



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

▶ **FILE #:** 8-H-15-RZ  
8-E-15-SP

**AGENDA ITEM #:** 49  
**AGENDA DATE:** 8/13/2015

▶ **APPLICANT:** DAVID PRESLEY  
OWNER(S): David Presley

TAX ID NUMBER: 104 01102 [View map on KGIS](#)

JURISDICTION: Commission District 6

STREET ADDRESS: 10437 Hardin Valley Rd

▶ **LOCATION:** North side Hardin Valley Rd., east of Hardin Farms Ln.

▶ **TRACT INFORMATION:** 1 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 195-215' of right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** TP (Technology Park) / A (Agricultural) / TO (Technology Overlay)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial) / CA (General Business) / TO (Technology Overlay)

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Medical office

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING  
North: Vacant land - TP - A (Agricultural)/TO (Technology Overlay)  
South: Hardin Valley Rd., Vacant land - LDR & SLPA - A (Agricultural)  
East: Church - TP - CA (General Business)/TO  
West: House and subdivision common area - TP - RA (Low Density Residential)/TO

NEIGHBORHOOD CONTEXT: Most of the properties on the north side of Hardin Valley Rd. in this area are zoned for and developed with non-residential uses. The subject property is adjacent to one of the few residential developments on the north side, Hardin Valley Farms to the west, which is zoned RA/TO. There is also a vacant tract to the northwest, zoned PR.

**STAFF RECOMMENDATION:**

- ▶ **ADOPT RESOLUTION # 8-E-15-SP, amending the Northwest County Sector Plan to O (Office) and recommend that County Commission also adopt the sector plan amendment. (See attached resolution, Exhibit A.) (Applicant requested GC.)**

Staff recognizes that the property may not be desirable for residential uses, but allowing commercial uses would place non-compatible commercial use to the rear of established residential uses to the west. Office uses would be more compatible with adjacent residential and are not as likely to generate as much traffic or have late business hours. Offices would be an appropriate transitional use between the adjacent low density residential uses to the west and the church (zoned CA/TO) to the east. An office designation would allow consideration of OB zoning, which would allow the listed, proposed use of a medical office or any number of other similar uses, giving the applicant reasonable use of the property.

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

Staff recommends OB/TO zoning, rather than the requested CA/TO, consistent with the sector plan recommendation. The same reasoning for the plan recommendation listed above applies to the rezoning request. OB zoning will allow reasonable use of the property for a professional/medical office, bank, beauty salon, residence(s) or other allowable use within the OB zoning district.

**COMMENTS:**

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No known improvements have been recently made to Hardin Valley Rd. or area utilities, but they are adequate to serve the proposed commercial or the recommended office uses. Public water and sewer utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan proposes technology park uses for the site. However, this site is only about 1 acre in size, which is too small to support the intended type of development typically found in a technology park. BP (Business & Technology Park) zoning has large setback requirements and is intended to support technology based businesses in a park setting. This site is not appropriate for BP zoning or the requested CA zoning, so staff is recommending office uses as a reasonable alternative. This site is one of the few fronting on the north side of Hardin Valley Rd. in this area that is not already zoned for non-residential uses. The recommended office plan designation will allow the applicant reasonable use of the site, while minimizing the potential negative impact on adjacent residential uses.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

No changes in government policy apply in this case. Office uses are appropriate as a transition between residential uses to the west and potential commercial uses to the east.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

No new information or trends exist to reveal the need for a plan amendment. With the recommended sector plan amendment to office, an area of transition would be established between adjacent commercial and residential uses.

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. OB zoning provides reasonable use of the property, without introducing intrusive commercial uses directly adjacent to established residential uses.
2. OB uses are compatible with the surrounding land use and zoning pattern and will establish a transition area

between adjacent commercial zoning to the east and residential uses to the west.

3. With the recommended Northwest County Sector Plan amendment to Office on the associated application (8-E-15-SP), OB zoning would be consistent with applicable adopted plans for the area.

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

1. The recommended 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. The requested CA zoning is for general retail businesses and services but not for manufacturing or for processing materials.
4. Depending on the type of development proposed, site plans may 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. The TO overlay will remain, regardless of any change in the base zoning.

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. The recommended OB zoning is compatible with the surrounding land uses and zoning pattern.
2. OB zoning will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.
3. The existing streets are adequate to handle additional traffic generated by allowing office or commercial uses on this site.
4. The requested CA zoning would allow intrusive commercial uses directly behind a residential lot within Hardin Farms subdivision to the west.

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. With the recommended amendment of the Northwest County Sector Plan to Office, OB zoning would be consistent with the plan. The plan would need to be amended to GC to allow consideration of the requested CA zoning.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. The recommended OB zoning does not present any apparent conflicts with any other adopted plans.
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 from the TTCDA. This request is scheduled to be considered by TTCDA on Mon., August 10, 2015 (8-A-15-TOR).

