

▶ **FILE #:** 10-I-18-RZ

AGENDA ITEM #: 45

AGENDA DATE: 10/11/2018

▶ **APPLICANT:** BENCHMARK ASSOCIATES, INC.

OWNER(S): Cindy Bradley

TAX ID NUMBER: 68 D E PORTION OF 01101 MAP ON FILE AT MPC [View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS: 609 Cedar Ln

▶ **LOCATION:** Northwest side Cedar Ln., southwest of Haynes-Sterchi Rd.

▶ **APPX. SIZE OF TRACT:** 0.8 acres

SECTOR PLAN: North City

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

ACCESSIBILITY: Access is via Cedar Ln., a minor arterial street with 23-38' of pavement width within 35-85' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT ZONING:** O-1 (Office, Medical, and Related Services) with conditions

▶ **ZONING REQUESTED:** O-1 (Office, Medical, and Related Services) without conditions

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Single family residence

EXTENSION OF ZONE: No

HISTORY OF ZONING: 10-B-14-RZ - R-1 to O-1 with conditions

SURROUNDING LAND USE AND ZONING: North: Residential / LDR / R-1 (Low Density Residential)

South: House / LDR / R-1 (Low Density Residential)

East: Cedar Ln. - Attached and detached residential / LDR / RP-1

Cedar Ln. - Attached and detached residential / LDR / RP-1 (Planned Residential) and R-2 (General Residential)

West: Residential / LDR / R-1 (Low Density Residential)

NEIGHBORHOOD CONTEXT: This site is located along Cedar Ln. in an area that is developed with low and medium density residential uses under R-1, R-1A, R-2 and RP-1 zoning. The residential development includes both attached and detached residential uses.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE O-1 (Office, Medical & Related Services) zoning with no conditions.**

The four existing conditions should be removed for the northeastern portion of the property, consistent with the attached map. The conditions should remain for the southwestern portion of the property, consistent with the attached map.

On October 9, 2014 MPC recommended O-1 with the following 4 conditions for the entire parcel:

1. Approximately seven lined parking spaces are currently located within public right-of-way at the front of the site along Cedar Ln. These parking spaces must be removed, in accordance with policies of the Knoxville Department of Engineering. All required and other parking must be located within the subject parcel.
2. Part of the existing, lined parking lot to the southwest of the building is also located within public right-of-way. This parking area must be redesigned in such a way to remove all parking from within public right-of-way and reduce the width of the driveway entrance to Cedar Ln., in accordance with current requirements of the Knoxville Department of Engineering.
3. No access to the site shall be taken from Ozark Ln. along the northwest property line, except for driveway access to detached dwellings in the R-1 zone, as recommended by staff.
4. Use of the property is limited to business and professional offices only. (Added by MPC)

Condition #1 has been addressed and the parking area along Cedar Ln. has been removed. Condition #2 and #3 are not applicable to this portion of the property. Condition #4 involves a change in City Policy, where they are encouraging MPC not to condition the use of properties, in general.

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. Conditions have changed in regards condition #1. Parking has been removed along Cedar Ln. and the area has been planted with grass seed to establish a larger front yard area.
2. By dividing the zoning for this property, conditions #2 and #3 do not apply to this portion of the site.
3. O-1 uses are compatible with the surrounding land use and zoning pattern.
4. The site was originally developed with a church building. The O-1 zoning will allow more flexibility in finding potential users for the site.

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, the 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 recommendation is compatible with the surrounding land uses and zoning pattern.
2. The recommendation 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.
4. Removal of condition #4 will allow for low density residential development on the northeastern portion of the property, making the site fit in better with the surrounding neighborhood.

