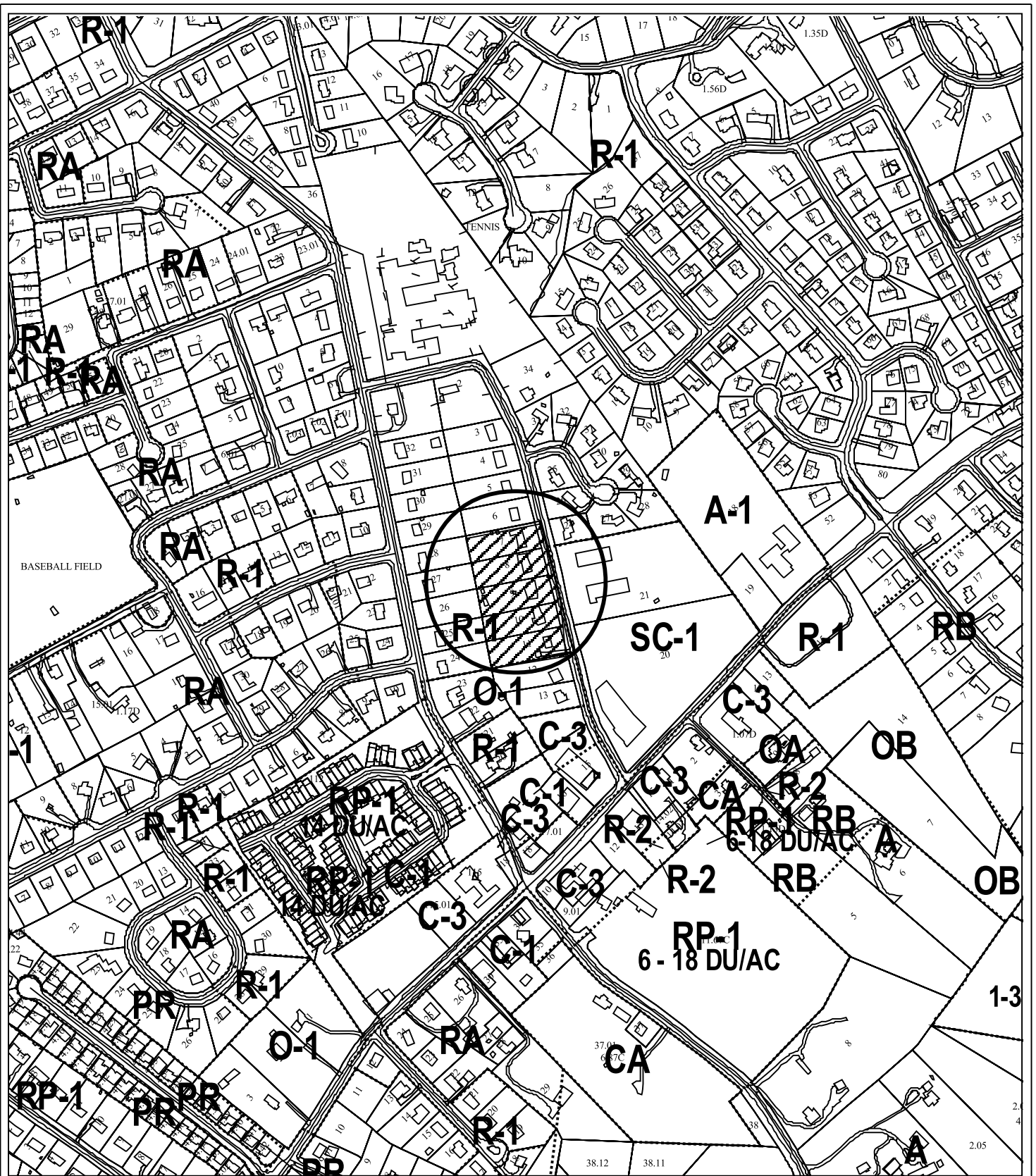
Map No: 133

Jurisdiction: City

From: LDR (Low Density Residential)
 To: O (Office)

Original Print Date: 03/01/07 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902






