



PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 1-G-22-RZ
1-B-22-SP

AGENDA ITEM #: 16
AGENDA DATE: 1/13/2022

▶ **APPLICANT:** MARK RIDENOUR / VETERINARY CENTER DEVELOPMENT GROUP
OWNER(S): Smith Oliver A ETAL Trustees

TAX ID NUMBER: 144 O A 003 [View map on KGIS](#)
JURISDICTION: Commission District 5
STREET ADDRESS: 0 Lake Heritage Way
▶ **LOCATION:** East side of Lake Heritage Way due south of Westland Drive
▶ **TRACT INFORMATION:** 2.76 acres.
SECTOR PLAN: Southwest County
GROWTH POLICY PLAN: Planned Growth Area
ACCESSIBILITY: Access is via a private right-of-way with a pavement width of 26-ft with access on Westland Drive, a minor arterial with a pavement width of 44-ft within a right-of-way width of 88-ft.
UTILITIES: Water Source: First Knox Utility District
Sewer Source: First Knox Utility District
WATERSHED: Sinking Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** O (Office) / OB (Office, Medical, and Related Services)
▶ **PROPOSED PLAN DESIGNATION/ZONING:** NC (Neighborhood Commercial) / CA (General Business)
▶ **EXISTING LAND USE:** Agriculture/forestry/vacant

▶ **EXTENSION OF PLAN DESIGNATION/ZONING:** Yes, NC and CA are adjacent to the north.
HISTORY OF ZONING REQUESTS: 4-F-94-RZ: A to PC & PR, 6-M-99-RZ: PR 1-3du/ac to PR 1-5 du/ac, 6-D-06-RZ PR to OB
SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Office, Agriculture/Forestry/Vacant / NC (Neighborhood Commercial) / CA (General Business)
South: Multifamily / MU-SD (Mixed Use Special District) / PR (Planned Residential)
East: Right-of-way / ROW (Right of Way) / Right of Way
West: Agriculture/forestry/vacant, Multifamily / O (Office) / OB (Office, Medical and Related Services)
NEIGHBORHOOD CONTEXT: This area is primarily a commercial/office node adjacent to the Pellissippi Parkway at Westland Drive with multi-family residential surrounding the node.

STAFF RECOMMENDATION:

- ▶ **Approve the Southwest County Sector Plan Amendment to MU-SD SWCO-2 (Mixed Use Special District, South side of Westland Drive, West of I-140) because it provides for a more cohesive district at this intersection.**

- ▶ **Approve PC (Planned Commercial) zoning because it is complies with the recommended amendment to the sector plan and requires development plan review to ensure consistency within the district.**

COMMENTS:

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

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. The MU-SD SWCO-2 district was adopted into the Southwest County Sector Plan for this area in September 2018, after the Southwest County Sector Plan was comprehensively updated in 2016.
2. The MU-SD expansion at this location provides a more cohesive land use classification for this district at the node with Westland Drive and Pellissippi Parkway.

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

1. No new roads or utilities have been introduced into this area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The existing MU-SD SWCO-2 was only applied to an area that had requested a rezoning/plan amendment, however, the district is described as being applicable to the surrounding parcels.
2. An extension of this mixed-use land use classification for more of the area around this intersection node is preferable for defining a cohesive district and is described being applicable to the larger area.

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

1. The 2018 amendment to the Southwest County Sector Plan established the MU-SD and noted the preferred uses, connectivity improvements that should guide future development in this area.
2. The district noted particularly, the importance of maintaining pedestrian and vehicular improvements regarding sidewalk connectivity and open space between adjacent land uses and surrounding parcels.

State law regarding amendments of the general plan (which includes 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:

- 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.
- 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.

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6.30.01, THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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. This area has an opportunity for infill development at this location between the uses fronting on Westland Drive and the multi-family residential to the south.

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

1. The PC (Planned Commercial) zone is intended for a unified grouping of commercial buildings which do not require or desire a central business district location. It is the objective of this zone to achieve the highest quality site design, building arrangement, landscaping and traffic circulation patterns possible.

2. A development plan is required to be reviewed and approved by the Planning Commission to ensure compatibility within the district.

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 required development plan review in the Planned Commercial zone district will provide an opportunity to review the site plan in relation to any adjacent land uses and address the possible conflicts through site design.

