



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

▶ **FILE #:** 2-B-09-RZ
2-B-09-SP

AGENDA ITEM #: 42
AGENDA DATE: 2/12/2009

▶ **APPLICANT:** MAC AND BARBARA WILHOIT, LLC
OWNER(S): HERITAGE HOME FOR SENIORS

TAX ID NUMBER: 132 F C 003
JURISDICTION: Commission District 5

▶ **LOCATION:** Southwest side S. Peters Rd., northwest of Sony Ln.
▶ **TRACT INFORMATION:** 1.67 acres.
SECTOR PLAN: Southwest County
GROWTH POLICY PLAN: Planned Growth Area
ACCESSIBILITY: Access is via S Peters Rd., a five lane, minor arterial street
UTILITIES: Water Source: First Knox Utility District
Sewer Source: First Knox Utility District
WATERSHED: Ten Mile Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** O (Office) / OB (Office, Medical, and Related Services)

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

▶ **EXISTING LAND USE:** Senior living facility and vacant land

▶ **PROPOSED USE:** Neighborhood pharmacy

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: Property was zoned OB in 1997. (6-L-97-RZ)

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Veterinary clinic / MU (O/LDR/MDR) / A Agricultural
South: Residence / MU (O/LDR/MDR) /OB Office
East: Assisted living facility / MU (O/LDR/MDR) /OB Office
West: S. Peters Rd., and residences /MU (O/LDR/MDR) /RA and OA Office

NEIGHBORHOOD CONTEXT: This site is in a section of S. Peters Rd that has seen properties transitioning from residential to business office uses under PC, OB and OA zones.

STAFF RECOMMENDATION:

▶ **DENY the C (Commercial) designation plan amendment**

Commercial designation of this property will place incompatible commercial zoning adjacent to established

and proposed office and residential uses and zoning. Approval of this request would result in the need to add a commercial designation for other property in this area of the Southwest Sector Plan to establish a suitable commercial/office/residential land use pattern for the area.

► **DENY CA (General Business) zoning for this site**

CA zoning of this site would be an encroachment of commercial into a stable office/residential development area that is only proposed for office/residential uses by the adopted sector plan.

COMMENTS:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The proposed C Commercial designation is not compatible with the scale and intensity of the surrounding office/ residential development and zoning pattern. Approval of a Commercial designation for this site would be an isolated designation on the southwest side of S. Peters Rd., giving the applicant the potential for retail development rights that do not exist on any of the adjacent properties.
2. The current MU (O/MDR) land use plan designation and OB zoning allows an appropriate range of uses of the property consistent with the surrounding development pattern and the sector plan designation for the site.
3. There are no commercial designations of properties along this section of S. Peters Rd., south of Kingston Pike.

THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. The proposal will have no impact on schools. S. Peters Rd. is a five lane, minor arterial street that has the capacity to handle additional trips that would be generated by commercial development.
3. The current OB zoning is compatible with surrounding development and zoning and has a minimal impact on adjacent properties.
4. Approval of this request could lead to future requests for Commercial designation on other available parcels along this street section. Commercial uses would be more appropriate at major road intersections.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Southwest County Sector Plan proposes office or residential uses for this site, consistent with the existing OB zone.
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request would be expected to lead to future sector plan and rezoning requests for CA zoning on nearby properties.

REZONING REQUIREMENTS:

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

1. The subject property has OB zoning on three sides and is adjacent to a single family residence which would be adversely impacted by commercial uses that would be permitted under the proposed CA (General Business) zoning.
2. A commercial designation and CA zoning on this site would be giving these property owners a more intensive use for their property that is out of character with the surrounding residential/office uses and zoning, as well as what is proposed for this area by the adopted plan. Approval of this request would constitute a spot zoning of this property.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The CA zone provides for a wide range of business uses. The nature of such businesses is to attract large volumes of automobile traffic and to have adverse effects on surrounding properties. Hence, they are generally incompatible with residential or institutional uses or with other uses that require an environment free of noise, odors and congestion. Uses permitted in the CA zone are intensive users of roads, sewers and other public facilities.
2. Based on the above description, the proposed site is deemed inappropriate for CA zoning.

THE EFFECTS OF THIS PROPOSAL:

1. Public water and sewer are available to serve the site.
2. The proposal will have minimal impact on streets and no impact on schools.

