

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

▶ **FILE #:** 10-G-06-PA **AGENDA ITEM #:** 72
 10-O-06-RZ **AGENDA DATE:** 11/9/2006

POSTPONEMENT(S): 10/12/2006

▶ **APPLICANT:** SHARON BYRD AND HAROLD BYRD

OWNER(S): TRUSTEES OF FIRST FRIENDS CHURCH SHARON AND HAROLD BRYD

TAX ID NUMBER: 59 N C 001, 001.01, 001.02 00103 059NC002, 008

JURISDICTION: Council District 4

▶ **LOCATION:** Southside Valley View Dr., southwest side Washington Pike

▶ **TRACT INFORMATION:** 22 acres.

SECTOR PLAN: East City

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

ACCESSIBILITY: Access is via Washington Pike, a minor arterial street with a two and three lane pavement section within a 75' right-of-way in this area.

UTILITIES: Water Source: KUB

Sewer Source: KUB

▶ **PRESENT PLAN DESIGNATION/ZONING:** MU (Mixed Uses) (O,MDR.GC(TC-1)) / TC-1 (Town Center)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** MU (Mixed Uses) (O,MDR.GC(TC-1,SC-1,PC-1)) / PC-1 (Retail and Office Park) and O-1 (Office, Medical, and Related Services)

▶ **EXISTING LAND USE:** Residences and vacant land

▶ **PROPOSED USE:** Retail, office and residential

EXTENSION OF PLAN DESIGNATION/ZONING: Yes

HISTORY OF ZONING REQUESTS: Property was approved for TC-1 zoning in 2005. (1-J-05-PA/1-N-05-RZ)

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING: North: Medical offices and residences / O/LDR/O-1 and R-1 Residential

South: Residences /MU/MDR / R-1 and O-1 Office

East: Shopping center / GC/C-6 Commercial

West: Townhouse development / LDR/RP-1 Residential

NEIGHBORHOOD CONTEXT: This vacant site is part of a retail/office development pattern that is occurring along Washington Pike within C-6 and O-1 zones.

STAFF RECOMMENDATION:

▶ **APPROVE MU (O, MDR, GC(TC-1,SC-1,PC-1))**

Allowing consideration of two additional planned commercial zones for the retail development of portions of this site would be compatible with the established development and zoning pattern of the area while continuing to offer the opportunity for community involvement in the development process.

► **APPROVE O-1 (Office Medical and Related Services) District for the western 200 feet of the site and PC-1 (Retail and Office Park) District for the remainder of the site.**

O-1 and PC-1 zones with the conceptual site plan and use limitations agreed to by the applicant (see attached letter and site plan) will continue to provide adequate protection to the neighborhood to ensure that the site develops according to the site plan submitted by the applicants, while freeing them from the TC-1 District requirements that made this small site's development under that zone difficult. The sector plan and One Year Plan show this site for mixed uses.

COMMENTS:

This amendment is being requested by the applicant to seek an additional planned commercial zone (SC-1 or PC-1) to allow a developer to come forward with a development proposal that would be similar to a Town Center development, but not allowed under the TC-1 zone.

PC-1 zoning will allow the applicant to develop the property as shown on the attached concept plan, and in a manner agreeable with the neighborhood group. The applicant submitted a design concept in support of their application that they believe establishes a circulation pattern and mix of uses based on O-1 and PC-1 zoning principles that will provide a development appropriate for this site and compatible with the surrounding neighborhood.

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The applicant has been working with potential developers under the TC-1 zone for the past year without success because of the two story building requirement and the small size of the development for TC-1 uses. Prior to the current TC-1 rezoning, several commercial rezoning requests were sought for this site, resulting in significant opposition from the adjoining neighborhood which has feared an extension of commercial development westward and the impacts of large scale retail uses next to their residential backyards. A combination of O-1 and PC-1 zoning is now sought to provide a mix of retail, office and residential uses with a transition of residential and/or office uses in the periphery to the west side of the property.
2. This O-1 , PC-1 rezoning ensures that only office or residential uses will occur along the western 200' of the site and also allows public participation in the development proposal for the PC-1 zoned portion of the site through the required use on review process.

