

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

▶ **FILE #:** 10-D-15-RZ
 10-A-15-PA

AGENDA ITEM #: 38
AGENDA DATE: 10/8/2015

▶ **APPLICANT:** BETSY BRENT
 OWNER(S): DTR Real Estate

TAX ID NUMBER: 106 J A 028 [View map on KGIS](#)

JURISDICTION: Council District 3

STREET ADDRESS: 921 Piney Grove Church Rd

▶ **LOCATION:** West side Piney Grove Church Rd., north of Middlebrook Pike

▶ **TRACT INFORMATION:** 0.42 acres.

SECTOR PLAN: Northwest County

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

ACCESSIBILITY: Access is via Piney Grove Church Rd., a minor arterial street with 21' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Ten Mile Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** NC (Neighborhood Commercial) / C-1 (Neighborhood Commercial)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** O (Office) / O-1 (Office, Medical, and Related Services)

▶ **EXISTING LAND USE:** Barber shop / insurance office

▶ **PROPOSED USE:** Veterinary clinic

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of O plan designation and O-1 zoning from the west

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

North: Residential units / MDR / R-2 (General Residential)
 South: Convenience store, gas station / NC / C-1 (Neighborhood Commercial)
 East: Piney Grove Church Rd. - Mobile home park / MDR / R-2 (General Residential)
 West: Vacant land / O / O-1 (Office, Medical & Related Services)

NEIGHBORHOOD CONTEXT: This property is located between commercial development along Middlebrook Pike to the south, zoned C-1, and residential development to the north along Piney Grove Church Rd, zoned R-2, R-1A and R-1.

STAFF RECOMMENDATION:

► **RECOMMEND that City Council APPROVE O (Office) One Year Plan designation.**

Office uses are consistent with the sector plan proposal for the property. Office uses are appropriate at this location as a transitional use between commercial uses to the south and residential uses to the north.

► **RECOMMEND that City Council APPROVE O-1 (Office, Medical & Related Services) zoning.**

O-1 zoning will create a transitional area between commercial uses to the south and residential uses to the north. O-1 zoning is compatible with the scale and intensity of surrounding development and zoning pattern. O-1 zoning is similar in intensity to the current C-1 zoning and is equally appropriate as a transitional land use. The sector plan and the recommended amendment to the One Year Plan both support office uses at this location.

COMMENTS:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these.)

- A. AN ERROR IN THE PLAN - There are no apparent errors in the plan. The current plan proposes NC uses for the site, consistent with the current C-1 zoning and previous uses on the site.
- B. A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA - No known improvements have been recently made to Piney Grove Church Rd., but it is adequate to serve the recommended office uses. Public water and sewer utilities are available to serve the site.
- C. A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN - With the established commercial zoning pattern to the south, office uses and zoning are appropriate for the subject property as a transitional area between commercial and residential uses.
- D. NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT - No new information has become available to reveal the need for a plan amendment. The C-1 zoning pattern to the south and residential zoning to the north has long been established in this area, making this site appropriate for transitional office uses.

The applicant proposes to start a veterinary clinic at this location. This use is not permitted under the current C-1 zoning. The requested O-1 zoning allows consideration of a veterinary clinic as a use on review, subject to approval by MPC. There is adequate yard area to allow for outdoor dog runs and landscape screening, if necessary.

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. O-1 zoning for the subject property creates a transitional area between commercial uses to the south and residential uses to the north.
- 2. O-1 uses are compatible with the surrounding land use and zoning pattern.
- 3. The site is about a half acre, and is developed with a commercial building and parking. There is a back yard area that could be utilized if necessary for the new use.
- 4. Establishing office uses at this location maintains the current stopping point for non-residential uses heading north from Middlebrook Pike.

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

- 1. The O-1 zone, as described in the zoning ordinance, is intended to provide areas for professional and business offices and related activities that require separate buildings surrounded by landscaped yards and open areas. The intent is to provide centralized, compact locations for business offices, clinics, medical and dental offices, as well as suburban locations near residential neighborhoods.
- 2. Based on the above general intent, this site is appropriate for O-1 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 O-1 zoning is compatible with the surrounding land uses and zoning pattern.
2. O-1 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 any additional traffic generated by allowing office uses on the site, and the site's location is appropriate for transitional office uses between commercial and residential uses.