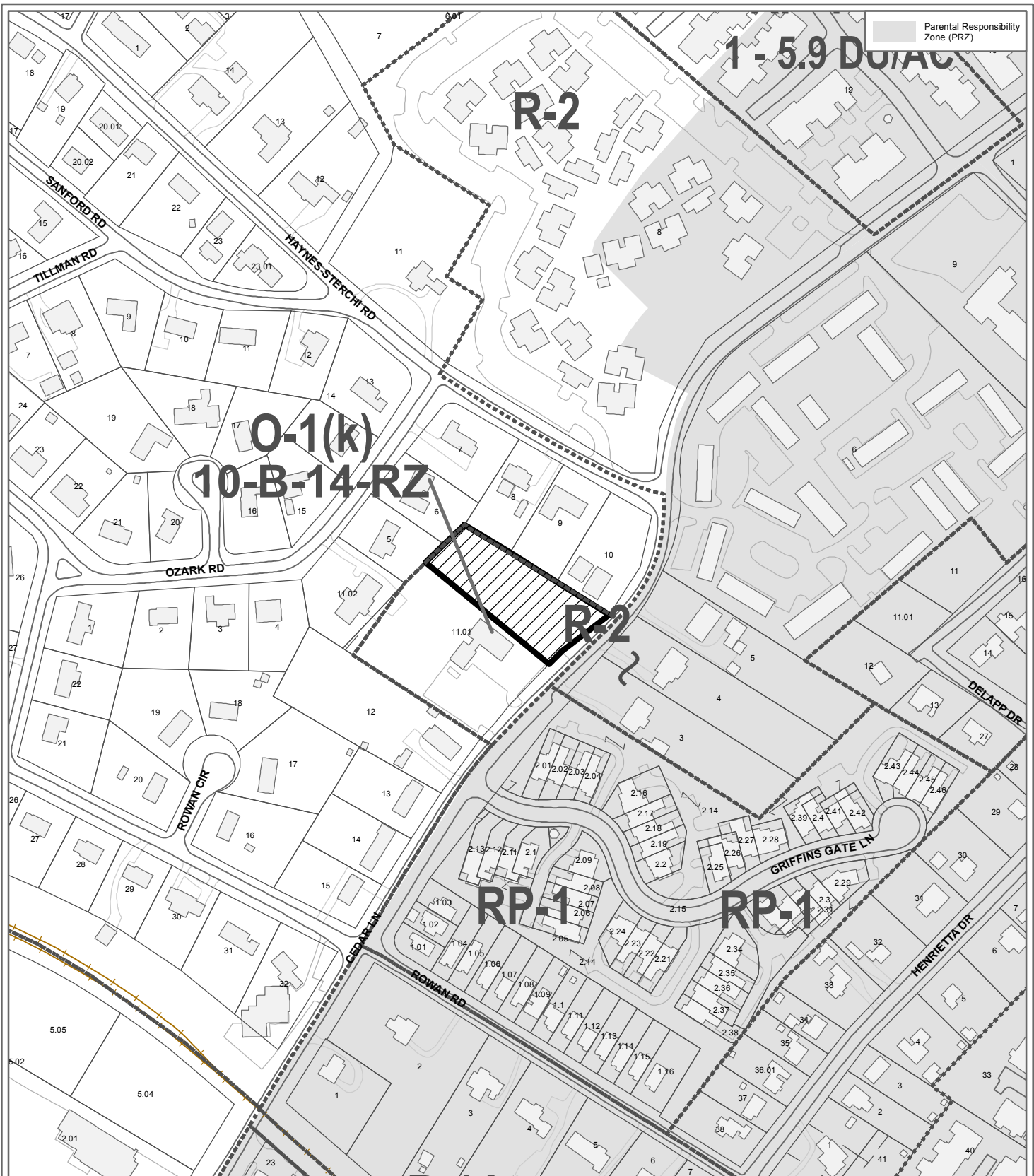
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. O-1 zoning is consistent with the North City Sector Plan and City of Knoxville One Year Plan.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

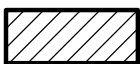
If approved, this item will be forwarded to Knoxville City Council for action on 11/6/2018 and 11/20/2018. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**10-I-18-RZ
REZONING**

From: O-1 (Office, Medical, and Related Services) with conditions

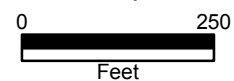
To: O-1 (Office, Medical, and Related Services) without conditions



Petitioner: Benchmark Associates, Inc.