3. Approval of the requested sector plan amendment and rezoning may lead to additional commercial uses being requested in the area, leading to strip commercial development along this section of S. Peters Rd.

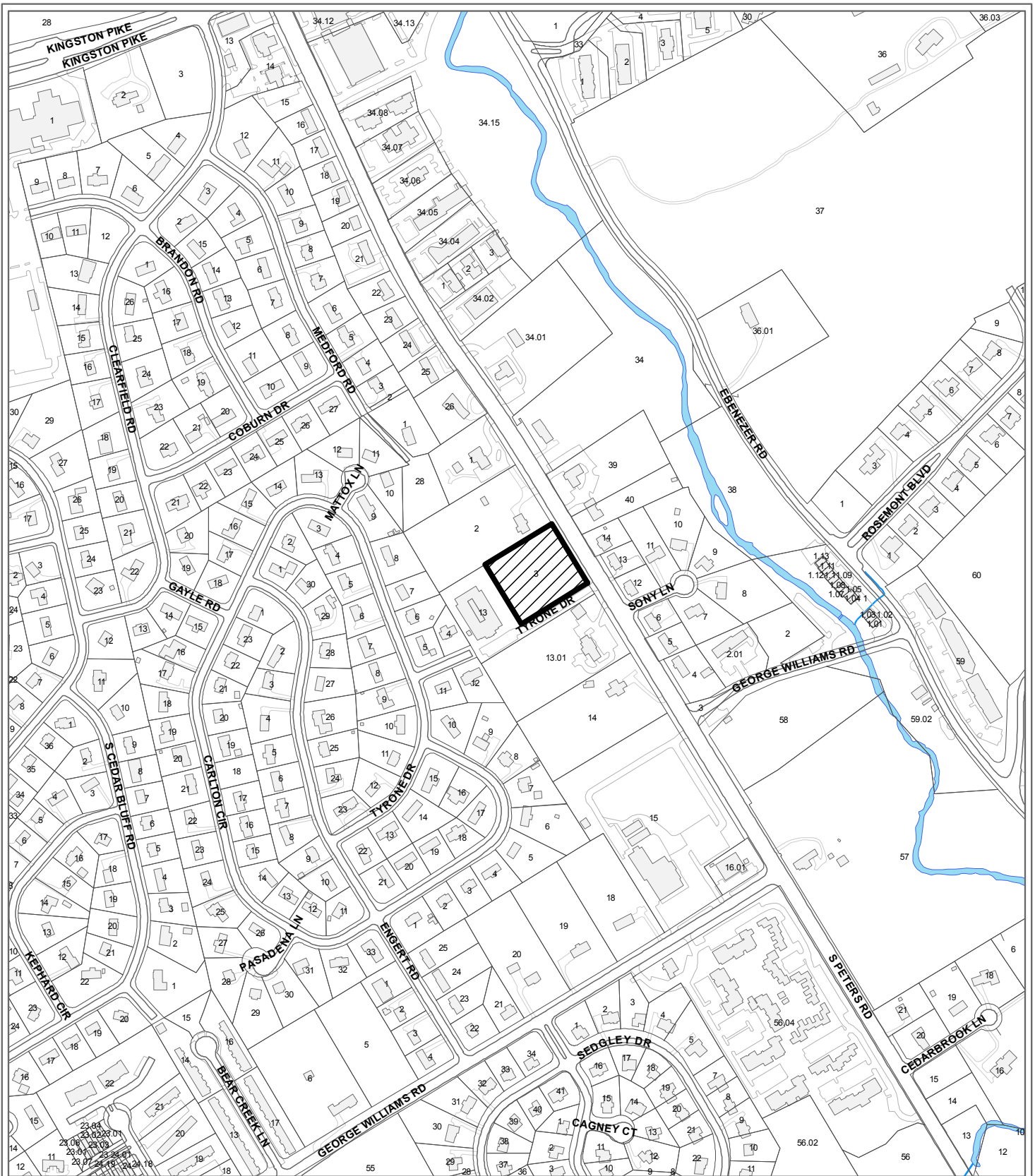
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS:

1. The requested sector plan amendment to C (Commercial) is required in order to approve CA zoning for this site.
2. The site is located within the Planned Growth Area of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. It is expected that the approval of this plan amendment and rezoning would lead to additional similar requests in this area.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on . 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.