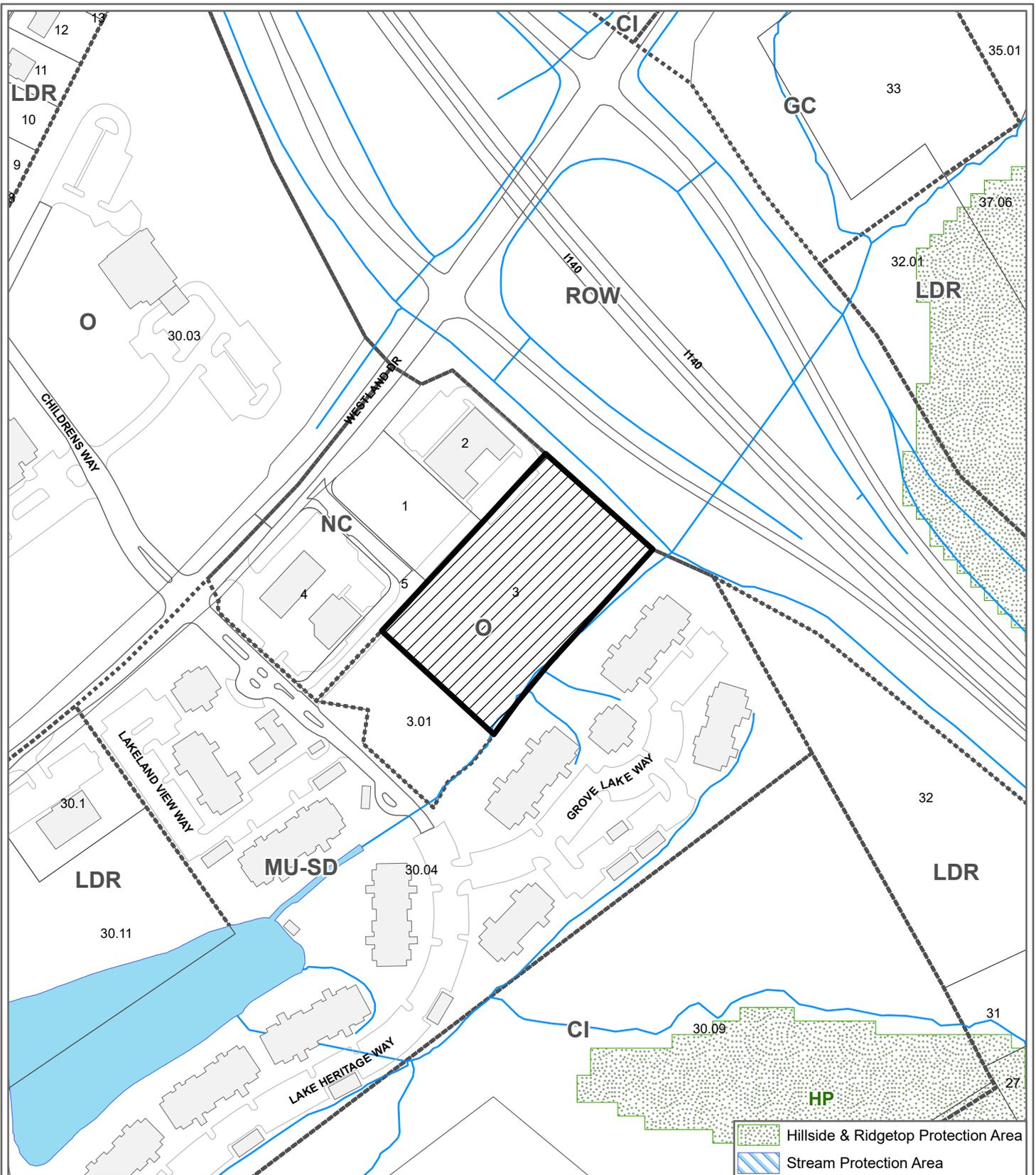
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. This amendment is consistent with the Southwest County Sector Plan and all 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 2/22/2022. If denied, Knoxville-Knox County Planning Commission'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 a Planning Commission decision in the County.



**1-B-22-SP / 1-G-22-RZ
SOUTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: O (Office)

To: NC (Neighborhood Commercial)

