



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

▶ **FILE #:** 7-B-10-SP

AGENDA ITEM # 32

AGENDA DATE: 7/8/2010

▶ **APPLICANT:** MAURICE D. HUNDLEY
OWNER(S): MAURICE AND MARCIA HUNDLEY

TAX ID NUMBER: 94 C Q 002

JURISDICTION: Council District 5

▶ **LOCATION:** Southeast side Beaumont Ave., southwest side Boyd St.

▶ **APPX. SIZE OF TRACT:** 9150 square feet

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Beaumont Ave., a major collector street with 26' of pavement width within 50' of right-of-way, or Boyd St., a local street with 35' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board
Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

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

▶ **PROPOSED PLAN DESIGNATION:** O (Office)

▶ **EXISTING LAND USE:** Beauty shop

▶ **PROPOSED USE:** Beauty shop

EXTENSION OF PLAN DESIGNATION: No

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Beaumont Ave. - Beaumont Elementary School / PI / R-2 (General Residential)

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

East: Boyd St. - Parking area / LDR / R-1A (Low Density Residential)

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

NEIGHBORHOOD CONTEXT This area is developed primarily with residential uses and a school, under R-1A and R-2 zoning. Commercial uses are located to the east, near the Baxter Ave./I-275 interchange, zoned C-1 and C-3.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION # 7-B-10-SP, amending the Central City Sector Plan to O (Office) and recommend that City Council also adopt the sector plan amendment. (See attached resolution, Exhibit A.)**

Office use of this site is compatible with surrounding development and zoning and creates an area of transitional use between the school to the north, residences to the south and west and commercial to the east. It also establishes a stopping point for future commercial zoning heading further west.

COMMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

NEW ROAD OR UTILITY IMPROVEMENTS:

No known improvements to Beaumont Ave. or Boyd St. have occurred in recent years. The streets are sufficient to accommodate office use of the site.

ERROR OR OMISSION IN CURRENT PLAN:

The current sector plan proposes neighborhood commercial (NC) uses to the north and east of the site, on the northeast side of McSpadden St. Staff would likely support an extension of the NC designation to Boyd St. for property fronting on the south side of Beaumont Ave. The large property that fronts Beaumont Ave. on the block between McSpadden St. and Boyd St. was once used for a restaurant. The site is currently paved and has a commercial building located on it. The site sits at a slightly higher elevation than the houses to the southeast which helps to minimize the impact to adjacent residential uses.

CHANGES IN GOVERNMENT POLICY:

The property is situated along Beaumont Ave., 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 located to the east, closer to the Baxter Ave./I-275 interchange. There is C-1 zoned property located one block to the northeast (about 400 feet) on the north side of Beaumont Ave.

CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:

Beaumont Ave. has 5 different parcels that are zoned either C-1 or C-3 west of the interchange at Elm St. The trend may be for this to continue. Staff is of the opinion that neighborhood commercial uses would be appropriate to be extended along the south side of Beaumont Ave. west to Boyd St. A school and residences are located on the north side of the street. With the proposed office use for the subject property on the west side of Boyd St., an appropriate transition would be established between the commercial to the east and residential to the west. This would establish a stopping point for commercial uses extending further west along Beaumont Ave.

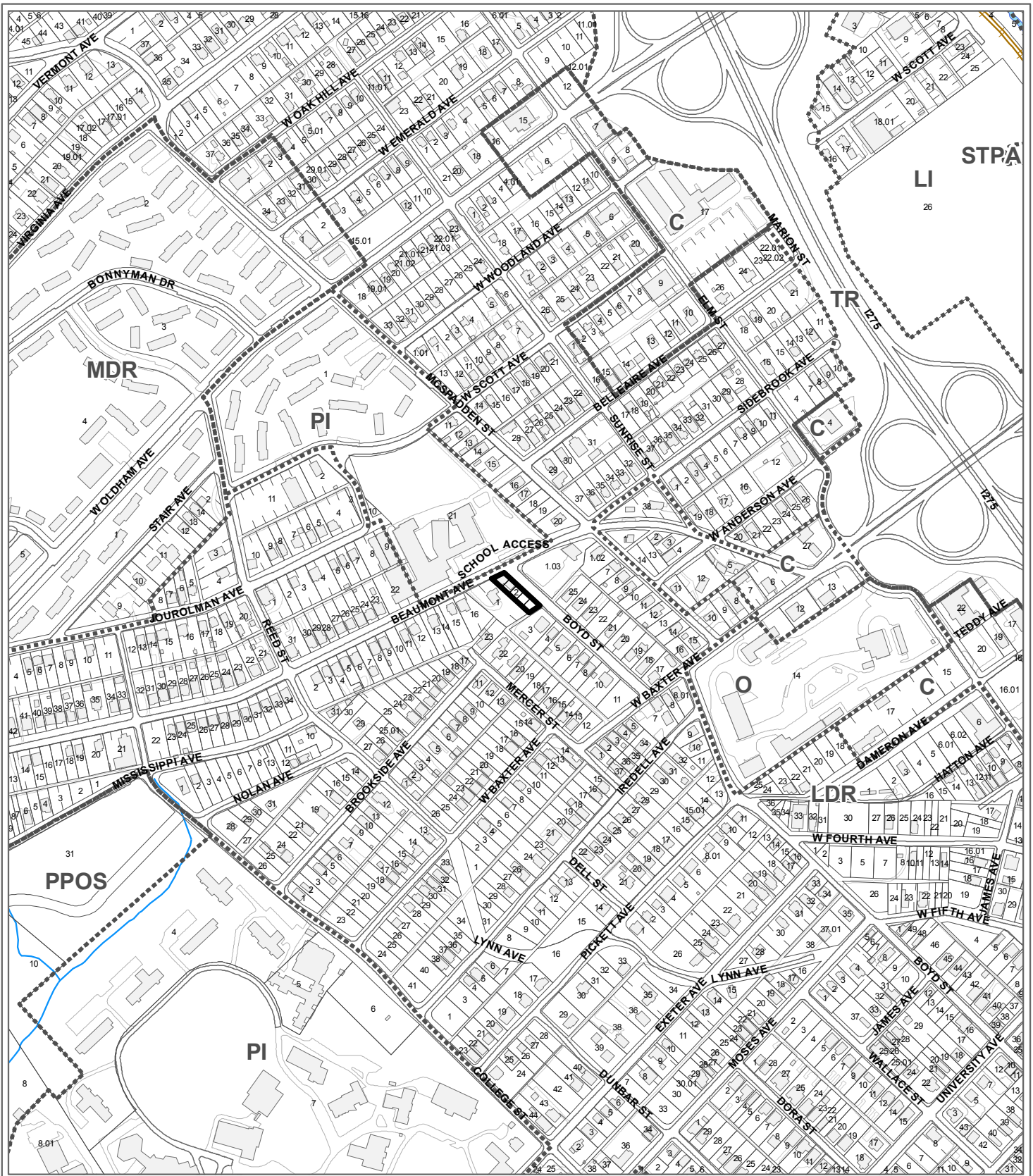
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. New law provides for two methods to amend the plan at TCA 13-3-304:

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 8/10/2010 and 8/24/2010. 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.



**7-B-10-SP
CENTRAL CITY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)

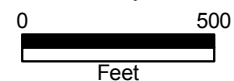
To: O (Office)



Petitioner: Hundley, Maurice D.

Map No: 94

Jurisdiction: City



Original Print Date: 6/23/2010 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE CENTRAL 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 Central 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, Maurice D. Hundley, 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 a revised amendment to the Central 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 July 8, 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 Central City Sector Plan, with its accompanying staff report and map, file #7-B-10-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 #:** 7-B-10-RZ **AGENDA ITEM #** 32
 7-A-10-PA **AGENDA DATE:** 7/8/2010

▶ **APPLICANT:** MAURICE D. HUNDLEY
 OWNER(S): MAURICE AND MARCIA HUNDLEY

TAX ID NUMBER: 94 C Q 002
 JURISDICTION: Council District 5

▶ **LOCATION:** Southeast side Beaumont Ave., southwest side Boyd St.

▶ **TRACT INFORMATION:** 9150 square feet.

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Beaumont Ave., a major collector street with 26' of pavement width within 50' of right-of-way, or Boyd St., a local street with 35' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

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

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

▶ **EXISTING LAND USE:** Beauty shop

▶ **PROPOSED USE:** Beauty shop

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Beaumont Ave. - Beaumont Elementary School / P / R-2 (General Residential)

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

East: Boyd St. - Parking area / LDR / R-1A (Low Density Residential)

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

NEIGHBORHOOD CONTEXT: This area is developed primarily with residential uses and a school, under R-1A and R-2 zoning. Commercial uses are located to the east near the Baxter Ave./I-275 interchange, zoned C-1 and C-3.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE O (Office) One Year Plan designation.**

Office uses are appropriate at this location, which is across the street from a school, adjacent to, but not across from residential uses, in the vicinity of neighborhood commercial 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** - No known improvements to Beaumont Ave. or Boyd St. have occurred in recent years. The streets are sufficient to accommodate office use of the site.
- B. **ERROR OR OMISSION IN CURRENT PLAN** - The current One Year Plan proposes neighborhood commercial (NC) uses to the east of the site, on the north and south sides of Beaumont Ave. and east side of McSpadden St. Staff would likely support an extension of the NC designation to Boyd St. for property fronting on the south side of Beaumont Ave. The large property that fronts Beaumont Ave. on the block between McSpadden St. and Boyd St. was once used for a restaurant. The site is currently paved and has a commercial building located on it. The site sits at a slightly higher elevation than the houses to the southeast which helps to minimize the impact to adjacent residential uses.
- C. **CHANGES IN GOVERNMENT POLICY** - The property is situated along Beaumont Ave., 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 located to the east, closer to the Baxter Ave./I-275 interchange. There is C-1 zoned property located one block to the northeast (about 400 feet) on the north side of Beaumont Ave.
- D. **CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS** - Beaumont Ave. has 5 different parcels that are zoned either C-1 or C-3 west of the interchange at Elm St. The trend may be for this to continue. Staff is of the opinion that neighborhood commercial uses would be appropriate to be extended along the south side of Beaumont Ave. west to Boyd St. A school and residences are located on the north side of the street. With the proposed office use for the subject property on the west side of Boyd St., an appropriate transition would be established between the commercial to the east and residential to the west. This would establish a stopping point for commercial uses extending further west along Beaumont Ave.

REZONING REQUIREMENTS:

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

- 1. O-1 zoning of this site will create an area of transitional use between commercial to the east and residential to the west, as well as establish a stopping point for commercial zoning heading further west on Beaumont Ave.
- 2. The surrounding area is developed with residential, institutional (school) 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 west of the Baxter Ave./I-275 interchange, C-1 zoning is already established less than 400 feet to the east of the site. The large adjacent property directly east, that fronts on Beaumont Ave. on the block between McSpadden St. and Boyd St. was once used for a restaurant. The site is currently paved and has a commercial building located on it. The site sits at a slightly higher elevation than the houses to the southeast which helps to minimize the impact to adjacent residential uses.

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 structure on this site is a house that has been converted for use as a beauty shop.

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 be minimal. The proposed beauty shop is already established at this location.

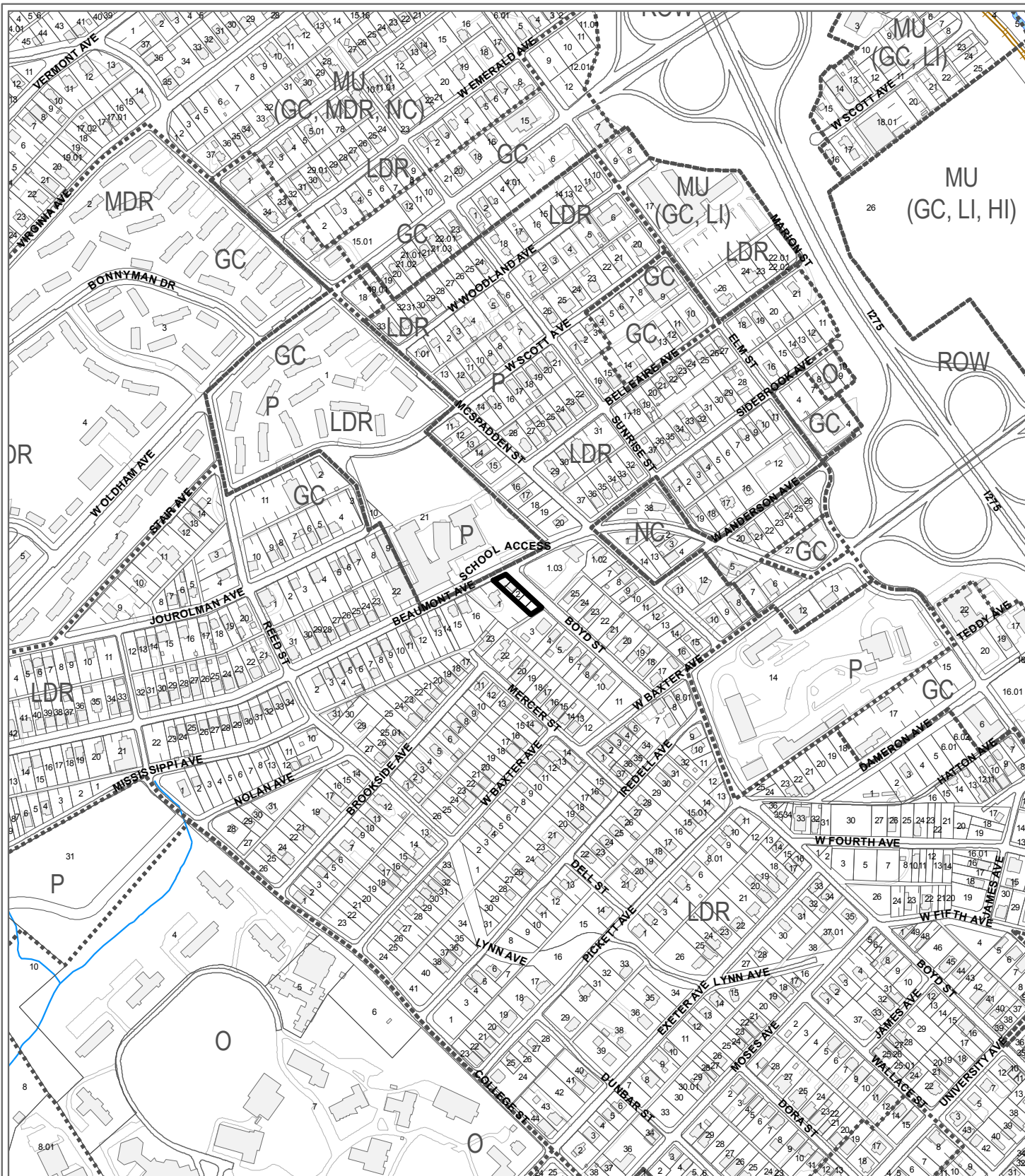
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

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 Central City Sector Plan amendment accompanies these One Year Plan amendment and rezoning requests (7-B-10-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.

ESTIMATED TRAFFIC IMPACT: Not calculated.

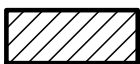
ESTIMATED STUDENT YIELD: Not applicable.