Map No: 68

Jurisdiction: City



Original Print Date: 9/17/2018

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

REZONING **PLAN AMENDMENT**

Name of Applicant: Benchmark Associates, Inc.

Date Filed: 27 August 2018 Meeting Date: 11 October 2018

Application Accepted by: M. Payne

Fee Amount: \$1,000.00 File Number: Rezoning 18-I-18-RZ

Fee Amount: rk File Number: Plan Amendment H

PROPERTY INFORMATION

Address: 609 Cedar Lane

General Location: N. of Cedar Lane
& W. of Haynes-sterchi Road

Parcel ID Number(s): CLT Map 68, Insert D,
Group E, Parcel 11.01 (portion)

Tract Size: 2.2 Acres, 0.8 Acres affected

Existing Land Use: Vacant

Planning Sector: North City

Growth Policy Plan: City

Census Tract: 049

Traffic Zone: 205

Jurisdiction: City Council 5th District
 County Commission 2nd District

Requested Change

REZONING

FROM: O-1 with Reservations

TO: O-1 without Reservations

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____

TO: _____

PROPOSED USE OF PROPERTY

Single Family Residence

Density Proposed _____ Units/Acre

Previous Rezoning Requests: _____

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT

Name: Cindy Bradley

Company: _____

Address: 1308 Fieldwood Drive

City: Knoxville State: TN Zip: 37912

Telephone: 865-687-8300

Fax: _____

E-mail: _____

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: Benjamin J. Moorman

Company: Benchmark Associates, Inc.

Address: PO Box 23892

City: Knoxville State: TN Zip: 37933

Telephone: 865-692-4090

Fax: 865-692-4091

E-mail: bmoorman@benchmark-assoc.com

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: _____

PLEASE PRINT

Name: Benjamin J. Moorman

Company: Benchmark Associates, Inc.