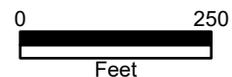


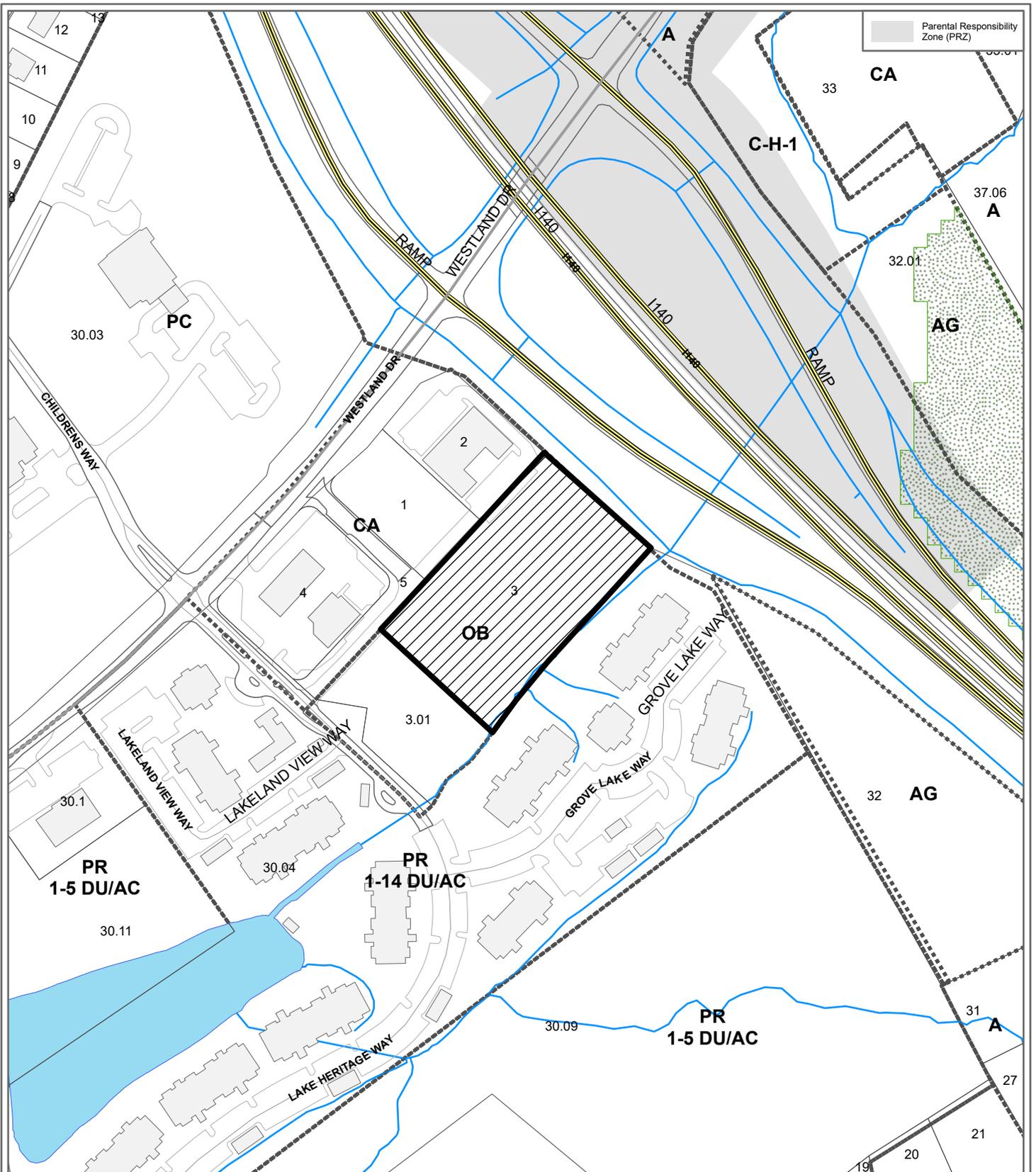
Petitioner: Ridenour / Veterinary Center
Development Group, Mark

Map No: 144

Jurisdiction: County

Original Print Date: 12/3/2021 Revised:
Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902





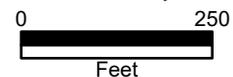
**1-G-22-RZ
REZONING**

From: OB (Office, Medical, and Related Services)
To: CA (General Business)



Petitioner: Ridenour / Veterinary Center
Development Group, Mark

Map No: 144
Jurisdiction: County



Original Print Date: 12/3/2021 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

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

WHEREAS, the Knoxville-Knox County 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 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 Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the Southwest 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 plans initiated by the Planning Commission or in response to applications from property owners; and

WHEREAS, Mark Ridenour / Veterinary Center Development Group has submitted an application for an amendment to the Southwest County Sector Plan for property described in the application; and

WHEREAS, the Planning Commission recommends approval of an amendment to the Sector Plan from Office to Mixed Use Special District 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 Planning Commission, at its regularly scheduled public hearing on January 13, 2022, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.

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

SECTION 1: The Planning Commission hereby adopts the revised amendment to the Southwest County Sector Plan, with its accompanying staff report and map, file #1-B-22-SP.