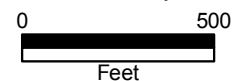
**2-B-09-SP / 2-B-09-RZ
SOUTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: O (Office)
To: C (Commercial)

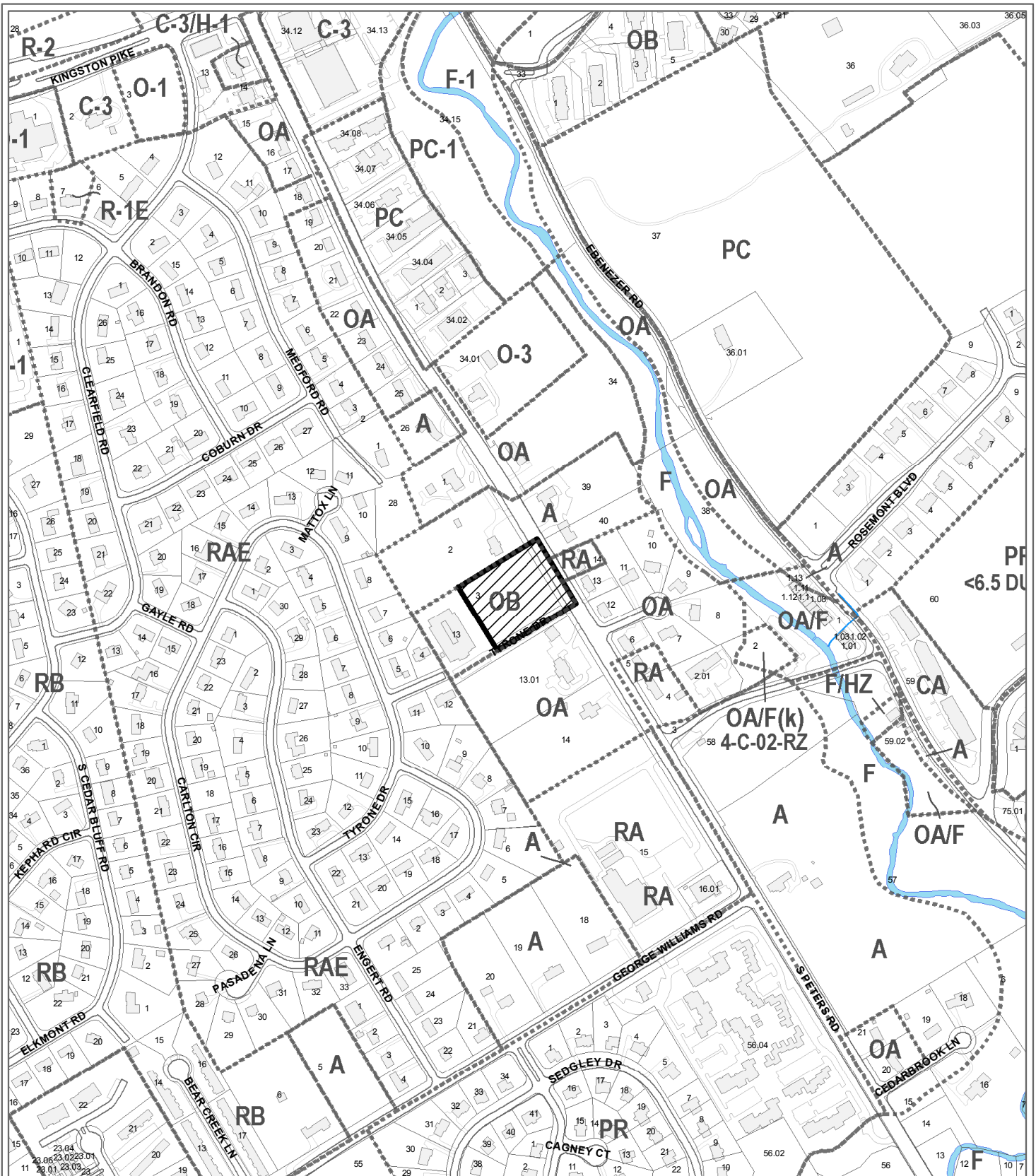


Petitioner: Mac and Barbara Wilhoit, LLC

Map No: 132
Jurisdiction: County



Original Print Date: 1/23/2009 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



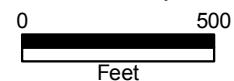
**2-B-09-RZ
REZONING**

From: OB (Office, Medical, and Related Services)
 To: CA (General Business)



Petitioner: Mac and Barbara Wilhoit, LLC

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