



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.