



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

FILE #: 2-O-07-RZ **AGENDA ITEM #:** 66
2-C-07-SP **AGENDA DATE:** 5/10/2007

POSTPONEMENT(S): 2/8/07,3/8/07

APPLICANT: WALT DICKSON
OWNER(S): WALT DICKSON

TAX ID NUMBER: 105 L A 006, 008 & 009

JURISDICTION: Commission District 3

LOCATION: North side Middlebrook Pike, northwest of Albany Rd.

TRACT INFORMATION: 2.16 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Middlebrook Pike, a four lane major arterial street with center median within 110' of right of way.

UTILITIES: Water Source: West Knox Utility District
Sewer Source: West Knox Utility District

PRESENT PLAN DESIGNATION/ZONING: MU (Mixed Uses), limited to O (Office) and MDR (Medium Density Residential) / A (Agricultural) and OA (Office Park)

PROPOSED PLAN DESIGNATION/ZONING: C (Commercial) / CA (General Business)

EXISTING LAND USE: Residences and office

PROPOSED USE: Any use permitted in the CA zone (possibly a restaurant).

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: CA zoning was denied on parcels 8-11 in April 2000 (4-D-00-RZ).

SURROUNDING LAND USE, PLAN DESIGNATION, North: Attached medium density residential development / MDR / PR (Planned Residential) at 12 du/ac

ZONING South: Middlebrook Pike - Residences / MU (O, LDR) / RB (General Residential)

East: Residence / MU (O,MDR) / A (Agricultural)

West: Residence, office / MU (O,MDR) / OA (Office Park)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of uses, including medium density and low density residential uses, under A, PR and RB zoning and offices, under OA zoning. Commercial uses are located to the west of this site, at the intersection of Middlebrook Pike and Joe Hinton Rd., zoned CA. The closest commercial use is a Pilot convenience store with restaurant, gas pumps and car wash, located two parcels away from this site.

STAFF RECOMMENDATION:

▶ **DENY C (Commercial) sector plan designation.**

Commercial uses should remain only at the intersection to the west and not be extended along Middlebrook Pike. The sector plan proposes office and medium residential uses for this site to provide an appropriate transition between the commercial to the west and residential to the east, and it should be maintained.

▶ **DENY CA (General Business) zoning for entire site.
APPROVE OA (Office Park) zoning for parcel 105LA006**

CA zoning is not appropriate to be placed in this section of Middlebrook Pike. An appropriate transitional zoning pattern is currently established and should be maintained. The recommended extension of OA zoning to the easternmost parcel would establish a consistent zone on the applicant's entire site, and is consistent with the sector plan. An expanded OA zone would allow the property owner reasonable use of his property.

COMMENTS:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. An appropriate transitional zoning and development pattern is currently established and should be maintained.
2. MPC denied a request for CA zoning on parcels 8 through 11 on 4/13/2000 (4-D-00-RZ). That application included parcels 8 and 9 from this proposal and parcels 10 and 11 to the west.
3. The sector plan proposes only office and medium density residential uses for this site, which would serve as transitional uses between commercial use to the west and low density residential use to the east.
4. The proposed site is two parcels away from existing commercial development and zoning to the west, at Joe Hinton Rd. It is not an extension and it is not consistent with the sector plan proposal.
5. The recommended extension of OA zoning to the easternmost parcel would establish a consistent zone on the applicant's entire site, and is consistent with the sector plan.

