

▶ **FILE #:** 4-P-16-RZ

AGENDA ITEM #: 49

AGENDA DATE: 4/14/2016

▶ **APPLICANT:** HARDIN VALLEY LAND PARTNERS, LLC

OWNER(S): H. E. (Rusty) Bittle, III

TAX ID NUMBER: 103 PART OF 115 MAP ON FILE AT MPC

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS:

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

▶ **APPX. SIZE OF TRACT:** 6 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Hardin Valley Rd., a minor arterial street with 3 lanes including a center turn lane and 45' of pavement width within 95' of right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Conner 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:** Office/residential

EXTENSION OF ZONE: Yes, extension of OB/TO zoning from the south and west

HISTORY OF ZONING: Property was rezoned PC/TO in 2013 (6-D-13-RZ)

SURROUNDING LAND USE AND ZONING: North: Developing commercial - PC (Planned Commercial) / TO (Technology Overlay)

South: Vacant land - OB (Office, Medical & Related Services) / TO

East: Vacant land - A (Agricultural) / TO

West: Apartments - OB (Office, Medical & Related Services) / TO

NEIGHBORHOOD CONTEXT: This area is developing with a mix of residential, office and commercial uses, under A, PR, OB and PC zoning, all within the TO overlay.

STAFF RECOMMENDATION:

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

OB/TO is a logical extension of zoning from the south. The recommended zoning is compatible with surrounding development and zoning, and is consistent with the sector plan proposal for the area.

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. The applicant proposes to extend the OB/TO zoning to the north.
2. The proposal is compatible with surrounding land uses.
3. The proposed zoning change will allow apartment development to serve the nearby community college, as well as providing a location for offices or medium density residential development in close proximity to a major interchange.

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. 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. MPC would review a development plan if the proposed residential 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 sewer utilities are available to the site.
2. With the extension of zoning, the impact on surrounding properties should be minimal. The uses permitted under OB zoning are compatible in scale and intensity to surrounding development and zoning.
3. Any plans for the development of the property should keep disturbance of the terrain and existing mature vegetation to a minimum. Access to the site will need to be coordinated with the development of adjacent parcels.
4. OB/TO zoning is appropriate for this site and will not adversely affect any adjacent properties or other parts of the County.

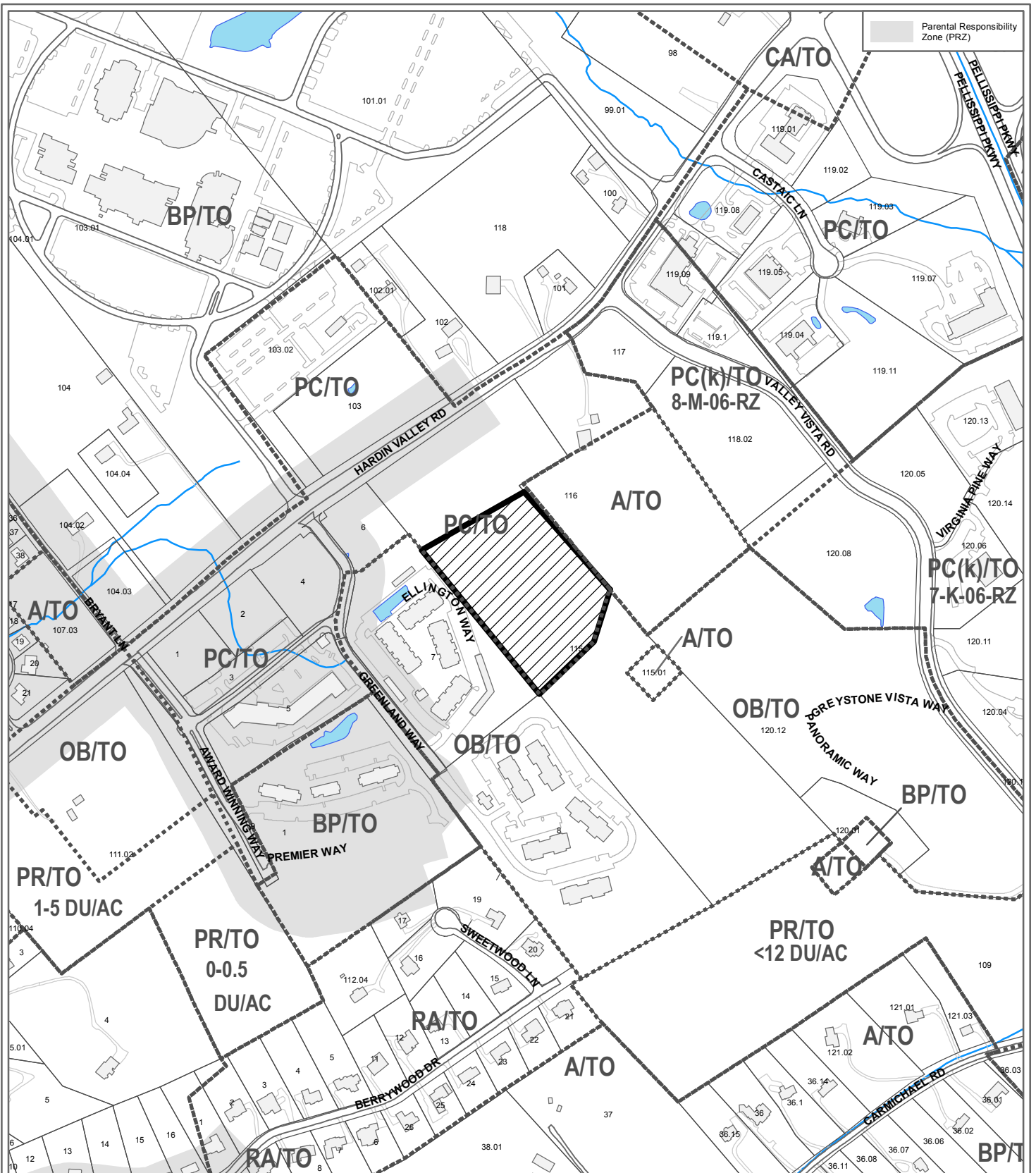
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Northwest County Sector Plan designates this site as MU-SD (NW-Co5), a mixed use special district that allows consideration of OB zoning..
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of OB/TO zoning for this site could lead to future similar requests in the area, which may also require sector plan amendments.
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 heard by TTCDA on April 11, 2016 (4-B-16-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 5/23/2016. 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.



**4-P-16-RZ
REZONING**

From: PC (Planned Commercial) / TO (Technology Overlay)

To: OB (Office, Medical, and Related Services) / TO (Technology Overlay)



Original Print Date: 3/21/2016
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Hardin Valley Land Partners, LLC

Map No: 103

Jurisdiction: County

