

▶ **FILE #:** 5-B-15-RZ

**AGENDA ITEM #:** 25

**AGENDA DATE:** 5/14/2015

▶ **APPLICANT:** BRANDON BARRETT

OWNER(S): Brandon Barrett

TAX ID NUMBER: 103 PART OF 116 FRONT 2.3 AC, MAP ON FILE [View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 10800 Hardin Valley Rd

▶ **LOCATION:** Southeast side Hardin Valley Rd., southwest of Valley Vista Rd.

▶ **APPX. SIZE OF TRACT:** 2.3 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Hardin Valley Rd., a minor arterial street with 2 lanes and a center turn lane and 48' of pavement width within 80' of right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Conner Creek and Beaver Creek

▶ **PRESENT ZONING:** A (Agricultural) / TO (Technology Overlay)

▶ **ZONING REQUESTED:** PC (Planned Commercial) / TO (Technology Overlay)

▶ **EXISTING LAND USE:** Residence and vacant land

▶ **PROPOSED USE:** Zaxby's restaurant

EXTENSION OF ZONE: Yes, extension of PC/TO from the east and west

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Hardin Valley Rd., Pellissippi State campus - BP (Business & Technology Overlay) / TO (Technology Overlay)

South: Vacant land - A (Agricultural) / TO

East: Vacant land - PC (Planned Commercial) (K) / TO

West: Vacant land - PC (Planned Commercial) / TO

NEIGHBORHOOD CONTEXT: This area is developed with a mix of residential, office and commercial uses, under A, PR, OB and PC zoning.

**STAFF RECOMMENDATION:**

▶ **RECOMMEND that County Commission APPROVE PC (Planned Commercial) / TO (Technology Overlay) zoning.**

Commercial uses are appropriate at this location. The proposal is an extension of PC/TO zoning from the east and west. The site is located across the street to the south from the Pellissippi State Community College campus. PC zoning will allow MPC to review a development plan for the site, at which time staff may recommend appropriate landscaping, lighting, access and signage in order to retain maximize compatibility with surrounding land uses.

**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. There are a mix of uses in the surrounding area, all of which would be compatible with commercial uses. Pellissippi State college is across the street to the north and the property abuts existing PC/TO zoning to the east and west.
2. The site is accessed from Hardin Valley Rd., a minor arterial street, with sufficient capacity to support commercial development.
3. This rezoning proposal is consistent with the Northwest County Sector Plan, as amended by the TTCDA Comprehensive Development Plan.

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

1. The requested PC zoning allows commercial uses, but site plans are subject to MPC review and approval as a use on review development plan prior to issuance of building permits.
2. Based on the property's location between two PC/TO zoned properties, the proposed rezoning is clearly compatible with the surrounding development and zoning pattern.
3. The property is located within the TO (Technology Overlay). Because of this overlay, the Tennessee Technology Development Corridor Development Authority (TTCDA) must issue a Certificate of Appropriateness for both the rezoning and the development plan. The TTCDA board is scheduled to consider the Certificate of Appropriateness for the rezoning at their monthly meeting on May 11, 2015.

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 sewer utilities are available in the area, but may have to be extended to serve the site.
2. Establishment of PC zoning at this location would have little to no adverse impact on surrounding properties.
3. The site has access to Hardin Valley Rd., a minor arterial street with sufficient capacity to handle additional traffic that would be generated by commercial use of this site. Shared access and connections to adjacent commercial development in the future should be addressed on the development plans.
4. This proposed amendment of the zoning map will not adversely affect any other part of the County.
5. The remainder of the parcel, which will remain zoned A/TO, has steep slope characteristics which will make future development more difficult. The steep slopes on the remainder of the parcel will be a major factor if the remainder of the parcel is proposed to be rezoned in the future.