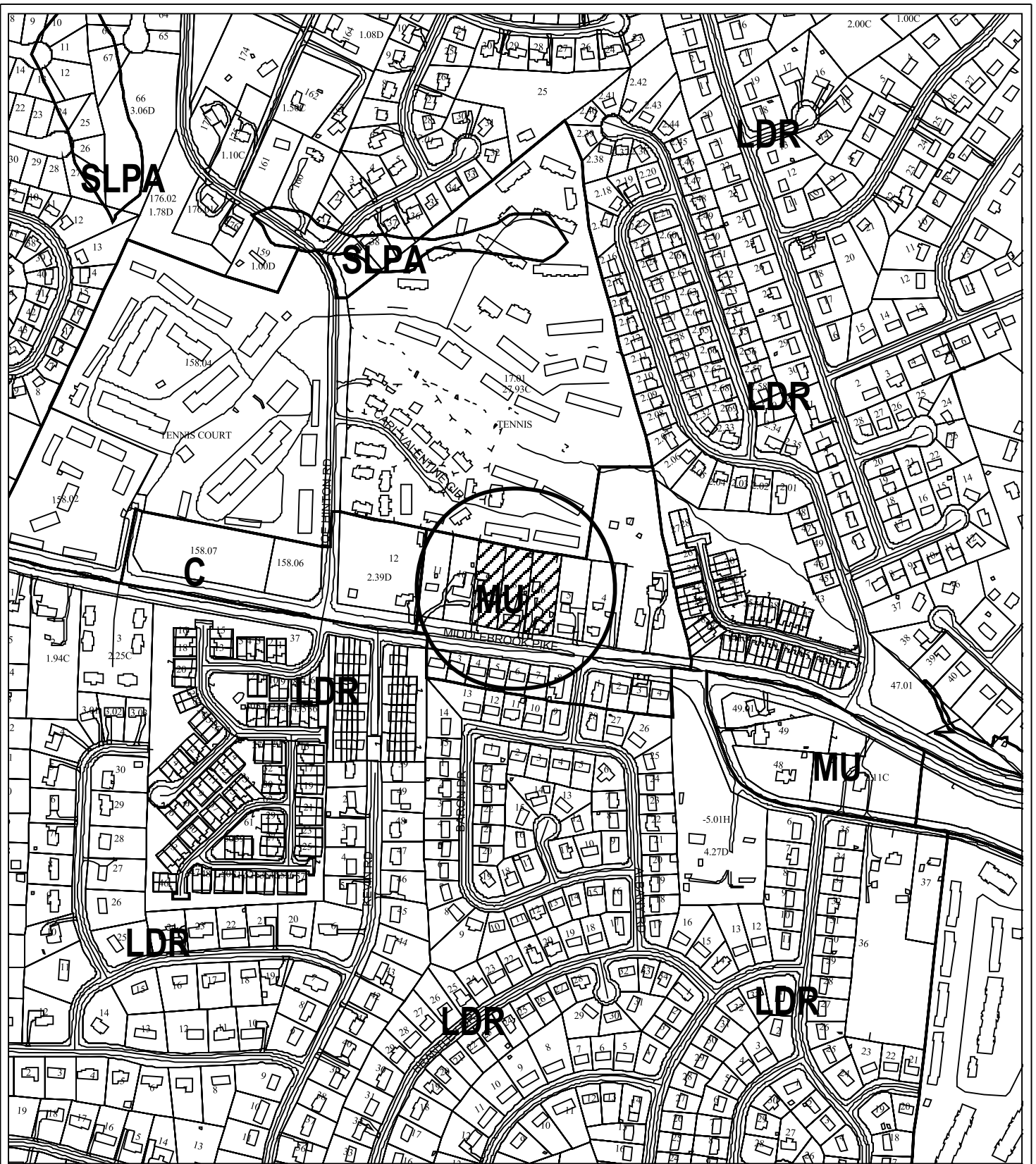
THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are in place to serve the site.
2. The proposal will have no impact on schools. The impact on the street would depend on the size and type of commercial or office development that is proposed.
3. The proposed CA zoning is not compatible with adjacent residential uses on all sides and may have a negative impact on them. The existing and recommended OA zoning is more suitable for this site.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan, as amended by the Middlebrook Pike Corridor Study, proposes Mixed Uses, limited to Office and Medium Density Residential for this site, consistent with the existing and recommended OA zoning, but not consistent with the proposed CA zoning.
2. The Knoxville-Knox County-Farragut Growth Policy Plan designates this site as Planned Growth Area.
3. Approval of this request may generate similar requests for commercial plan designations and zones on the north side of Middlebrook Pike.



If approved, this item will be forwarded to Knox County Commission for action on 6/25/2007. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