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

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

Date

Chairman

Secretary

Exhibit B. 1-G-22-RZ / 1-B-22-SP Contextual Images

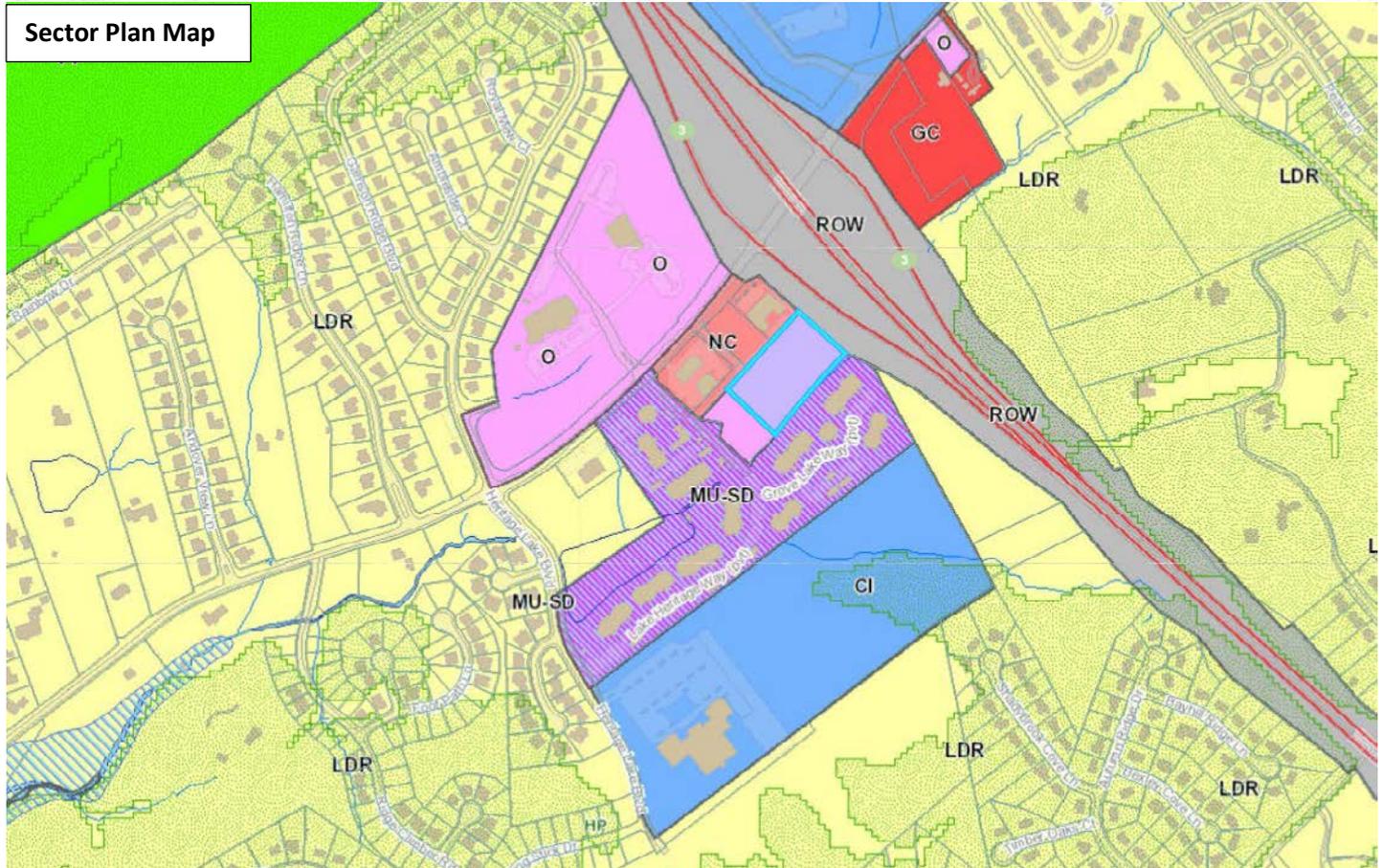
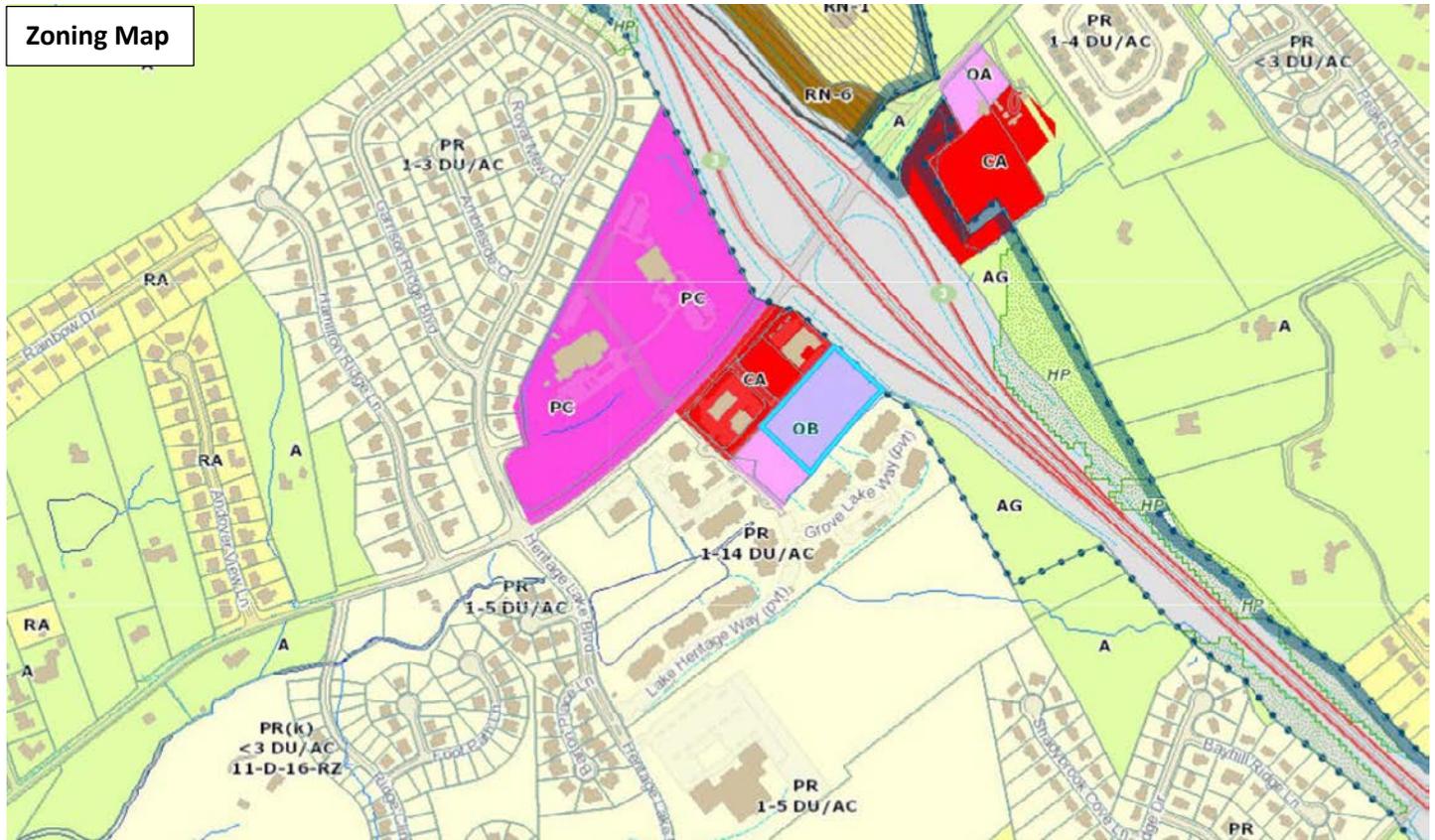
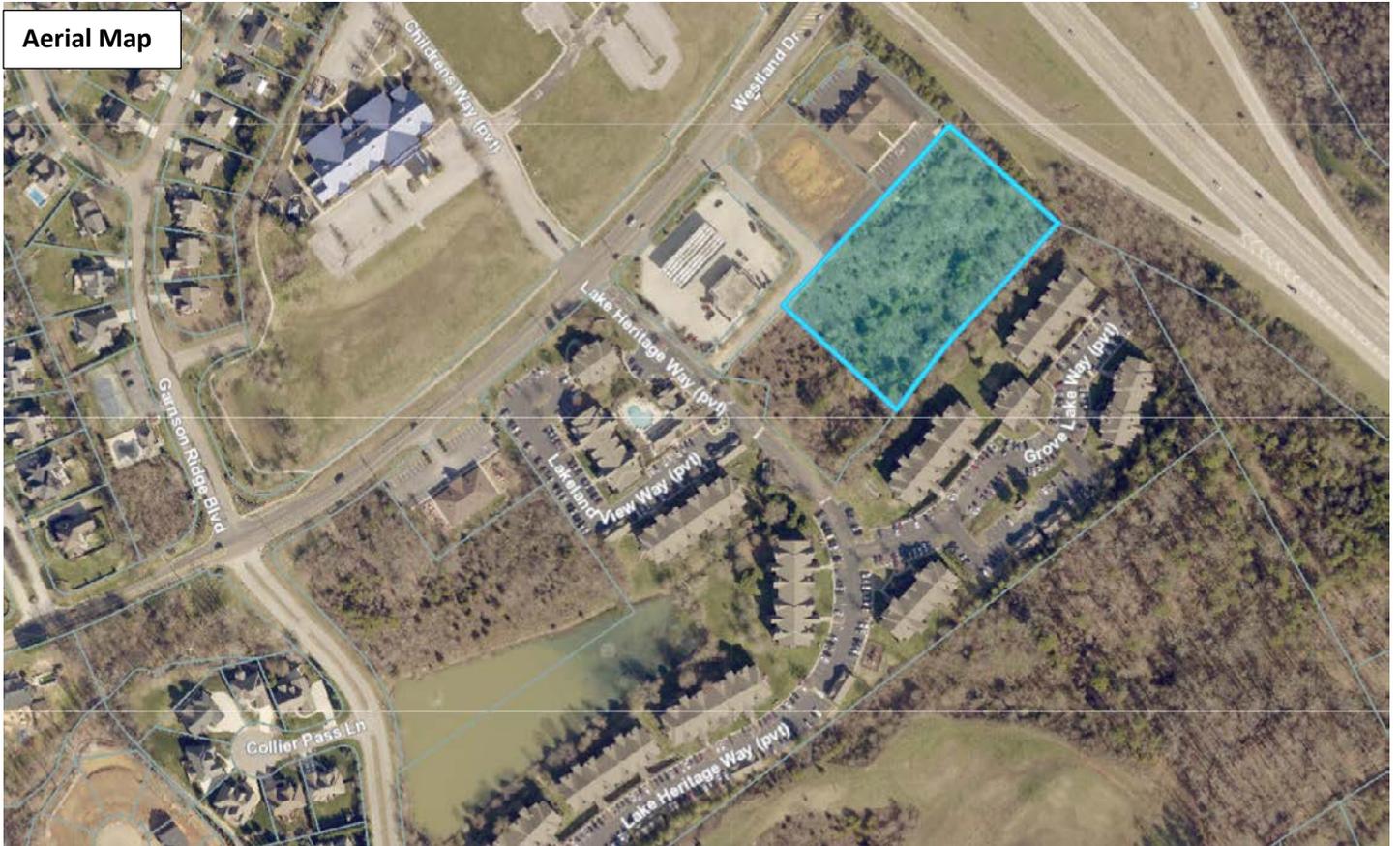