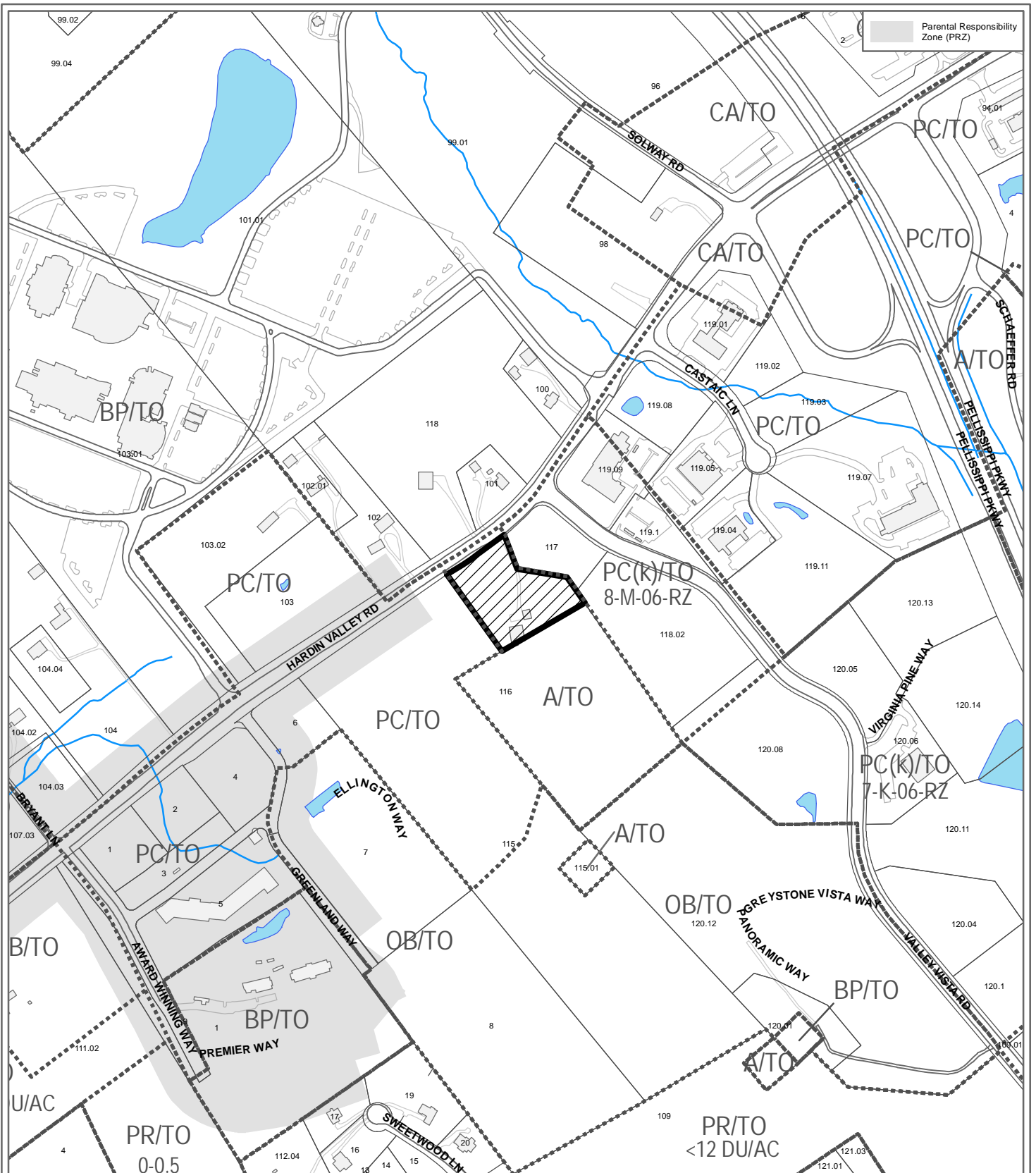
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Northwest County Sector Plan, as amended by the TTCDA Comprehensive Development Plan, proposes MU-SD (NWCo5) for this area. This is a unique mixed use special district that allows consideration of PC zoning.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 6/22/2015. 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.



**5-B-15-RZ  
REZONING**

From: A (Agricultural) / TO (Technology Overlay)  
 To: PC (Planned Commercial) / TO (Technology Overlay)



Petitioner: Barrett, Brandon

Map No: 103  
 Jurisdiction: County



Original Print Date: 4/27/2015 Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902