THE EFFECTS OF THE PROPOSAL

1. The applicant has submitted the attached site plan showing the retail and residential/office space in support of their requested rezoning. MPC staff suggested that options be depicted on the plan to allow either office or residential uses, providing flexibility as more detailed planning is undertaken. The PC-1 zoning requires use-on-review approval of a development plan with design guidelines, landscaping and open space plans, and a site plan outlining the buildings and their specific uses.
2. The applicant and staff met with the Alice Bell/Spring Hill Neighborhood Association 10/9/2006 to review a conceptual development plan in support of O-1 and PC-1 rezoning of the site and the neighborhood group voted to support O-1/PC-1 rezoning and the conceptual development plan.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With approval of the One Year Plan amendment requested, the PC-1 (Retail and Office Park) zoning will be consistent with the adopted plans.
2. The site is designated Urban Growth Area (Inside City) on the Knoxville-Knox County- Farragut Growth Policy Plan.

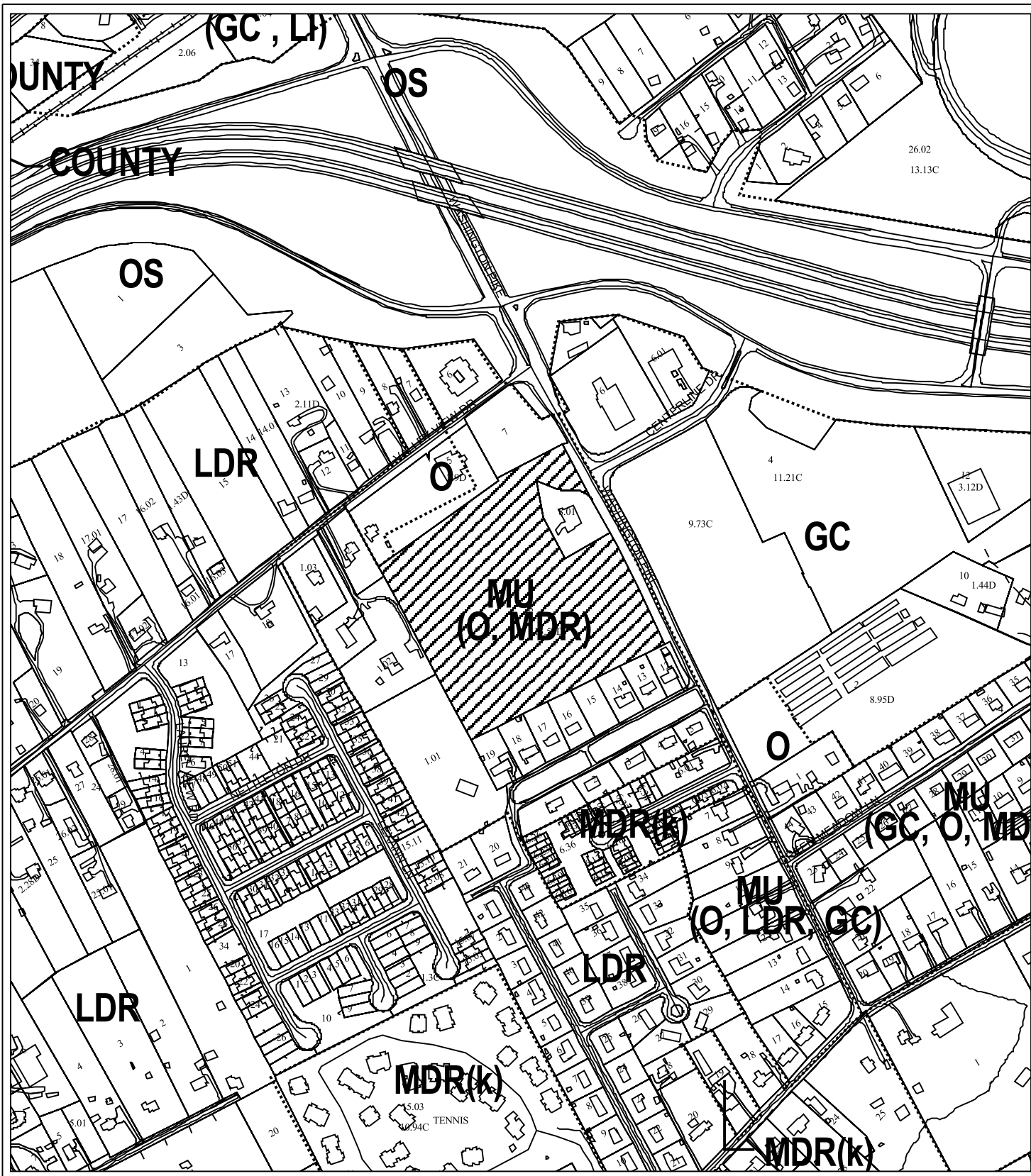
If approved, this item will be forwarded to Knoxville City Council for action on 12/5/2006 and 12/19/2006. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.