Exhibit B. 1-G-22-RZ / 1-B-22-SP Contextual Images

Parcel Map



Aerial Map





Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
- SP OYP
- Rezoning

Applicant Name: Mark Ridenour Affiliation: Veterinary Center Development Group

Date Filed: 11-19-21 Meeting Date (if applicable): Jan. 13, 2022

File Number(s):
1-G-22-RZ
1-B-22-SP

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

Name: Mark Ridenour Company: Veterinary Center Development Group VCDG
Listed on Real Estate Agreement

Address: 12039 Rivanna Ln City: Knoxville State: TN ZIP: 37922

Phone: 865-388-8630 Email: Ridenourconstruction@gmail.com

CURRENT PROPERTY INFO

Owner Name (if different): Smith Oliver A ETAL Trustees Owner Address: 865-584-2000 Owner Phone: 865-584-2000

Property Address: 0 Lake Heritage Way Parcel ID: 1440A.003

Sewer Provider: First Utility District of Knox County Water Provider: No Septic (Y/N): No

STAFF USE ONLY

General Location: East side of Lake Heritage Way due South of Westland Drive Tract Size: 2.76 ac.

City County District: 5th Zoning District: OB Existing Land Use: Aq For Vac

Planning Sector: Southwest County Sector Plan Land Use Classification: 0 Growth Policy Plan Designation: Planned

DEVELOPMENT REQUEST

- Development Plan
 Use on Review / Special Use
 Hillside Protection COA
 Residential
 Non-Residential
 Home Occupation (specify) _____

Related City Permit Number(s)

Other (specify) _____

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Combine Parcels
 Divide Parcel
 Total Number of Lots Created _____

Related Rezoning File Number

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

- Zoning Change CA
 Proposed Zoning
- Plan Amendment Change Sector Plan Change to NC
 Proposed Plan Designation(s)
- 6-5-16-RZ, 4-F-9A-RZ
 Proposed Density (units/acre) Previous Rezoning Requests

Pending Plat File Number

Other (specify) _____

STAFF USE ONLY

PLAT TYPE

- Staff Review
 Planning Commission

ATTACHMENTS

- Property Owners / Option Holders
 Variance Request

ADDITIONAL REQUIREMENTS

- Design Plan Certification (Final Plat)
 Use on Review / Special Use (Concept Plan)
 Traffic Impact Study
 COA Checklist (Hillside Protection)

Fee 1	Total
0326 \$1,000.00	
Fee 2	
0526 \$600.00	\$1,600.00
Fee 3	

AUTHORIZATION

By signing below, I certify I am the property owner or the owners authorized representative.

