

▶ **FILE #:** 4-Q-07-RZ **AGENDA ITEM #:** 69
 POSTPONEMENT(S): 4/12/2007 **AGENDA DATE:** 5/10/2007

▶ **APPLICANT:** BENCHMARK AND ASSOCIATES
 OWNER(S): BDNST & T

TAX ID NUMBER: 104 08603, 088
 JURISDICTION: County Commission District 6
 ▶ **LOCATION:** Southeast side Hardin Valley Rd., southeast of Reagan Rd.
 ▶ **APPX. SIZE OF TRACT:** 3.86 acres
 SECTOR PLAN: Northwest County
 GROWTH POLICY PLAN: Planned Growth Area
 ACCESSIBILITY: Access is via Hardin Valley Rd., a minor arterial street with 4 lanes and a center median within 200' of right of way.
 UTILITIES: Water Source: West Knox Utility District
 Sewer Source: West Knox Utility District

▶ **PRESENT ZONING:** A (Agricultural) and OA (Office Park)
 ▶ **ZONING REQUESTED:** CA (General Business)
 ▶ **EXISTING LAND USE:** Vacant land
 ▶ **PROPOSED USE:** Commercial use
 EXTENSION OF ZONE: Yes, extension of adjacent CA
 HISTORY OF ZONING: MPC approved OA zoning on the subject parcel and the adjacent CA zoning, with sector plan amendments in 2004 on 4/8/04 (4-CC-04-RZ/4-G-04-SP).
 SURROUNDING LAND USE AND ZONING: North: Hardin Valley Rd. - Barn and vacant land / LI (Light Industrial) (conditioned)
 South: Dwelling and vacant land / A (Agricultural)
 East: Dwelling / A (Agricultural)
 West: Offices and condominiums / OA (Office Park) and PR (Planned Residential) @ 1-6.5 du/ac
 NEIGHBORHOOD CONTEXT: This area is developed a mix of uses, including office, medium density, low density and rural residential and commercial uses under A, RA, OA, PC and CA.

STAFF RECOMMENDATION:

▶ **APPROVE CA (General Business) zoning on parcel 086.03 only.
 DENY CA (General Business) zoning on parcel 088.**

The CA zoning on the front of the site is a logical completion of the CA site to the south, which will square up the zoning line and give the site more CA frontage. OA is more appropriate at the back of the site, which has slope constraints and is adjacent to large lot residential development.

COMMENTS:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The subject property is located in an area proposed for mixed uses. Light industrial uses are proposed to the north, across Hardin Valley Rd., office and medium density residential and office uses are proposed to the west, and low density residential uses are proposed to the south.

2. The existing OA zoning on parcel 88 is more appropriate than CA, considering the slope characteristics of that portion of the site and its proximity to rural and low density residential uses. In 2004, staff had recommended OA zoning for the entire site, but MPC and County Commission approved CA on the front parcel and OA on the back parcel, in order to establish a buffer area from the commercial.
3. Commercial uses would be inappropriate at the back of this site because of the increase in lighting, noise and hours of operation. The OA zoning serves as a transition between the commercial and residential uses.
4. Any steep portion of the site should be protected as the property is developed.