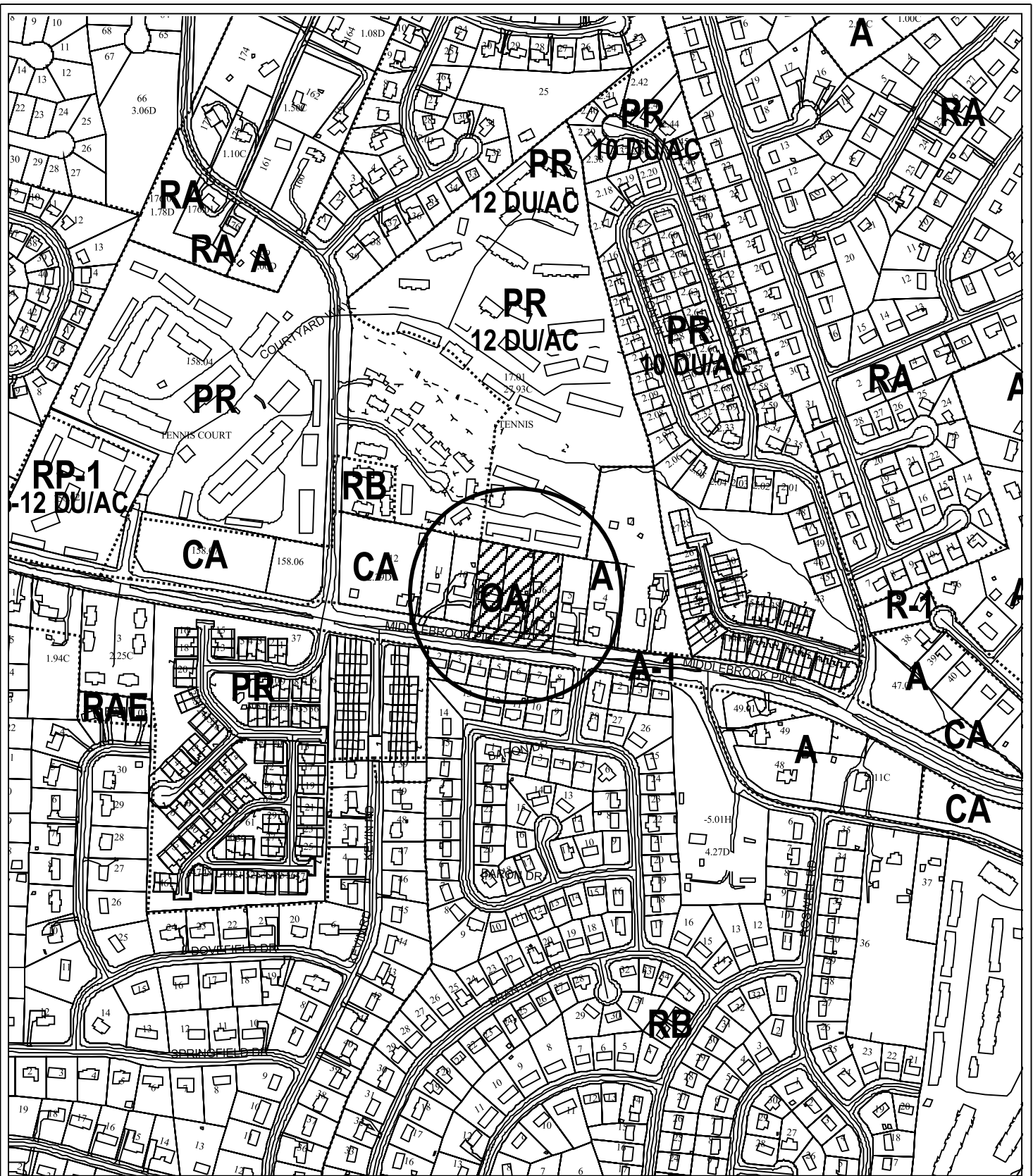
**2-C-07-SP/2-O-07-RZ
SECTOR PLAN AMENDMENT
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

Petitioner: Walt Dickson
Map No: 105
Jurisdiction: County



 From: MU (Mixed Uses)
 To: GC (General Commercial)

Original Print Date: 01/22/07 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**2-O-07-RZ
REZONING**

Petitioner: Walt Dickson

Map No: 105

Jurisdiction: County



From: A (Agricultural) and OA (Office Park)

To: CA (General Business)

Original Print Date: 01/22/07

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

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From: <rslockyer@netscape.com>
To: <bettyjo.mahan@knoxmpc.org>
Date: 2/23/2007 10:02 AM
Subject: MPC Hearing 3/8/07: 2-C-07-SP 2-0-07-RZ (Walt Dickson) Attn: MichaelBrusseau

As a home owner and resident I am opposed to the above plan amendment. It would mean more glaring lights, more litter, more noise, more congestion, more traffic, etc. Please consider the detrimental effects this would have on others. Thanks.

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