1-M-07-RZ
REZONING

Petitioner: DMP Properties, LLC

Map No: 133

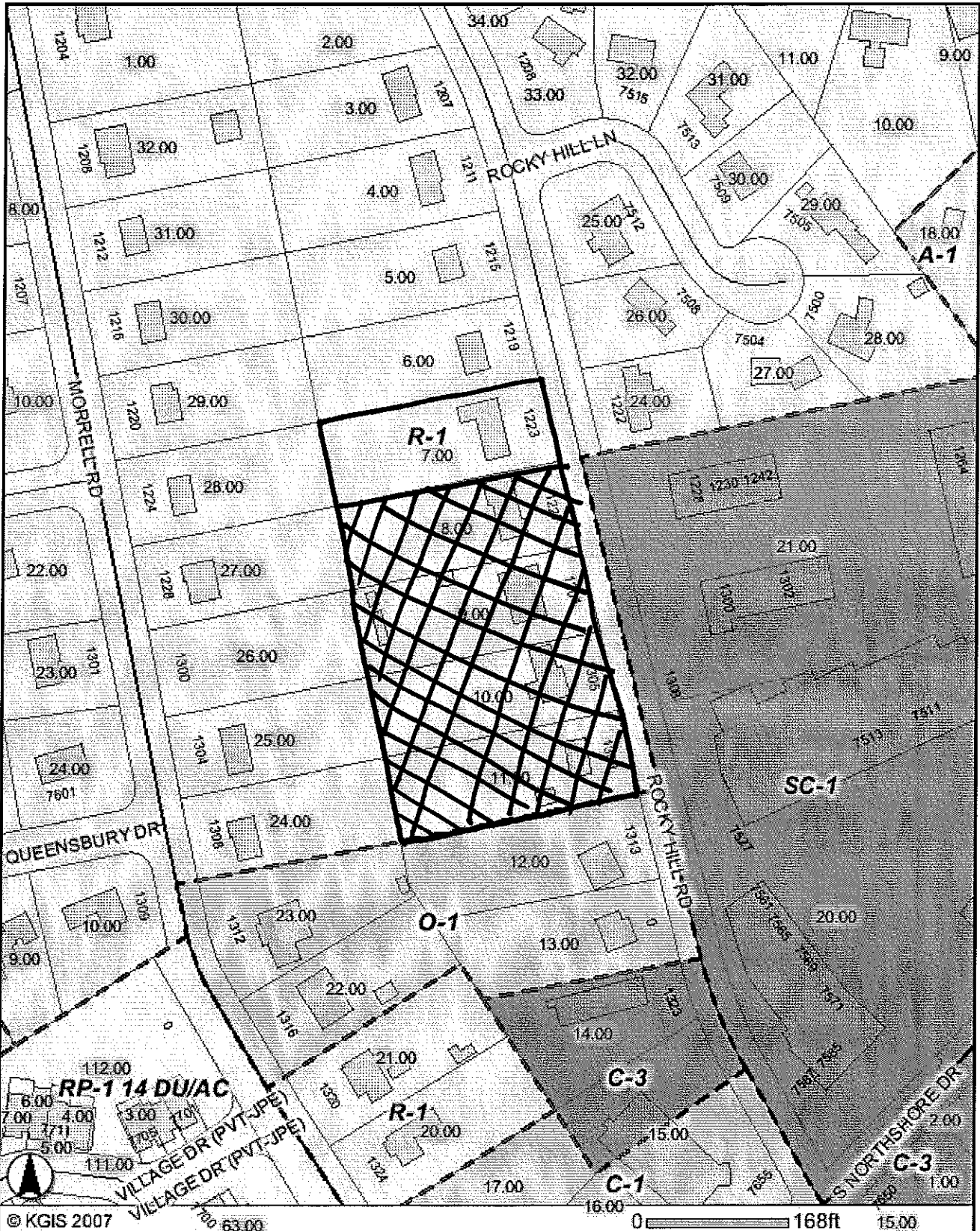
Jurisdiction: City

 From: R-1 (Low Density Residential)
To: O-1 (Office, Medical, and Related Services)

Original Print Date: 04/02/07 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



#69



© KGIS 2007

1-F-07-PA/1-M-07-RZ KGIS Map

KGIS - 606 Main St - Suite 150 - Knoxville TN 37902 - www.kgis.org Printed: Fri Mar 30 2007

Disclaimer: KGIS makes no representation or warranty as to the accuracy of this map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product. KGIS - Copyright © 2007



February 21, 2007

Mr. and Mrs. David Leckie
941 Hayslope Drive
Knoxville, TN 37919
(865) 693-7831

Mr. Ken Pruitt
City County Bldg., Suite 403
Knoxville, TN 37902

RE: 1223 Rocky Hill Road

Dear Mr. Pruitt:

Per instructions from Mr. David Harbin we are informing you that my wife and I would like to rezone the above referenced property, from R-1 to O-1. Mr. Harbin mentioned plan Amendment 1-F07-PA and rezoning number 1-M07-R7. Please let us know if there is anything else we need to do in order to be added to the March agenda.

Regards,

A handwritten signature in cursive script that reads "David Leckie".

David Leckie

February 20, 2007

Mr. and Mrs. Don Anderson
7004 Shady Knoll Lane
Knoxville, TN 37919
(865) 584-5454

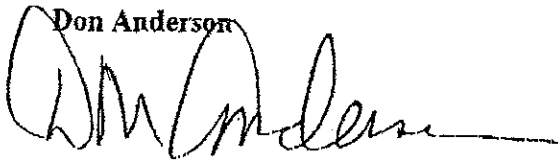
Mr. Ken Pruitt
City County Bldg., Suite 403
Knoxville, TN 37902

RE: 1305 Rock Hill Rd.

Dear Mr. Pruitt:

Per instructions from Mr. David Harbin we are informing you that my wife and I would like to rezone the above referenced property, from R-1 to O-1. Mr. Harbin mentioned plan amendment 1-F07-PA and rezoning number 1-M07-R7. Please let us know if there is anything else we need to do in order to be added to the March agenda.

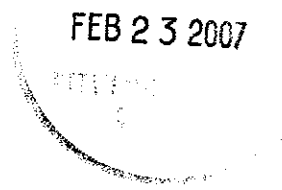
Kind Regards,

Don Anderson


584-5454

February 23, 2007

Mr. & Mrs. Billy Johnson
1309 Rocky Hill Rd.
Knoxville, TN 37919



Mr. Ken Pruitt
City County Bldg , Suite 403
Knoxville, TN 37919

RE: 1309 Rocky Hill Rd.
Parcel ID 133EB011

Dear Mr. Pruitt,

Per instructions of Mr. David Harbin, we are informing you that my wife and I would like to rezone the above referenced property from R-1 to O-1. Mr. Harbin mentioned plan amendment 1-F07-PA and rezoning number 1-M07-R7. Please let us know if there is anything else we need to do in order to be added to the appropriate agenda.

Kind regards,

Billy Johnson

Billy Johnson
Judy Ann Johnson