



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

▶ **FILE #:** 4-H-06-PA

AGENDA ITEM #: 59

AGENDA DATE: 3/12/2009

▶ **APPLICANT:** NORMAN SHAW

OWNER(S): SAME

TAX ID NUMBER: 71 J L 024

JURISDICTION: Council District 6

▶ **LOCATION:** Northwest side Asheville Hwy., southwest of Grata Rd.

▶ **APPX. SIZE OF TRACT:** 1.07 acres

SECTOR PLAN: East City

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

ACCESSIBILITY: Access is via Asheville Hwy., a 4-lane, median divided, major arterial highway.

UTILITIES: Water Source: KUB

Sewer Source: KUB

WATERSHED: Love Creek

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

▶ **PROPOSED PLAN DESIGNATION:** O (Office)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Office building

EXTENSION OF PLAN DESIGNATION: No

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Residences / LDR/R-1 Residential

South: Asheville Hwy., and businesses /GC/LDR/C-3, R-1 and R-1A

East: Vacant land and residences / LDR/R-1 Residential

West: Apartments / MDR/R-2 Residential

NEIGHBORHOOD CONTEXT This undeveloped lot is located at the front of a residential subdivision and adjacent to apartments. Zoning in the area is R-1, R-2, O-1 and C-3.

STAFF RECOMMENDATION:

▶ **APPROVE Mixed Use (LDR/O) designation limited to R-1,R-1A, R-1E and O-3 zones**

This mixed use designation should ensure that any rezoning of this site will be limited to uses compatible in scale and intensity to the surrounding development pattern. The sector plan proposes office development, which is consistent with the staff recommendation.

COMMENTS:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The O proposal is compatible with the sector plan proposal for this site while the staff recommended MU (O/LDR) designation is consistent with both the current zoning and the zoning, scale and intensity of the surrounding residential development and R-2, O-1, C-3 and R-1 zoning.
2. The subject property is located within an LDR designated area adjacent to MDR designated property to the west and single family dwellings to the east.
3. The requested office plan amendment would allow rezoning to O-, which would permit a scale and range of uses that could be an intrusion into an established neighborhood. The staff recommended MU (LDR/O) limited to R-1E,R-1A,R-1 and O-3 zoning would limit the range and scale of potential uses.
4. Any approval will set a precedent to allow additional non-residential plan amendments and rezoning requests for properties fronting on Asheville Hwy. The zones and uses permitted should provide a transition into the residential development and not negatively impact the neighborhood.

THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. The One Year Plan recommendation would have a minimal impact on streets and no impact on schools.
3. The MU (LDR/O) recommendation is compatible with adjoining residential development and will have a minimal impact on the established housing not fronting on Asheville Hwy.

