

▶ **FILE #:** 5-D-12-RZ

AGENDA ITEM #: 32

AGENDA DATE: 5/10/2012

▶ **APPLICANT:** **HARDIN VALLEY LAND PARTNERS - RUSTY BITTLE**

OWNER(S): Hardin Valley Land Partners

TAX ID NUMBER: 103 120, 120.03 & 120.09

JURISDICTION: County Commission District 6

▶ **LOCATION:** **Southwest side Valley Vista Rd., southeast of Hardin Valley Rd.**

▶ **APPX. SIZE OF TRACT:** **19.68 acres**

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Valley Vista Rd., a 3-lane local street with center turn lane within 70' of right-of-way.

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

WATERSHED: Beaver Creek and Conner Creek

▶ **PRESENT ZONING:** **PC (Planned Commercial) (K) / TO (Technology Overlay) and PR (Planned Residential) (K) / TO (Technology Overlay)**

▶ **ZONING REQUESTED:** **OB (Office, Medical, and Related Services) / TO (Technology Overlay)**

▶ **EXISTING LAND USE:** **Vacant land**

▶ **PROPOSED USE:** **Apartments / offices**

EXTENSION OF ZONE: No

HISTORY OF ZONING: The sector plan was amended to mixed uses in 2008 with the adoption of the 2008 update of the TTCDA Comprehensive Development Plan (10-A-08-SAP). Property was rezoned PC/TO with conditions and PR/TO in 2006 & 07 (7-K-06-RZ, 8-M-06-RZ and 1-R-07-RZ).

SURROUNDING LAND USE AND ZONING:
North: Vacant land - A (Agricultural) / TO (Technology Overlay) and PC (Planned Commercial) (K) / TO
South: Vacant land, water tower - PR (Planned Residential) / TO @ up to 12 du/ac
East: Vacant land, business park development - PC (Planned Commercial) (K) / TO
West: Vacant land - A (Agricultural) / TO

NEIGHBORHOOD CONTEXT: This area, in the southwest quadrant of the Pellissippi Pkwy./Hardin Valley Rd. interchange, and accessed from the newly constructed Valley Vista Rd, is developing with a mix of uses under various zones, including PC, A, BP and PR, all within the technology overlay.

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE OB (Office, Medical & Related Services) / TO (Technology Overlay) zoning.**

OB/TO zoning is consistent with the mixed use sector plan designation for the area and will allow uses compatible with the surrounding land uses and zoning pattern.

COMMENTS:

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. This area, which is southwest of the major interchange of Pellissippi Parkway and Hardin Valley Rd., along the newly constructed Valley Vista Rd. is appropriately located for office and/or medium density residential development, as permitted under the requested OB/TO zoning.
2. The property is located within a Mixed Use Special District on the Northwest County Sector Plan, which specifically proposes office and medium density residential uses.
3. Valley Vista Rd., which runs between Hardin Valley Rd. and Carmichael Rd., is a new road completed in the last several years specifically to accommodate a mix of new development with exposure to the west side of Pellissippi Pkwy.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The requested OB zoning district is intended to provide areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas. The OB zoning district also allows residential development as permitted by the RB zoning district.
2. Based on the above description and intent of OB zoning, this property is appropriate to be rezoned to OB.
3. Site plans will be subject to review and approval of a development plan by the Tennessee Technology Corridor Development Authority (TTCDA), since it is located within the TO overlay. MPC would review a development plan for residential uses if the proposed density exceeds 12 du/ac.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. Public water and sanitary sewer are available to serve the site.
2. The impact to the streets and school system will depend on the type of development proposed. The newly constructed Valley Vista Rd. is sufficient to handle additional traffic that would be generated by uses permitted in the OB zoning district.
3. This proposed amendment of the zoning map will not adversely affect any other part of the County, and the site plan approval required by the Tennessee Technology Corridor Development Authority (TTCDA) provides that no direct or indirect adverse effects will result from the change of zoning.
4. The property is characterized by some slopes in excess of 15%. Care will need to be taken in developing the property to respect its physical characteristics. The site has undergone some disturbance primarily resulting from the construction of Valley Vista Rd.