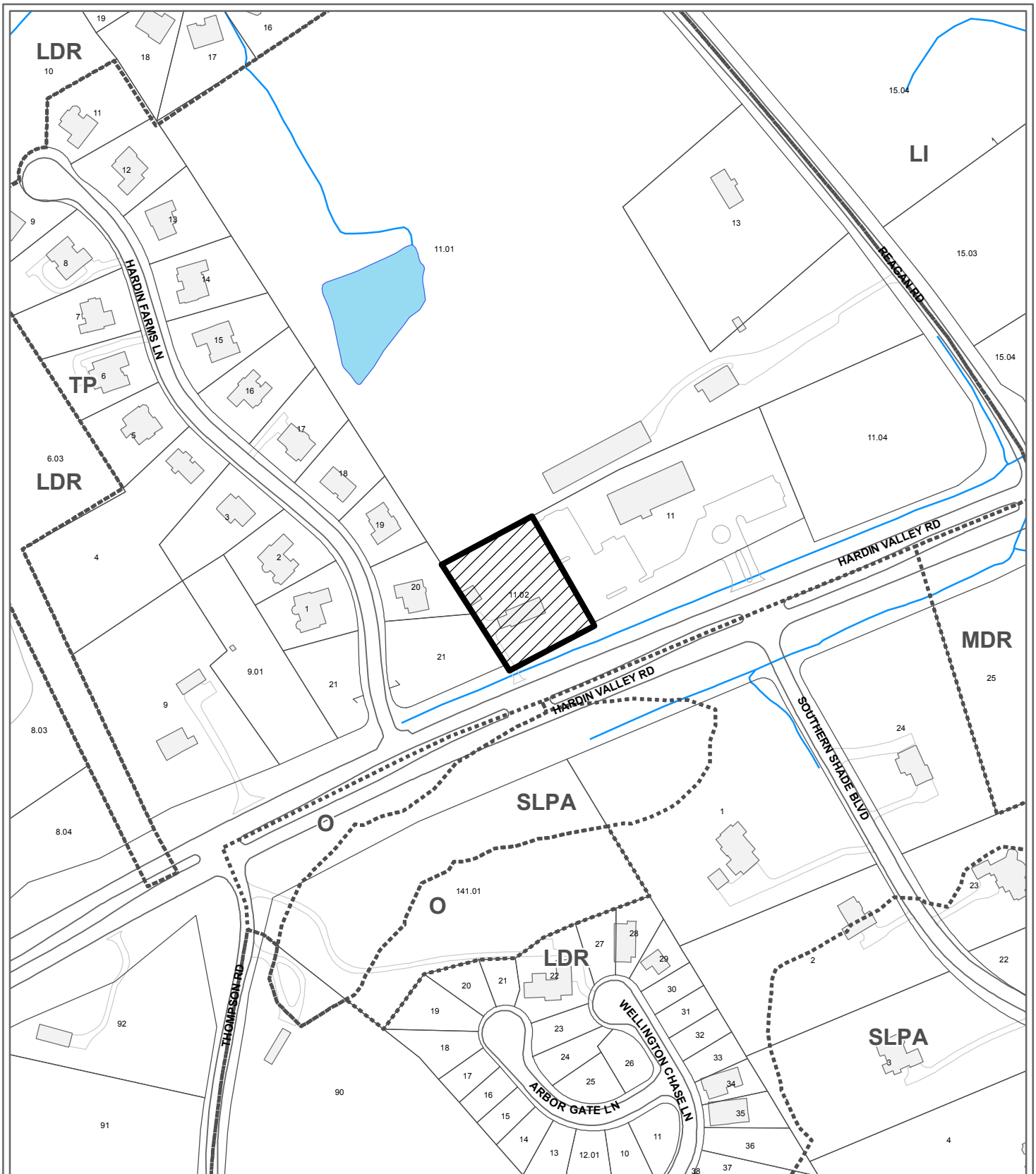
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 9/28/2015. 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.



**8-E-15-SP / 8-H-15-RZ  
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: TP (Technology Park)  
To: GC (General Commercial)