Address: PO Box 23892

City: Knoxville State: TN Zip: 37933

Telephone: 865-692-4090

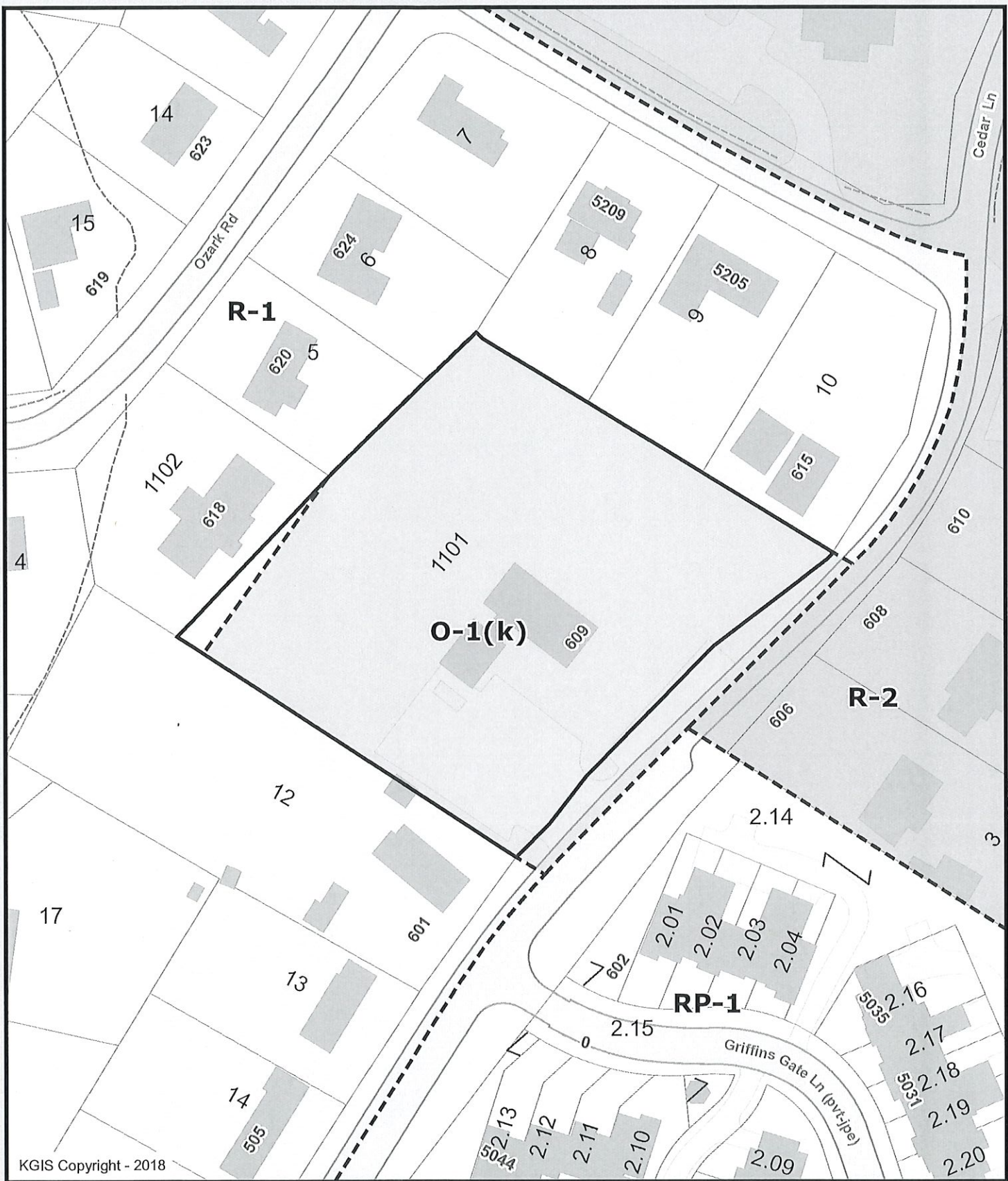
E-mail: bmoorman@benchmark-assoc.com

NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:

Please Print or Type in Black Ink:

(If more space is required attach additional sheet.)

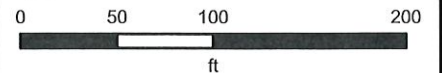
Name	Address	City	State	Zip	Owner	Option
Cindy Bradley	1308 Fieldwood Dr.	Knoxville,	TN	37912	x	