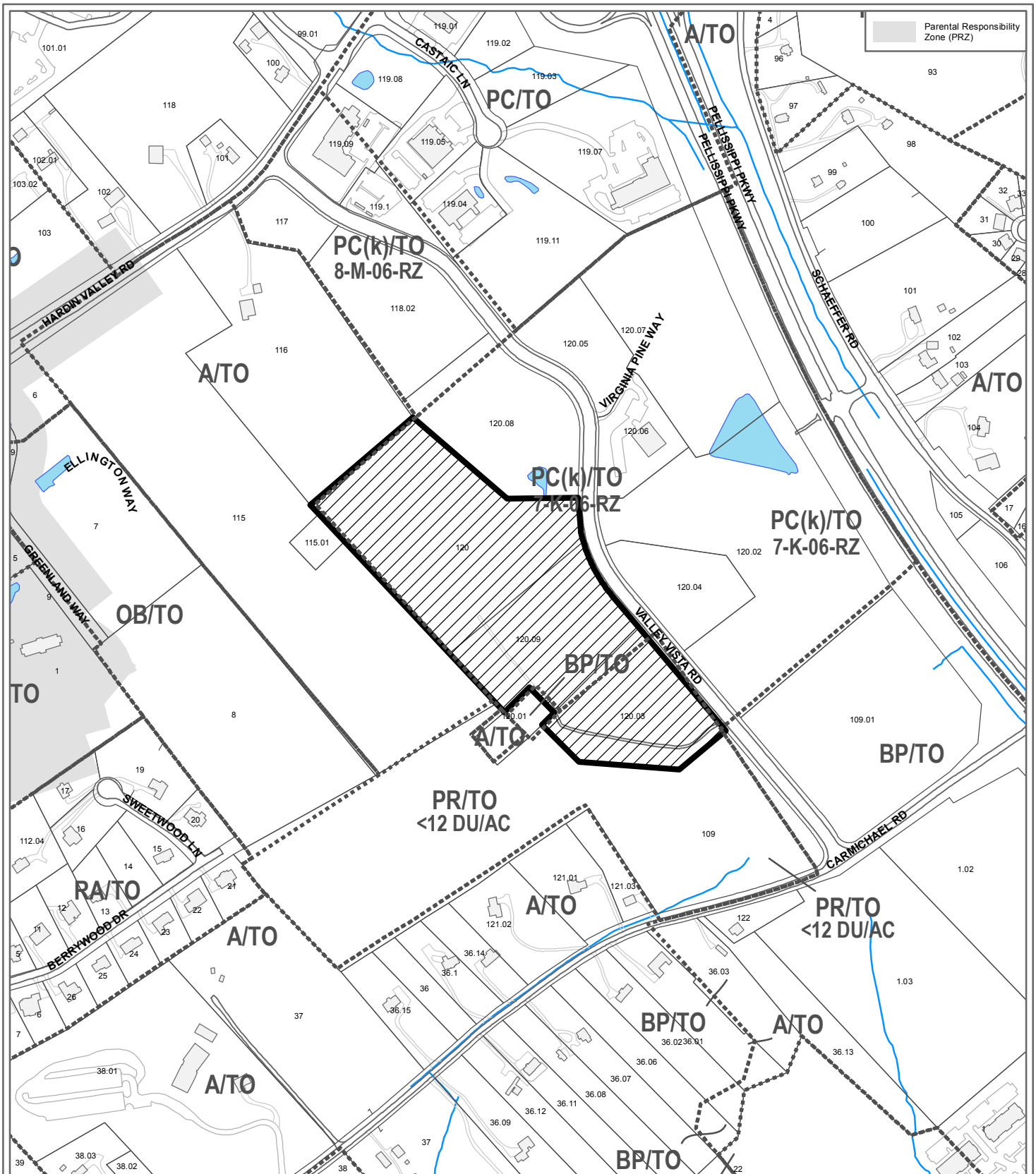
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Northwest County Sector Plan, as amended by the TTCDA Comprehensive Development Plan, designates this area as a mixed use special district (MU-NWC05), which allows consideration of OB/TO zoning
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request could lead to future plan amendment and rezoning requests in this area, which would be consistent with the sector plan proposal for the area.
4. Because of the property's location within the TO (Technology Overlay), the TTCDA will need to approve a Certificate of Appropriateness for this rezoning. This request is scheduled to be considered by TTCDA on Mon., May 7, 2012 (5-A-12-TOR).

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 6/25/2012. 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.



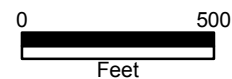
**5-D-12-RZ
REZONING**

From: PC (Planned Commercial) (K) / TO (Technology Overlay) and PR (Planned Residential) @ 12 du/ac
 To: OB (Office, Medical, and Related Services) / TO (Technology Overlay)



Petitioner: Hardin Valley Land Partners - Rusty Bittle

Map No: 103
 Jurisdiction: County



Original Print Date: 4/17/2012 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902