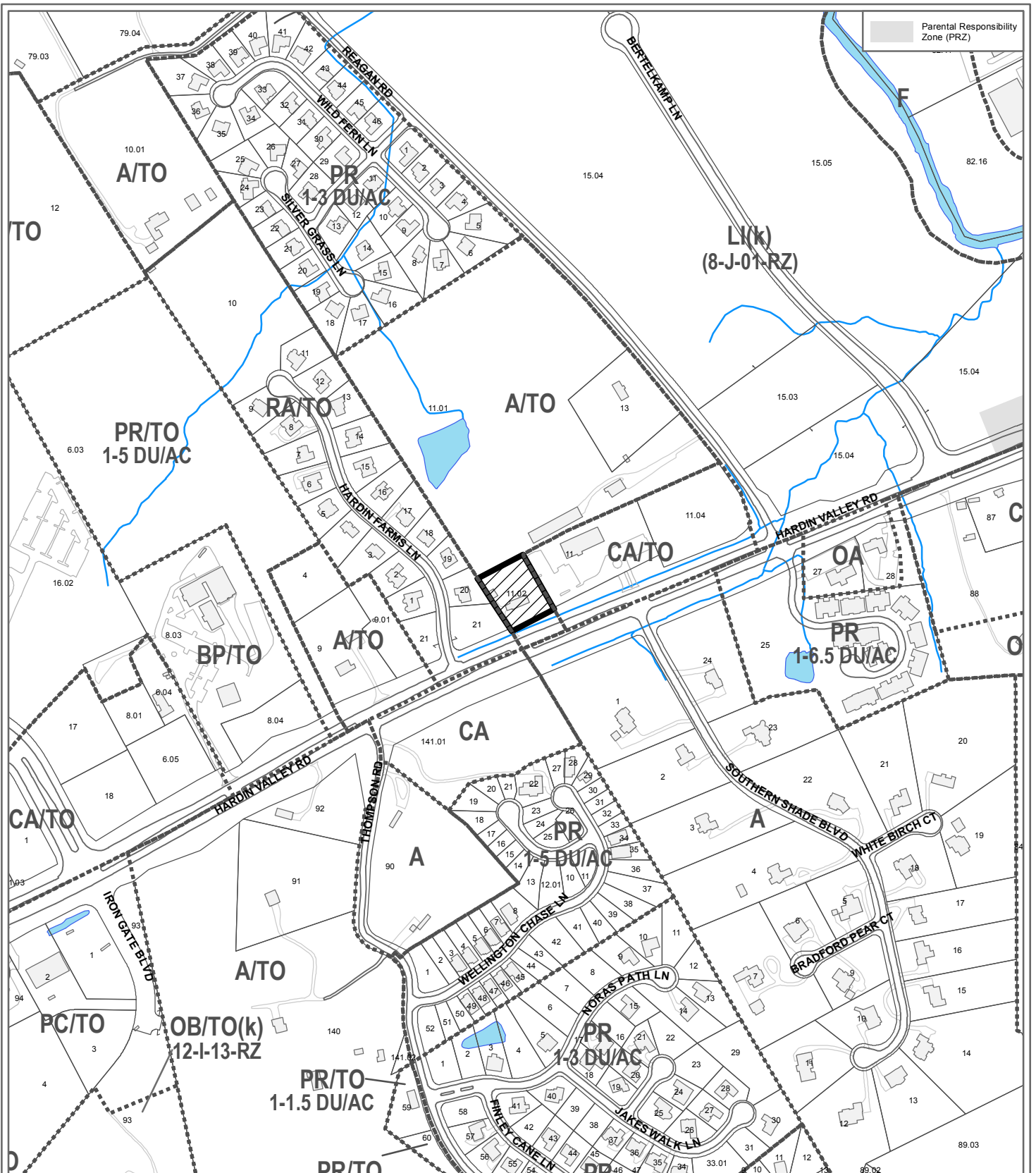
Petitioner: Presley, David

Map No: 104

Jurisdiction: County



Original Print Date: 7/24/2015 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



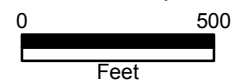
**8-H-15-RZ  
REZONING**

From: A (Agricultural) / TO (Technology Overlay)  
 To: CA (General Business) / TO (Technology Overlay)



Petitioner: Presley, David

Map No: 104  
 Jurisdiction: County



Original Print Date: 7/24/2015  
 Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

**KNOXVILLE-KNOX COUNTY  
METROPOLITAN PLANNING COMMISSION  
A RESOLUTION AMENDING THE NORTHWEST COUNTY SECTOR PLAN**

***WHEREAS**, the Knoxville-Knox County Metropolitan Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and*

***WHEREAS**, the Metropolitan Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

***WHEREAS**, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

***WHEREAS**, the Metropolitan Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the Northwest County Sector Plan, consistent with the requirements of the General Plan; and*

***WHEREAS**, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within sector plans initiated by the Planning Commission or in response to applications from property owners; and*

***WHEREAS**, David Presley has submitted an application to amend the Sector Plan from Technology Park to General Commercial for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Northwest County Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and*

***WHEREAS**, the Metropolitan Planning Commission, at its regularly scheduled public hearing on August 13, 2015, after consideration of the staff recommendation and testimony from those persons in support and opposed to the sector plan amendment, approved the amendment for the subject property, as requested, and/or amended.*

**NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION:**

*SECTION 1: The Planning Commission hereby adopts the revised amendment to the Northwest County Sector Plan, with its accompanying, staff report and map, file #8-E-15-SP.*

*SECTION 2: This Resolution shall take effect upon its approval.*

*SECTION 3: The Planning Commission further recommends that The Knox County Commission likewise consider this revised amendment to the General Plan 2033.*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary