



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

▶ **FILE #:** 12-A-09-SP **AGENDA ITEM #:** 36
 POSTPONEMENT(S): 12/10/09 **AGENDA DATE:** 1/14/2010
 ▶ **APPLICANT:** HUBER PROPERTIES, LLC
 OWNER(S): HUBER PROPERTIES LLC

TAX ID NUMBER: 107 I B 009
 JURISDICTION: Council District 2
 ▶ **LOCATION:** Southeast side Lonas Dr., northeast side Redsaile Rd.
 ▶ **APPX. SIZE OF TRACT:** 0.5 acres
 SECTOR PLAN: Northwest City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ACCESSIBILITY: Access is via Lonas Dr., a major collector street with 19' of pavement width within 50' of right of way, or Redsaile Rd., a local street with 24' of pavement width within 50' of right of way.
 UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
 WATERSHED: Fourth Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** LDR (Low Density Residential) / R-1 (Low Density Residential)
 ▶ **PROPOSED PLAN DESIGNATION:** O (Office)
 ▶ **EXISTING LAND USE:** Residence
 ▶ **PROPOSED USE:** Office
 EXTENSION OF PLAN DESIGNATION: Yes, extension of office sector plan designation from the northwest
 HISTORY OF REQUESTS: None noted for this property
 SURROUNDING LAND USE AND PLAN DESIGNATION: North: Lonas Dr. - Bush Brothers / O and LDR
 South: House / LDR
 East: House / LDR
 West: Redsaile Rd. - Church / PI
 NEIGHBORHOOD CONTEXT This area is developed with residences, businesses, offices and a church under O-1, O-3, C-1 and R-1 zoning.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION # 12-A-09-SP, amending the Northwest City Sector Plan to O (Office) and recommend that City Council also adopt the sector plan amendment. (See attached resolution, Exhibit A.)**

Commercial is a logical extension of the sector plan designation from the north and west. Commercial use of this site is compatible with surrounding development and zoning.

COMMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

NEW ROAD OR UTILITY IMPROVEMENTS:

No known improvements to Lonas Dr. have occurred directly adjacent to this site. But, improvements have occurred at the intersection of Weisgarber Rd. and Lonas Dr., just west of the site.

ERROR OR OMISSION IN CURRENT PLAN:

The current sector plan proposes office uses to the north and east of the site. The proposed amendment is an extension of the existing plan designation.

CHANGES IN GOVERNMENT POLICY:

The property is situated at the corner of Redsaille Rd. and Lonas Dr., a major collector street, so no additional traffic will be generated through residential streets, making this location viable for office use. There are commercial uses to the west and a large office complex to the north of the site, so office uses at this location can serve as a zoning transition to the residential uses to the south and east.

CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:

Lonas Dr. has seen numerous proposals approved for small office developments. Office zoning is located to the north and east of the subject property. To the north is the large Bush Beans campus, zoned O-3 (Office Park).

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. New law provides for two methods to amend the plan at TCA 13-3-304:

1. 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.
2. 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.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 2/9/2010 and 2/23/2010. 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.

**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTHWEST CITY SECTOR PLAN**

WHEREAS, the Knoxville-Knox County Metropolitan 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 Metropolitan 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 Metropolitan Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the Northwest City 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, Huber Properties, LLC, has submitted an application to amend the Sector Plan from Low Density Residential to Office, for property described in the application; and

WHEREAS, the Metropolitan Planning Commission staff recommends approval of the proposed amendment to the Northwest City Sector Plan, 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 Metropolitan Planning Commission, at its regularly scheduled public hearing on January 14, 2010, 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 METROPOLITAN PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the Northwest City Sector Plan, with its accompanying staff report and map, file #12-A-09-SP.

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

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

Date

Chairman

Secretary



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

▶ **FILE #:** 12-A-09-RZ **AGENDA ITEM #** 36
 12-A-09-PA **AGENDA DATE:** 1/14/2010

POSTPONEMENT(S): 12/10/09

▶ **APPLICANT:** HUBER PROPERTIES, LLC
 OWNER(S): HUBER PROPERTIES LLC

TAX ID NUMBER: 107 I B 009
 JURISDICTION: Council District 2

▶ **LOCATION:** Southeast side Lonas Dr., northeast side Redsaile Rd.
 ▶ **TRACT INFORMATION:** 0.5 acres.
 SECTOR PLAN: Northwest City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ACCESSIBILITY: Access is via Lonas Dr., a major collector street with 19' of pavement width within 50' of right of way, or Redsaile Rd., a local street with 24' of pavement width within 50' of right of way.
 UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
 WATERSHED: Fourth Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / R-1 (Low Density Residential)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** O (Office) / O-1 (Office, Medical, and Related Services)

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Office

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of office designation and zoning from the northwest

HISTORY OF ZONING REQUESTS: None noted for this property

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
 North: Lonas Dr. - Bush Brothers / MU (O, LDR) / O-3 (Office Park)
 South: House / LDR / R-1 (Low Density Residential)
 East: House / LDR / R-1 (Low Density Residential)
 West: Redsaile Rd. - Church / LDR / R-1 (Low Density Residential)

NEIGHBORHOOD CONTEXT: This area is developed with residences, businesses, offices and a church under O-1, O-3, C-1 and R-1 zoning.

STAFF RECOMMENDATION:

▶ **ADOPT resolution #12-A-09-PA, amending the Knoxville One Year Plan to O (Office) and recommend that City Council also adopt the One Year Plan amendment. (See attached Exhibit A.)**

Office uses are appropriate at this location which is surrounded by a mix of commercial, office and residential uses and has access to a major collector street.

► **RECOMMEND that City Council APPROVE O-1 (Office, Medical & Related Services) zoning.**

The recommended O-1 zoning is compatible with surrounding development and zoning and is a logical extension of office zoning from the northwest.

COMMENTS:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN

- A. **NEW ROAD OR UTILITY IMPROVEMENTS** - The roads are sufficient and the utilities are in place to serve this site.
- B. **ERROR OR OMISSION IN CURRENT PLAN** - The plan currently proposes office uses on several nearby properties.
- C. **CHANGES IN GOVERNMENT POLICY** - Allowing office use of this site will provide a transitional zoning between commercial to the west and offices to the north and residential to the south. No additional through traffic on residential streets will be generated by this proposal, although Redsaile Rd. may be used to access the site.
- D. **CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS** - The site is located along a major collector street, near its intersection with a minor arterial street, warranting the more intense land use classification.

REZONING REQUIREMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. O-1 is a logical extension of the already established office zoning to the north and east of the site.
2. The surrounding area is developed with residential, office and commercial uses. O-1 zoning is compatible with surrounding development and zoning.
3. O-1 zoning is appropriate at this location along a major collector street, just east of its intersection with a minor arterial street, Weisgarber Rd. That intersection is less than 200 feet away from the subject property.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The requested O-1 zoning 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. Further, 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 description, O-1 is an appropriate zone for this site. O-1 is the most appropriate zone for conversion of houses for office use.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. O-1 zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.
3. The impact on the street system will depend on the type of office development proposed.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the recommended amendment to O, the recommended O-1 zoning is consistent with the City of Knoxville One Year Plan.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. A Northwest City Sector Plan amendment accompanies these One Year Plan amendment and rezoning requests (12-A-09-SP). That request is to amend the sector plan from low density residential to office. This amendment must also be approved to be consistent with the requested O-1 zoning.

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. New law provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the

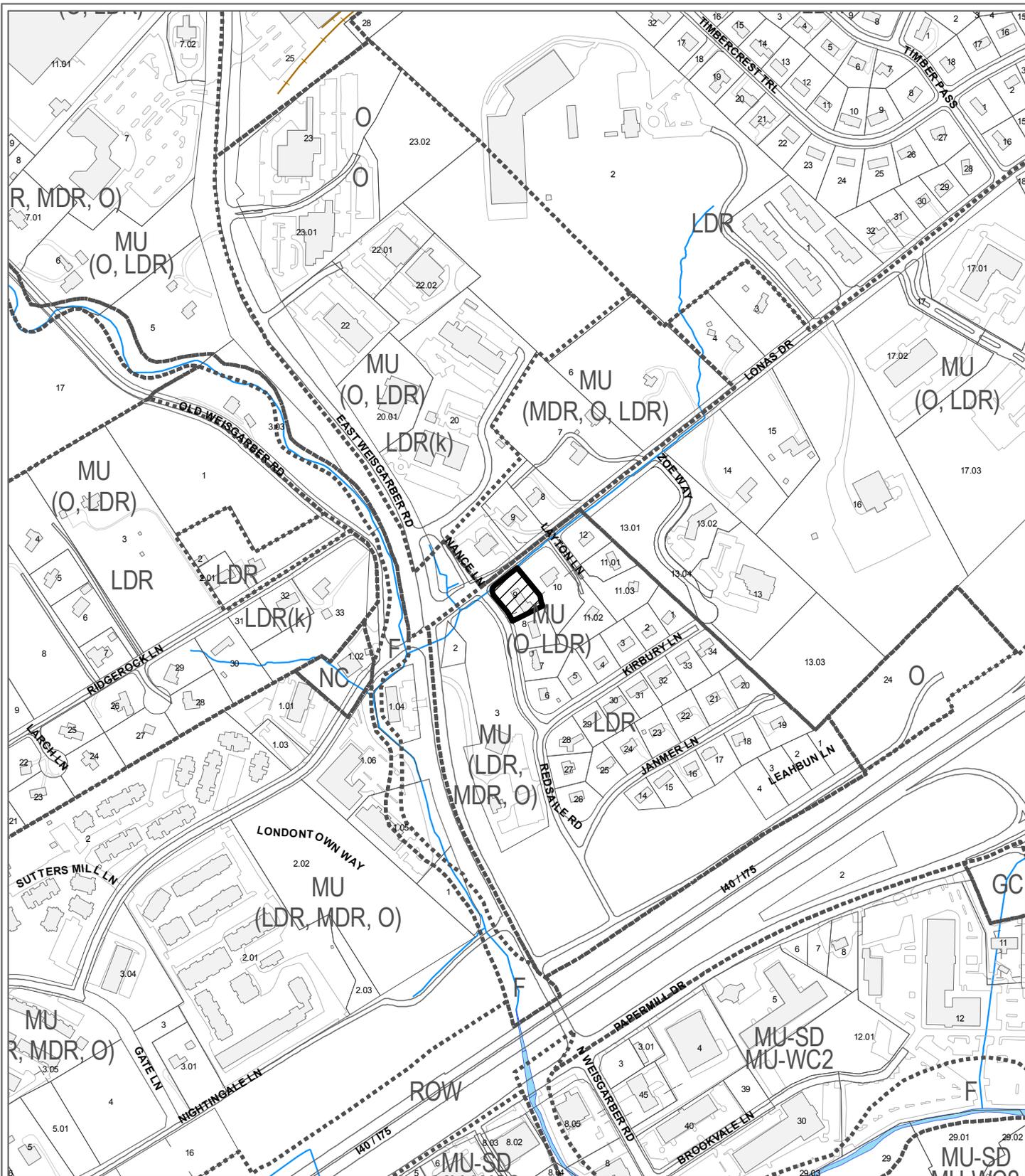
amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.

2. 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.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

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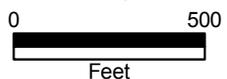
**12-A-09-PA / 12-A-09-RZ
PLAN AMENDMENT**