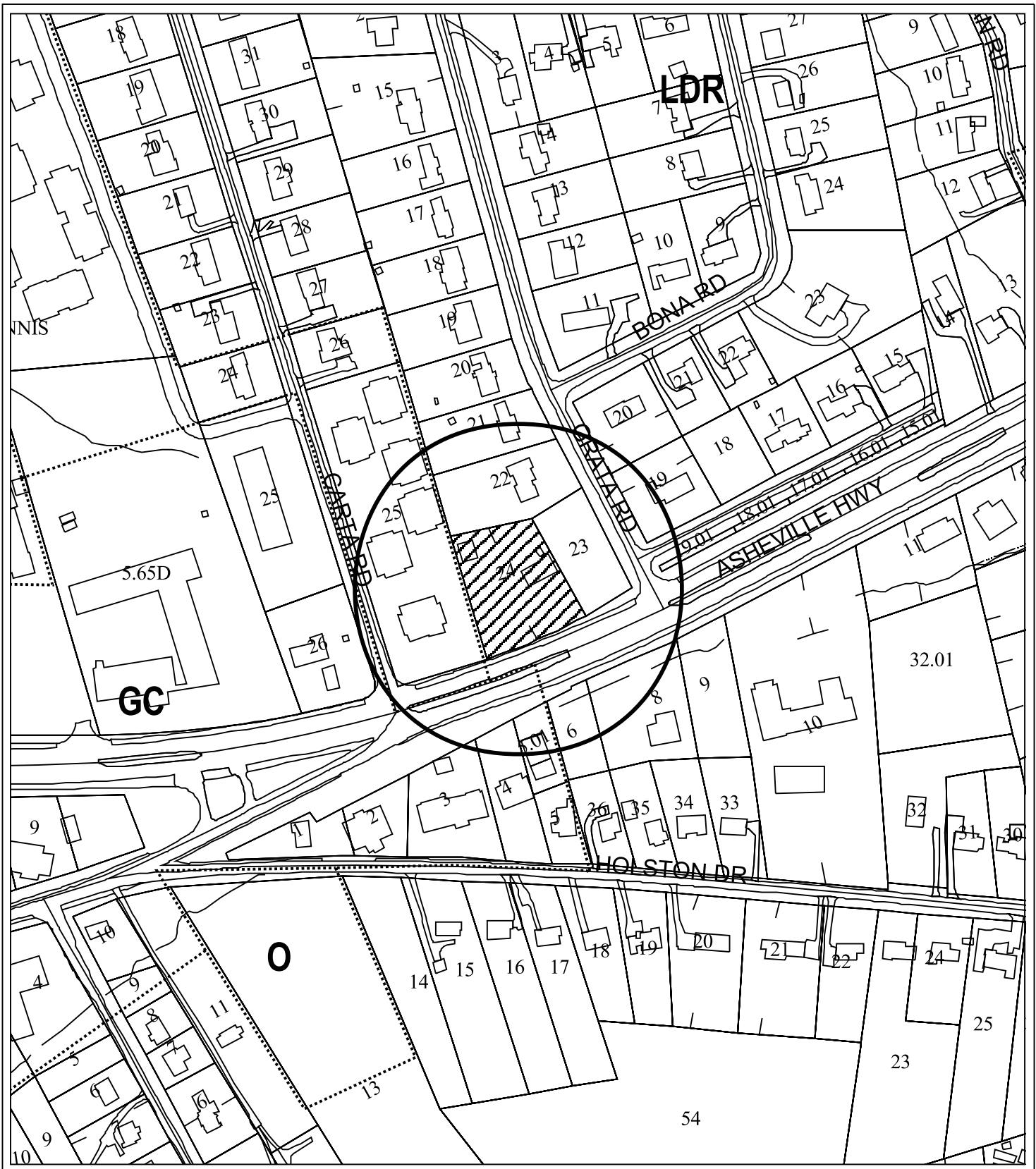
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With approval of the recommended MU(LDR/O) amendment or the requested O designation, O-3 zoning would be consistent with the City of Knoxville One Year Plan.
2. The East City Sector Plan proposes office uses for this site.
3. This site is located within the Urban Growth Area (inside City limits) on the Knoxville-Knox County Growth Policy Plan map.
4. This request may lead to future One Year Plan and rezoning requests for Office uses on adjacent residential properties in this area, especially properties with frontage on Asheville Hwy.

ESTIMATED TRAFFIC IMPACT: Not calculated.


ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 4/7/2009 and 4/21/2009. 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.



**4-H-06-PA
PLAN AMENDMENT**

Petitioner: Norman Shaw
 Map No: 71
 Jurisdiction: City

 From: LDR (Low Density Residential)
 To: O (Office)
 Original Print Date: 03/24/06 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



TELECOPY



TO: KEN PRUITT

COMPANY: MPC

FAX NO.: 215-2068

FROM: NORMAN SHAW

DATE: 2/11/09

TIME: 3:30 p.m. (Eastern)

RE: (4-H-06-PA)

SUBJECT: In response to your attached letter dated 1/12/09, I do not own anymore the real property involved. It sold in last summer 2008.

Please keep me informed as to any future actions concerning my application.
Sincerely,

NUMBER OF PAGES (INCLUDING COVER SHEET) (2)

Norman C. Shaw

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January 12, 2009

Norman Shaw
 Attorney
 PO Box 30372
 Knoxville, TN 37930

Subject: Norman Shaw One Year Plan Amendment (4-H-06-PA)

Dear Sir or Madam:

Our records indicate that the subject application has been a tabled Metropolitan Planning Commission agenda item for over a year. In an effort to reduce the number of tabled items, the MPC staff will recommend that this application be removed from the table at the February 12, 2009, MPC meeting. The application will then be re-advertised for Planning Commission consideration and action at the March 12, 2009, meeting.

If you have any questions concerning your application, please call me at 215-2500
 3792

Sincerely,

Kenneth O Pruitt, AICP
 Assistant Manager, Development Services

FAY 215-2068

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