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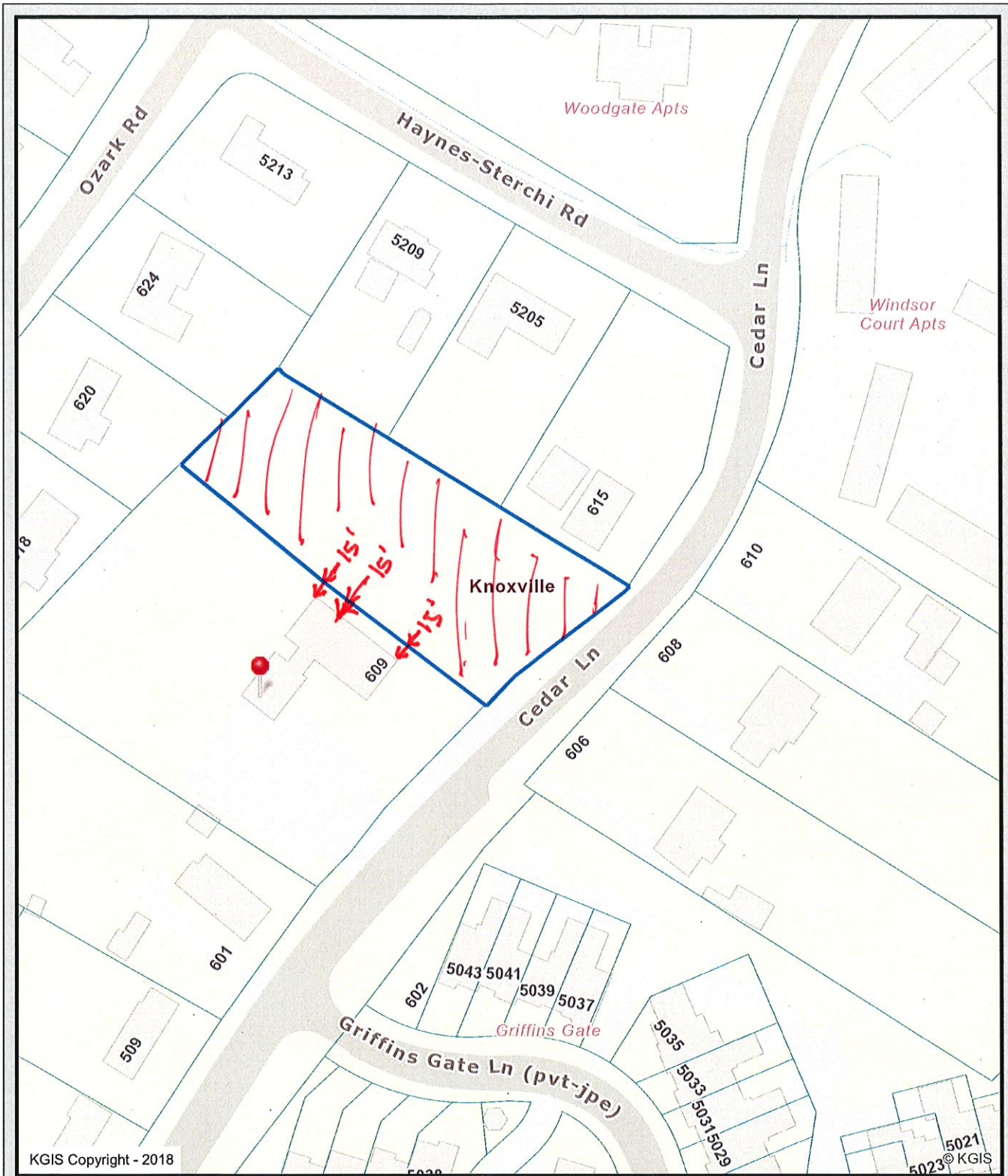
Letter Portrait

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Knoxville - Knox County - KUB Geographic Information System

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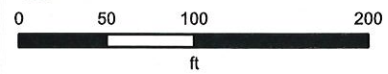


Area of Interest

Knoxville - Knox County - KUB Geographic Information System



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Benjamin Moorman

From: Cindy Bradley <sellwcindy@comcast.net>
Sent: Wednesday, August 22, 2018 3:41 PM
To: Benjamin Moorman
Subject: 609 cedar lane

Benny, Please use this as my permission for you to handle the rezoning of 609 Cedar Lane for me.

Cindy Bradley

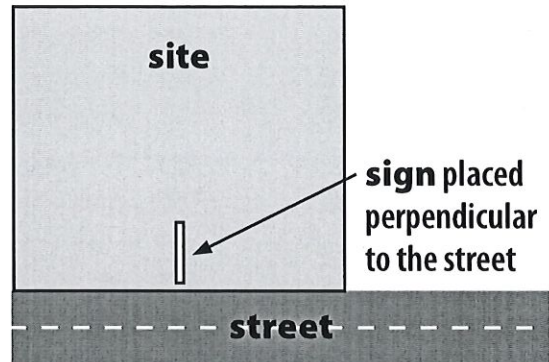
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled MPC public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

9/26/18 and 10/12/18
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: Benjamin J. Mooruma

Printed Name: BENJAMIN J. MOORUMA

Phone: 865-692-4090 Email: BMOORUMA@BENCHMPC-ASSOC.COM

Date: 27 August 2018

MPC File Number: 10-I-18-RZ