Petitioner: Huber Properties, LLC

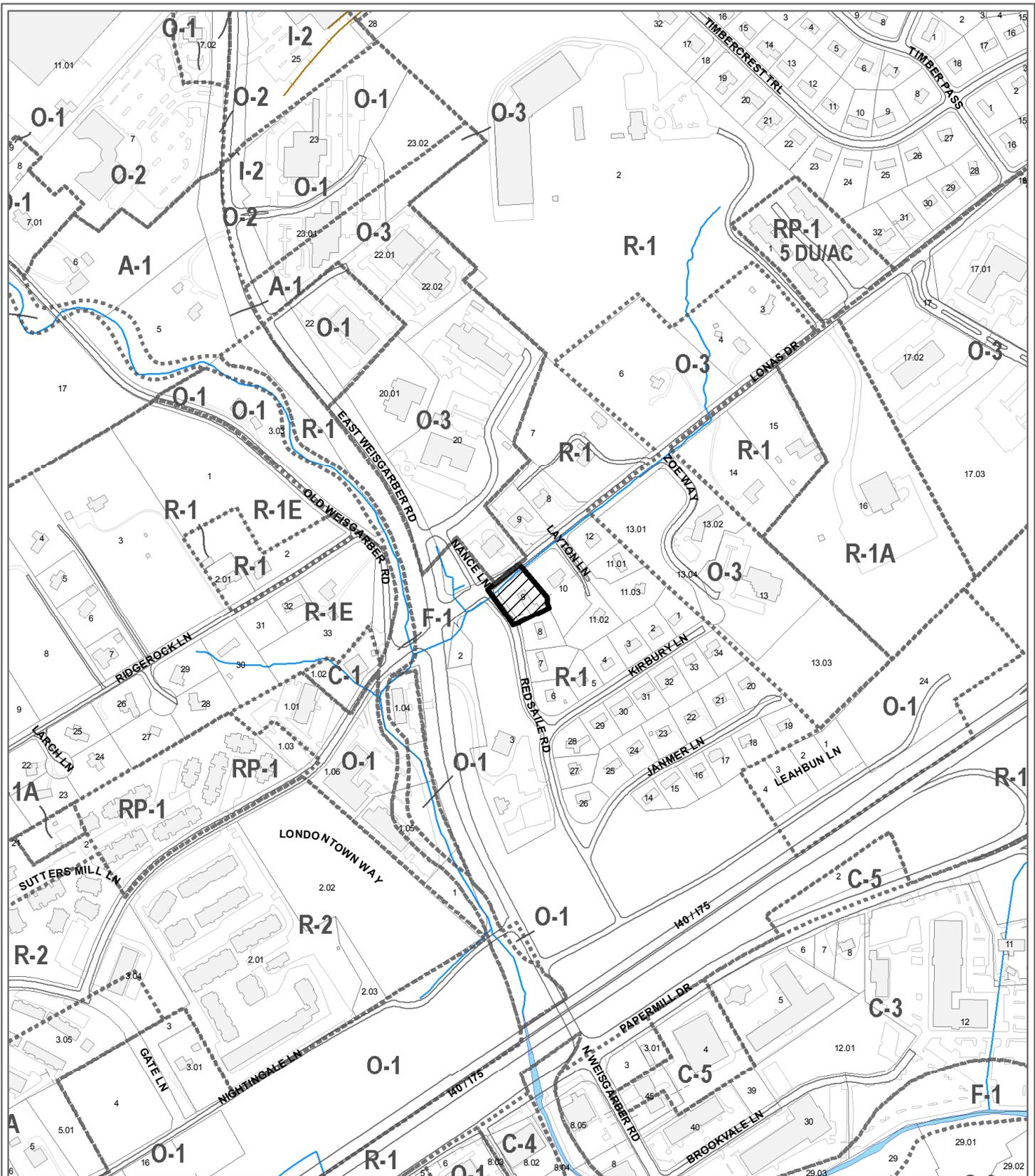


From: LDR (Low Density Residential)
To: O (Office)

Map No: 107
Jurisdiction: City



Original Print Date: 11/19/2009 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



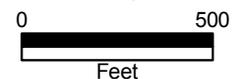
**12-A-09-RZ
REZONING**

From: R-1 (Low Density Residential)
To: O-1 (Office, Medical, and Related Services)



Petitioner: Huber Properties, LLC

Map No: 107
Jurisdiction: City



Original Print Date: 11/19/2009 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE CITY OF KNOXVILLE ONE YEAR PLAN**

WHEREAS, the Knoxville-Knox County Metropolitan 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 Metropolitan 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

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

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

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

Date

Chairman

Secretary