Conditions regarding the Planned Commercial Development (formerly referred to as the Valley View Town Center) that will be expected to be met with the approval of use-on-review documents.

1. The concept plan that was presented to the community should be the basis of the layout and design of the Planned Commercial and Office areas.
2. The landscaping and distribution of trees will be in accord with that depicted in the concept plan; the types of street, parking lot and related landscaping will be selected in accordance with the matrices of the Knoxville Street Tree Master Plan.
3. All lighting will be pedestrian-scaled and directed downward so as not to add more light skyward nor off the site.
4. Buffers will be created to the south, using the landscape species and principles contained in the Tree Conservation and Planting Plan. Trees or groups of trees that will be conserved along the property edges shall be depicted on the development plan (i.e., use on review documents).
5. Connections of sidewalks and crosswalks from the Office (O- 2) shall be depicted on the development plan.
6. A list of delivery times and refuse collection that do not conflict with 10 pm to 7am neighborhood tranquility shall be established.
7. No gas pumps nor similar facilities shall be established with the grocery store nor with any outparcel development.
8. No drive-thru restaurants/fast foods shall be established.
9. The circulation of delivery trucks was a concern with the community and will need to be further addressed to account for practical truck ingress/egress while retaining adequate buffering including potential walls in combination with native plant materials.
10. Detention basin location and design was looked upon as being very preliminary; the design of these facilities should be created as an asset to the development, not something to merely fence and hide.
11. The open space should be functional; the design of main street open area (depicted as a quadrant in the concept plan) should be reconsidered as a square or plaza as per conversation with Charles Ross at the community meetings. This will create more publicly-oriented space for shoppers/visitors.
12. A master sign plan (as per Knoxville's Zoning Ordinance) shall be presented with use on review.
13. A phasing strategy shall be outlined.
14. A list of uses and hours of operation shall be established.

Conditions that are recommended to be offered by the applicant in conjunction with the O-1 rezoning.

1. Uses that are limited to business and professional offices or housing allowed in the O-1 zone will be the basis of the development; such uses as beauty shops, tanning salons and recording studios will not be part of the development.
2. A list of delivery and trash pick-up times that do not conflict with 10 pm to 7am neighborhood tranquility will be established.
3. The concept plan that was presented to the community will be the basis of the layout and design of the O-1 area.
4. Buffers will be created to the west, using the landscape species and principles contained in the Tree Conservation and Planting Plan. Trees or groups of trees that will be conserved along the property edges and will be depicted on a landscape plan.
5. The landscaping and distribution of trees will be in accord with that depicted in the concept plan; the types of street, parking lot and related landscaping will be selected in accordance with the matrices of the Knoxville Street Tree Master Plan.
6. Detention basin location and design, depicted in the concept plan that was shared with the community, was looked upon as being very preliminary; the design of a detention facilities should be created as an asset to the development and be depicted as part of a landscape plan for the O-1 development.
7. Connections of sidewalks and crosswalks from the Office (O- 1) area to the PC area along and from Valley View will be created.
8. A phasing strategy for the office or residential development will be created to assure its development relative and as buffer to the commercial development.
9. The preceding points will be outlined in a document with the neighborhood association and a development plan will be presented to and approved by the neighborhood association prior to the issuance of a building permit for the O-1 development.



