

► **FILE #:** 12-I-13-RZ

AGENDA ITEM #: 32

AGENDA DATE: 12/12/2013

► **APPLICANT:** PHILIP GARRETT

OWNER(S): Philip Garrett

TAX ID NUMBER: 104 PORTION OF 093, 096, 097 MAP ON FILE AT MPC, PORTION ZONED PC/TO ONLY

JURISDICTION: County Commission District 6

STREET ADDRESS: 2122 Schaeffer Rd

► **LOCATION:** East side Schaeffer Rd., south of Hardin Valley Rd.

► **APPX. SIZE OF TRACT:** 17.58 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Schaeffer Rd., a minor collector street with 20' of pavement width within the Pellissippi Parkway right-of-way, Hardin Valley Rd., a four lane major arterial street within 175' of right-of-way, or Iron Gate Blvd., a local boulevard street within 70' of right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

► **PRESENT ZONING:** PC (Planned Commercial) / TO (Technology Overlay)

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

► **EXISTING LAND USE:** Vacant land

► **PROPOSED USE:** Business park

EXTENSION OF ZONE: No

HISTORY OF ZONING: Requests for OB and PR zoning were denied by Knox County Commission in June 2013 (12-D-12-RZ).

SURROUNDING LAND USE AND ZONING: North: Commercial businesses and vacant land / PC (Planned Commercial) / TO (Technology Overlay)

South: Vacant land / BP (Business & Technology Park) /TO

East: Dwellings and vacant land / A (Agricultural)/TO

West: Businesses, vacant land, dwellings, Schaeffer Rd. / PC (Planned Commercial)/TO and A (Agricultural)/TO

NEIGHBORHOOD CONTEXT: This area has been developed with commercial and residential uses under PC, A, PR and CA zoning.

STAFF RECOMMENDATION:

► **RECOMMEND that County Commission APPROVE OB (Office, Medical & Related Services) / TO (Technology Overlay), subject to 1 condition;**

1. The development plans must set aside the required right-of-way for the realignment of Schaeffer Rd. (as depicted on the attached concept plan submitted by the applicant (Exhibit A.)

With the recommended condition, OB/TO zoning is consistent with the sector plan designation for the area and

will allow uses compatible with the surrounding land uses and zoning pattern. The condition is included because the realignment of Schaeffer Rd. to line up with Cherahala Blvd. has been identified as a recommended improvement in several planning documents. See the attached excerpts from the TTCDA Comprehensive Development Plan and the TDOT needs assessment.

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 site, which is southeast of the major interchange of Pellissippi Parkway and Hardin Valley Rd., along the future realigned Schaeffer Rd., is an appropriate location for office and/or medium density residential development, as permitted under the requested OB/TO zoning.
2. The property is located within an area designated for medium density residential and office uses on the Northwest County Sector Plan, which are both specifically allowed in the requested OB zoning.
3. Portions of this site have been significantly cleared and graded in preparation for development which has yet to occur. Approval of this request should lead to site improvements to stabilize the slopes on the site and eventually develop it.
4. OB zoning is compatible with the scale and intensity of the surrounding development and zoning pattern. The adjacent commercial development to the west was all developed under PC zoning.

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, as requested.
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 existing Hardin Valley Rd. and the future realigned Schaeffer Rd. are 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 steep slopes. Care will need to be taken in developing the property to respect its physical characteristics. The site has undergone some disturbance and will need to be stabilized prior to development.

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 for medium density residential and office uses, consistent with the proposed OB/TO zoning.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Because of the property's location within the TO (Technology Overlay), the TTCDA was required to approve a Certificate of Appropriateness for the rezoning of this site. TTCDA approved a Certificate of Appropriateness for a rezoning to OB/TO on March 11, 2013 (12-A-12-TOR).

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 1/27/2014. 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.