Mark Ridenour
Applicant Signature

Mark Ridenour
Please Print

11-19-21
Date

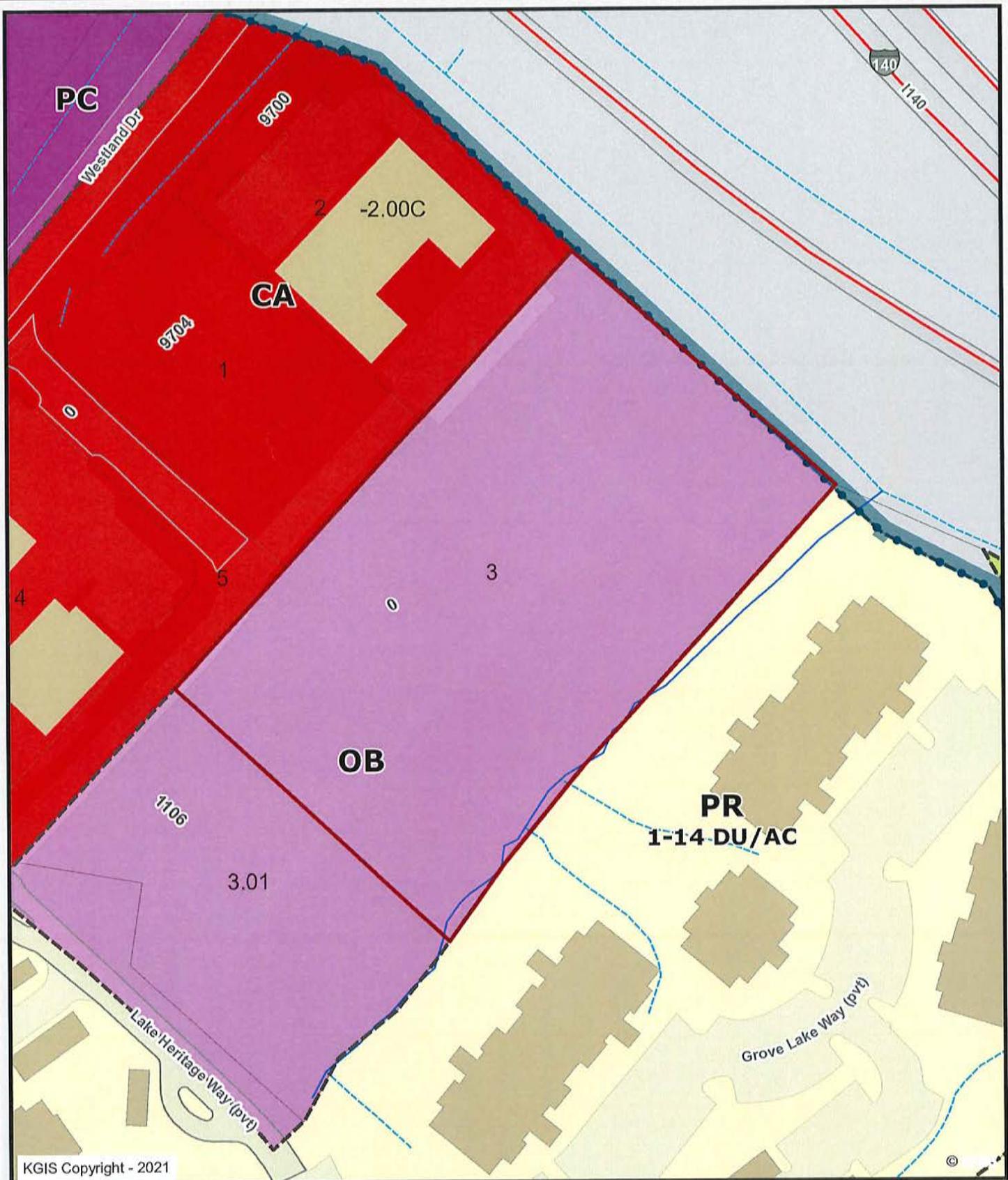
865-388-8630
Phone Number

Ridenourconstruction@gmail.com
Email


Staff Signature

Marc Payne
Please Print

11/19/2021
Date

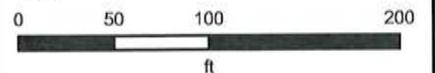


Letter Portrait

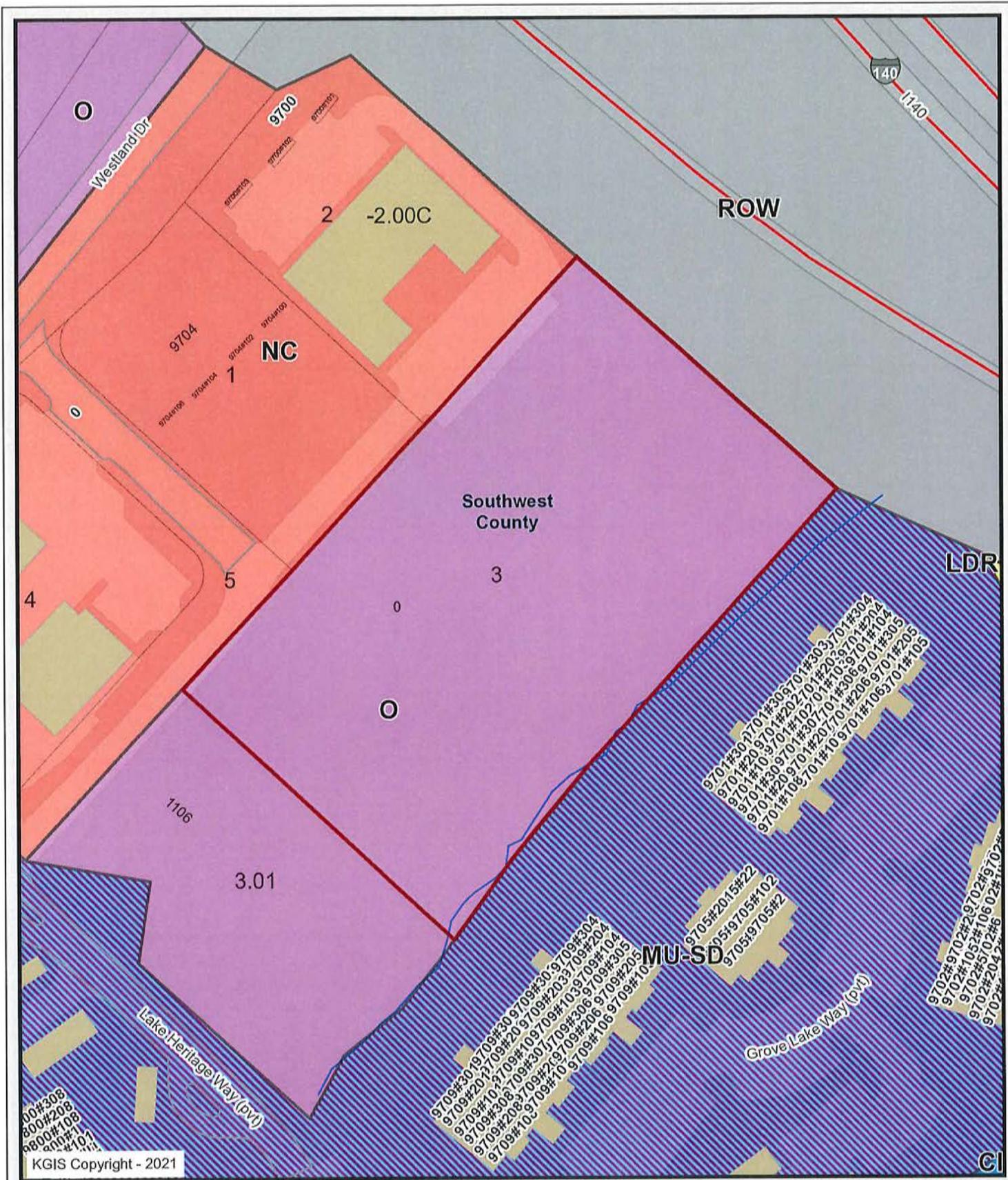
Knoxville - Knox County - KUB Geographic Information System



Printed: 11/19/2021 at 12:51:40 PM



KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.



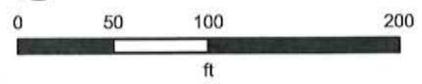
KGIS Copyright - 2021

Letter Portrait

Knoxville - Knox County - KUB Geographic Information System

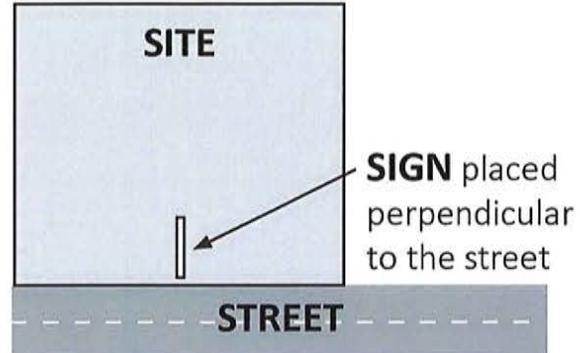


Printed: 11/19/2021 at 12:51:02 PM



KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS ,WITH ALL FAULTS, and assumes all responsibility for the use thereof, and futher covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

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

TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission 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 not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

December 29 2021 and January 14 2022
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Mark Ruler

Date: 11-19-21

File Number: 1-G-22-RZ, 1-B-22-SP

- Sign posted by Staff
- Sign posted by Applicant