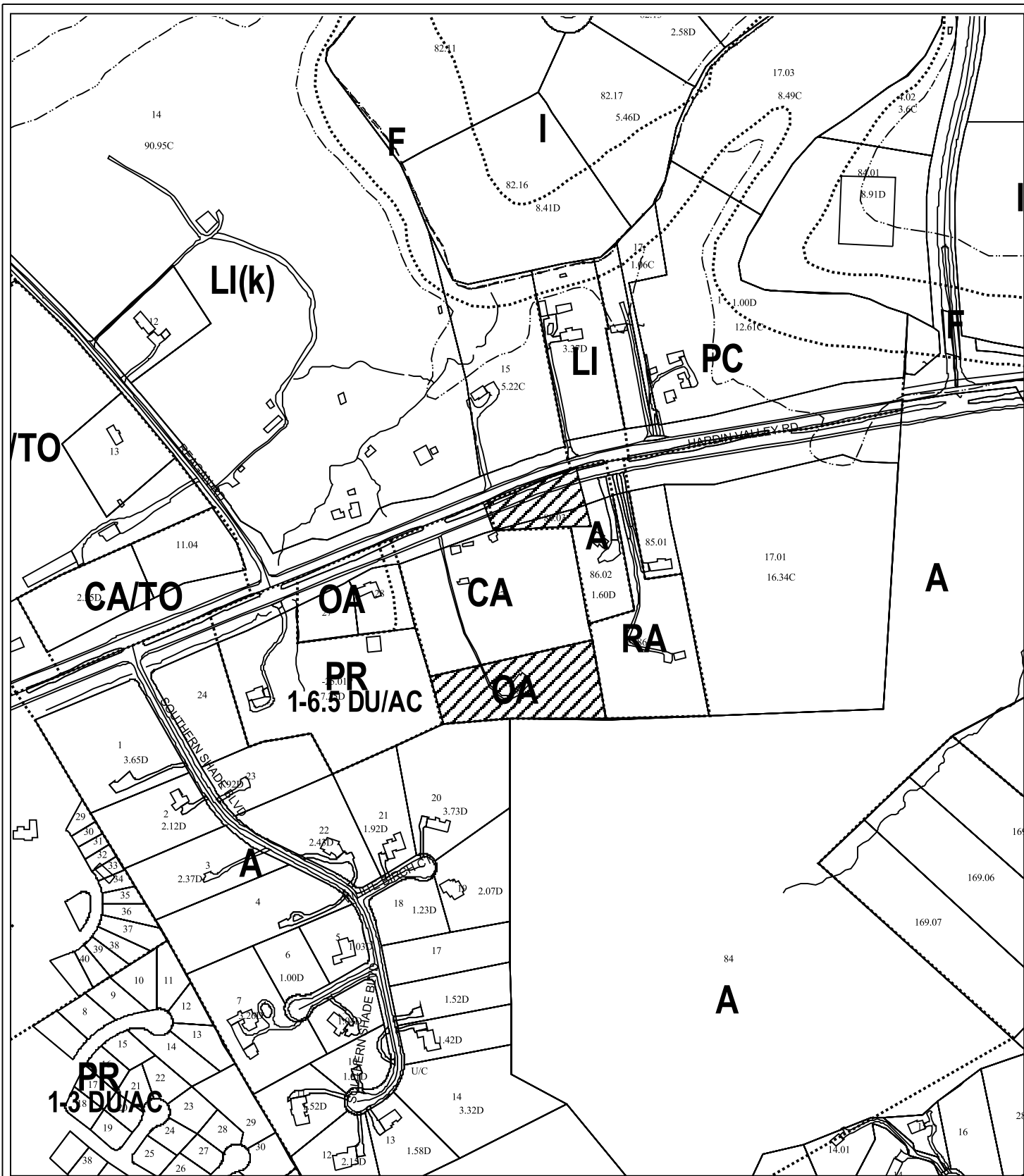
THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are in place to serve the site.
2. There will be no impact on schools as a result of this proposal. The street has adequate width and sight distance to handle the additional traffic which will be generated by either office or commercial use of this site.
3. The impact of office uses on adjacent properties would be minimal. Commercial uses in the back would be in close proximity to existing and proposed residential development and zoning, and their impact would be significant.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan proposes commercial for parcel 87, consistent with the CA zoning. The plan calls for mostly slope protection on parcel 88, with a little office. Parcel 86.03 is proposed for office uses. A sector plan amendment was not required in this case because it was considered a logical extension of an existing commercial designation.
2. This site is located within the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.
3. Staff would anticipate future requests being made for commercial or office plan designations and zoning on nearby properties in this immediate area.

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.



**4-Q-07-RZ
REZONING**

Petitioner: Benchmark and Associates

Map No: 104

Jurisdiction: County



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

To: CA (General Business)

Original Print Date: 03/20/07

Revised:

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