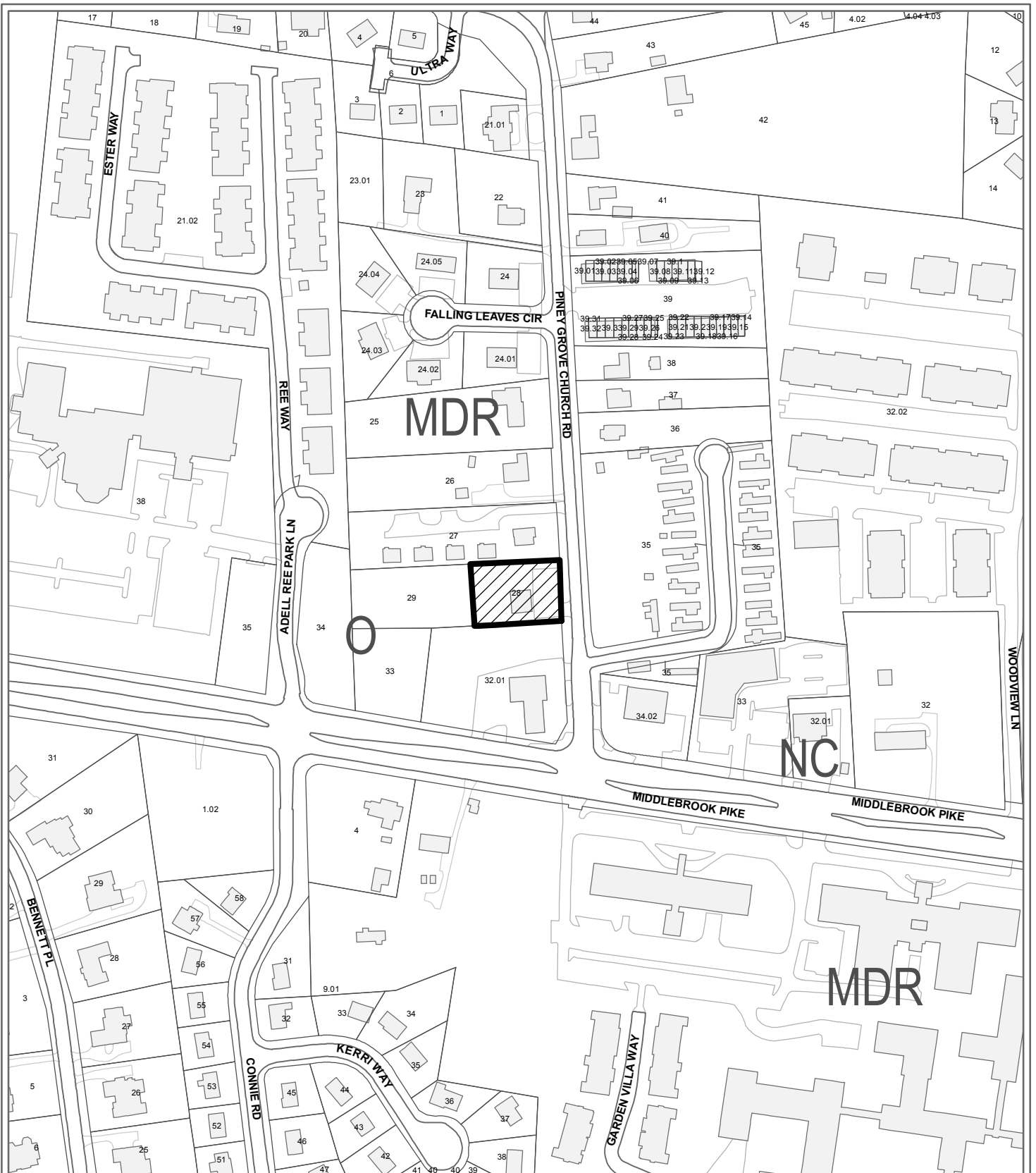
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. With the recommended amendment to the City of Knoxville One Year Plan to office on the accompanying application (10-A-15-PA), O-1 zoning would be consistent with the plan.
2. The Northwest County Sector Plan proposes office uses for the site, consistent with the proposed O-1 zoning.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This recommended O-1 zoning 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 Knoxville City Council for action on 11/10/2015 and 11/24/2015. 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.