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**7-A-10-PA / 7-B-10-RZ
PLAN AMENDMENT**

From: LDR (Low Density Residential)



To: O (Office)

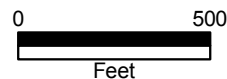
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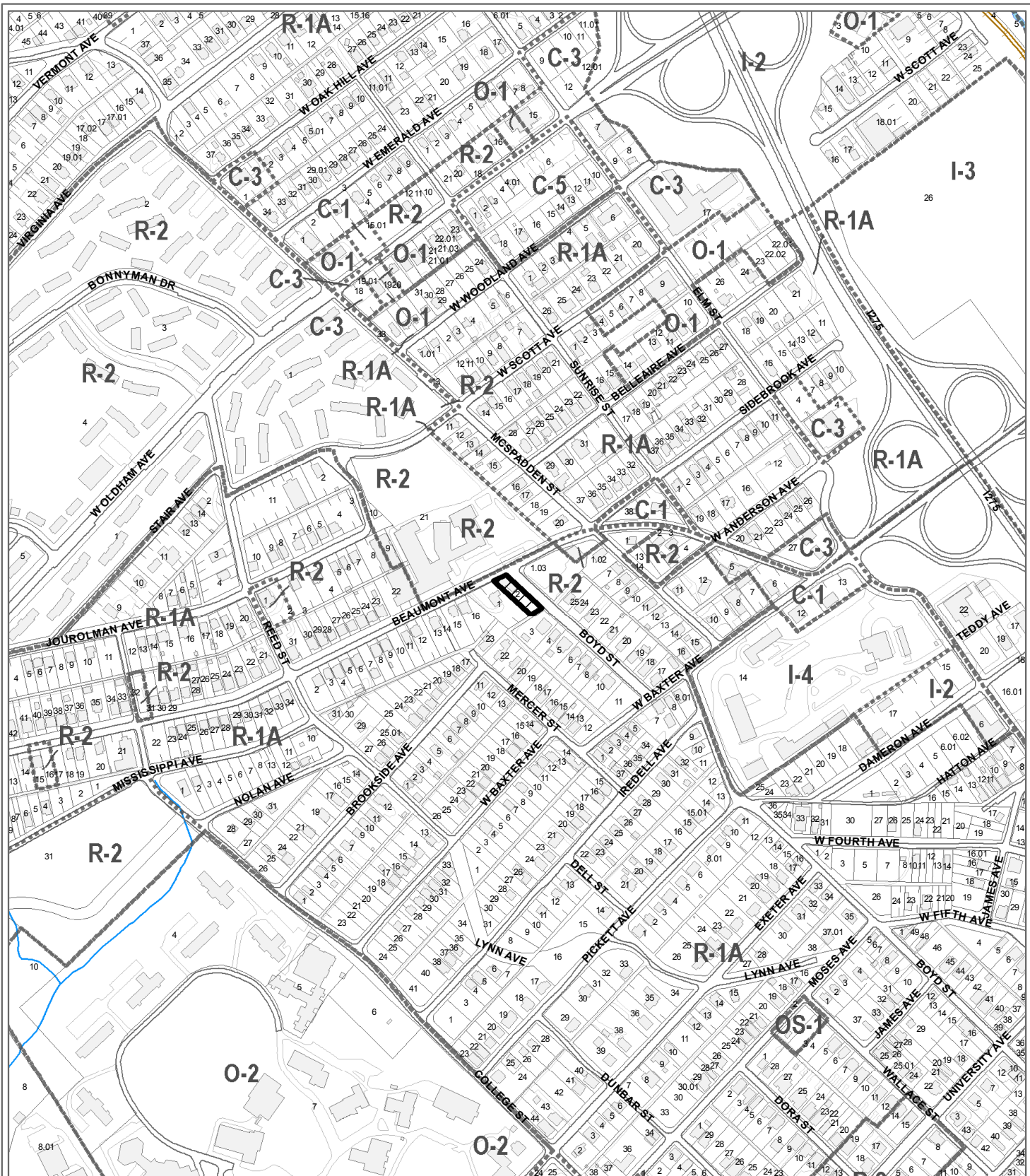
Revised:

Petitioner: Hundley, Maurice D.

Map No: 94

Jurisdiction: City





**7-B-10-RZ
REZONING**

From: R-1A (Low Density Residential)

To: O-1 (Office, Medical, and Related Services)



Original Print Date: 6/23/2010
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Hundley, Maurice D.

Map No: 94

Jurisdiction: City