10-G-06-PA/10-O-06-RZ
 PLAN AMENDMENT

Petitioner: Sharon Byrd and Harold Byrd

Map No: 59

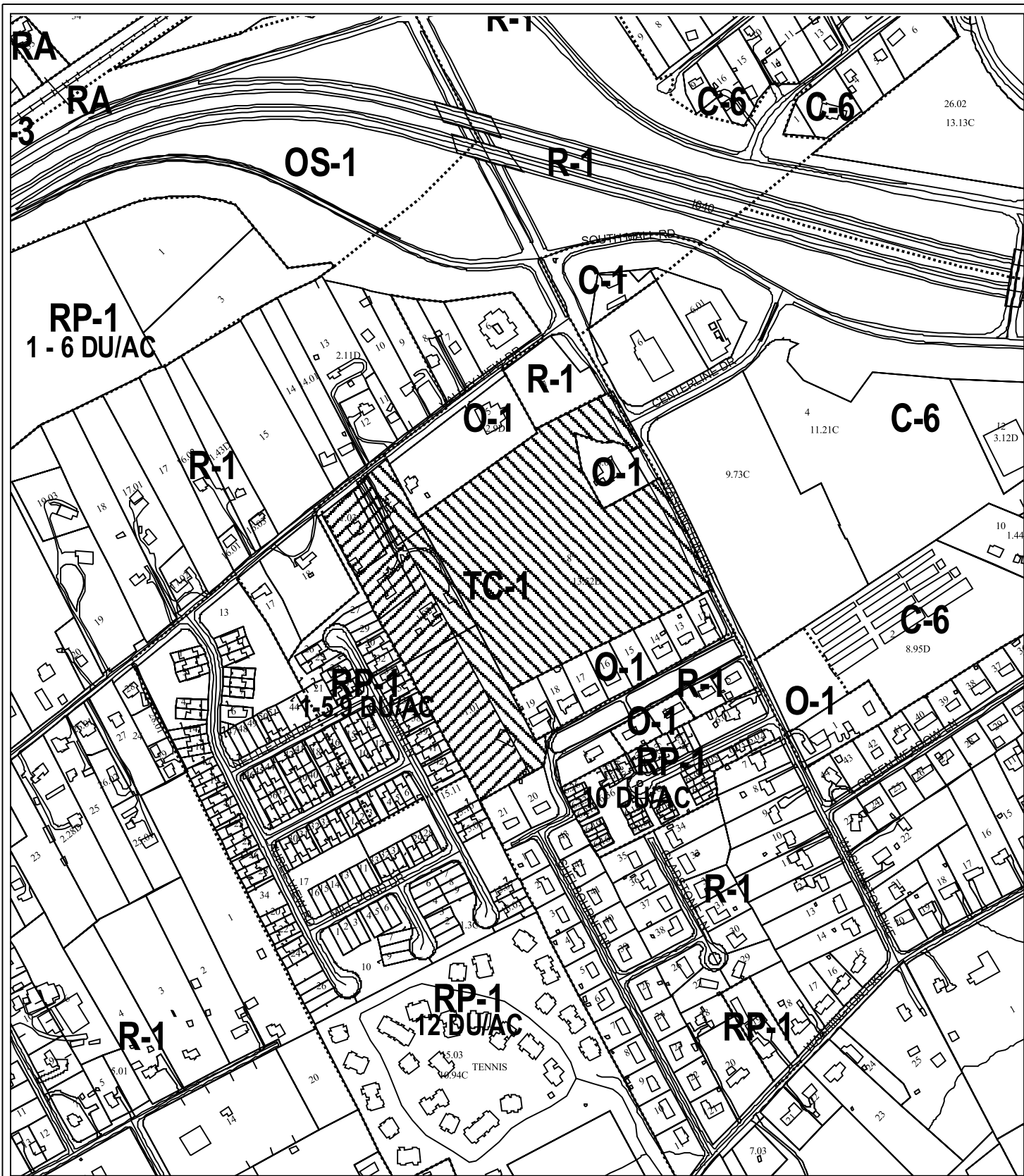
Jurisdiction: City



From: MU (Mixed Uses)(O,MDR,GC(TC-1))

To: MU (Mixed Uses)(O,MDR,GC(TC-1,SC-1,PC-1))

Original Print Date: 09/25/06 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**10-O-06-RZ
REZONING**

Petitioner: Sharon Byrd and Harold Byrd

Map No: 59

Jurisdiction: City

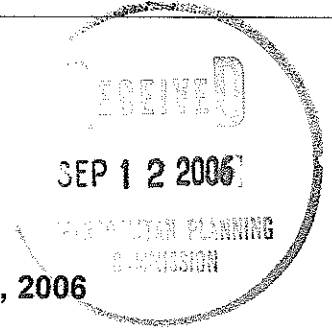


From: TC-1 (Town Center)
 To: PC-1 (Retail and Office Park)
 From: TC-1 (Town Center)
 To: O-1 (Office Medical and Related Services)

Original Print Date: 09/26/06 Revised: 11/02/06
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



10-0-06-RZ
10-G-06-PA



September 7, 2006

Sharon and Harold Byrd
Chesney Byrd Properties
P.O. Box 51434
Knoxville, TN 37950

Dear Sharon and Harold Byrd,

The Executive Board of the Alice Bell Spring Hill Neighborhood Association met this morning and unanimously approved the following principals with regard to your twenty-two acre property on Washington Pike:

- 1) We are committed to the Town Center zoning and to the development of the property within the MPC Town Center concept.
- 2) We are opposed to any further rezoning of this property.

Sincerely yours,

Ronnie Collins
President Alice Bell Spring Hill
Neighborhood Association

copies:

City Council Members:

Rob Frost
Bob Becker
Joe Hutlquist

Metropolitan Planning Commission:

Mark Donaldson
Ken Pruitt
Mike Carberry

Ross-Fowler:

Charles Ross
Ross Fowler