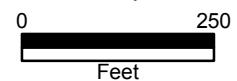
**10-A-15-PA / 10-D-15-RZ
PLAN AMENDMENT**

From: NC (Neighborhood Commercial)
To: O (Office)

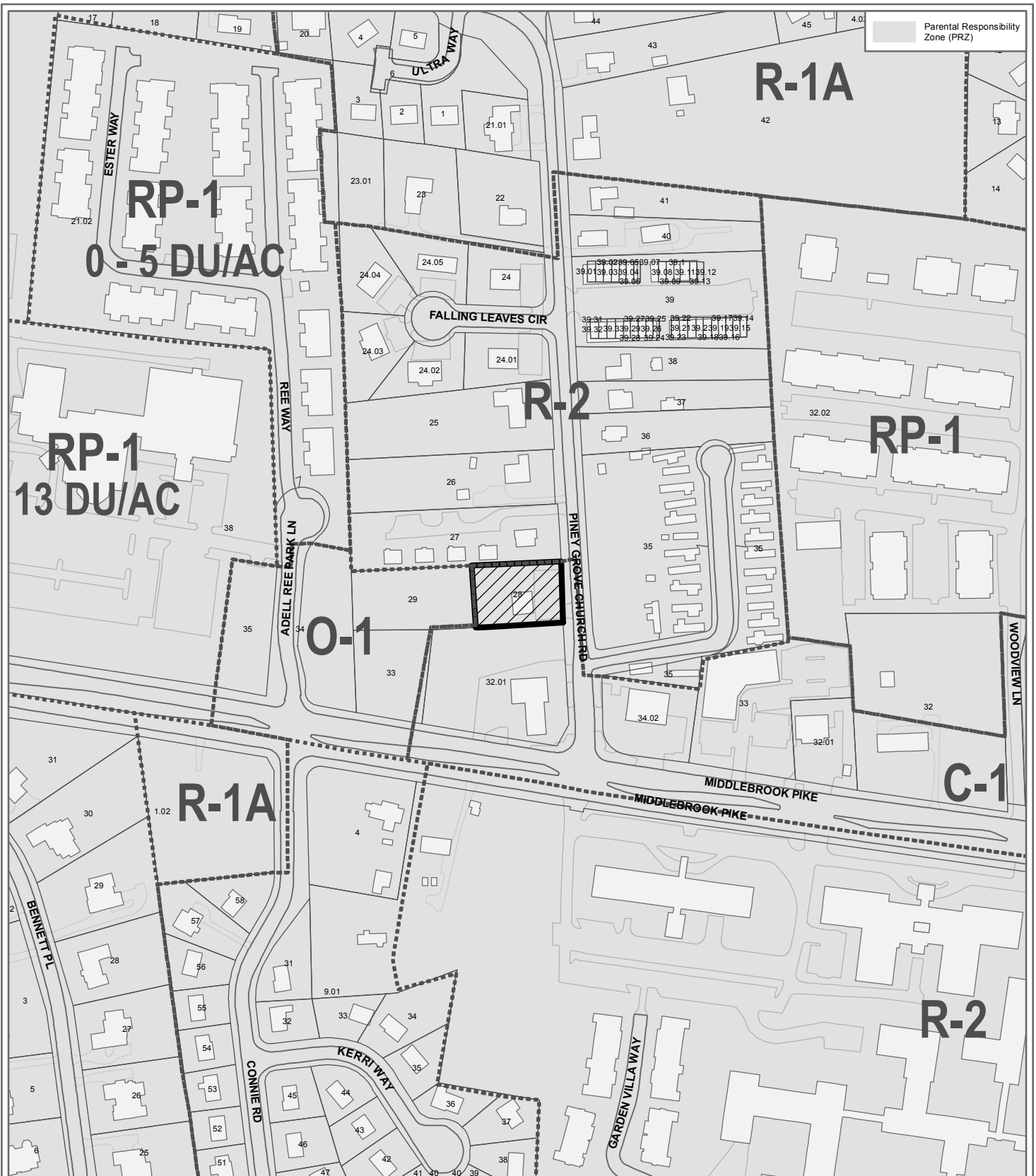


Petitioner: Brent, Betsy

Map No: 106
Jurisdiction: City



Original Print Date: 9/21/2015
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**10-D-15-RZ
REZONING**

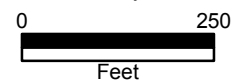
From: C-1 (Neighborhood Commercial)
To: O-1 (Office, Medical, and Related Services)



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