

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

▶ **FILE #:** 10-A-10-SP

AGENDA ITEM # 25a

AGENDA DATE: 10/14/2010

▶ **APPLICANT:** CAD PROPERTIES

OWNER(S): CAD PROPERTIES

TAX ID NUMBER: 58 L D 039.01

JURISDICTION: Council District 4

▶ **LOCATION:** Northwest side Tazewell Pike, northeast of Smithwood Rd.

▶ **APPX. SIZE OF TRACT:** 1.18 acres

SECTOR PLAN: North City

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

ACCESSIBILITY: Access is via Tazewell Pike, a minor arterial street with 26' of pavement width within 60' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** MDR (Medium Density Residential) / R-2 (General Residential)

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

▶ **EXISTING LAND USE:** Medical office

▶ **PROPOSED USE:** Professional office

EXTENSION OF PLAN DESIGNATION: Yes, extension of Office designation from the south at Tazewell Pike and Smithwood Rd.

HISTORY OF REQUESTS: MPC approved a One Year Plan amendment to O and rezoning to O-1 on 1/11/07. City Council denied the requests on 2/13/07 (1-F-07-RZ/1-C-07-PA).

SURROUNDING LAND USE AND PLAN DESIGNATION:
 North: House / MDR / R-2 (General Residential)
 South: Tazewell Pike - Apartments / MDR / R-2 (General Residential)
 East: Professional office / MDR / O-1 (Office, Medical & Related Services)
 West: Apartments / MDR / R-2 (General Residential)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of low to medium density residential, office and institutional uses, under R-1, R-2, O-1 and O-3 zoning.

STAFF RECOMMENDATION:

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

Office is a logical extension of the sector plan designation from the south at the southwest corner of Tazewell Pike and Smithwood Rd. Office use of this site is compatible with surrounding development and zoning and is consistent with its current use as a medical office, which was approved as a use on review in the R-2 zoning district in 2003 (11-F-03-UR). O-1 zoning would allow other professional office uses to be located on this site.

COMMENTS:

**CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:
NEW ROAD OR UTILITY IMPROVEMENTS:**

No known improvements to Tazewell Pike have occurred directly adjacent to this site. The road is sufficient and the utilities are in place to serve this site.

ERROR OR OMISSION IN CURRENT PLAN:

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

CHANGES IN GOVERNMENT POLICY:

The property is accessed from Tazewell Pike, a minor arterial street, so no additional traffic will be generated through residential streets, making this location viable for office use. There are office uses to the south and east and an educational facility (Fountainhead) to the southwest of the site, so office uses at this location are compatible with the scale and intensity of the surrounding land uses and zoning pattern.

CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:

Several properties in this section of Tazewell Pike have been rezoned for small office developments. Office zoning is located to the northeast and south of the subject property.

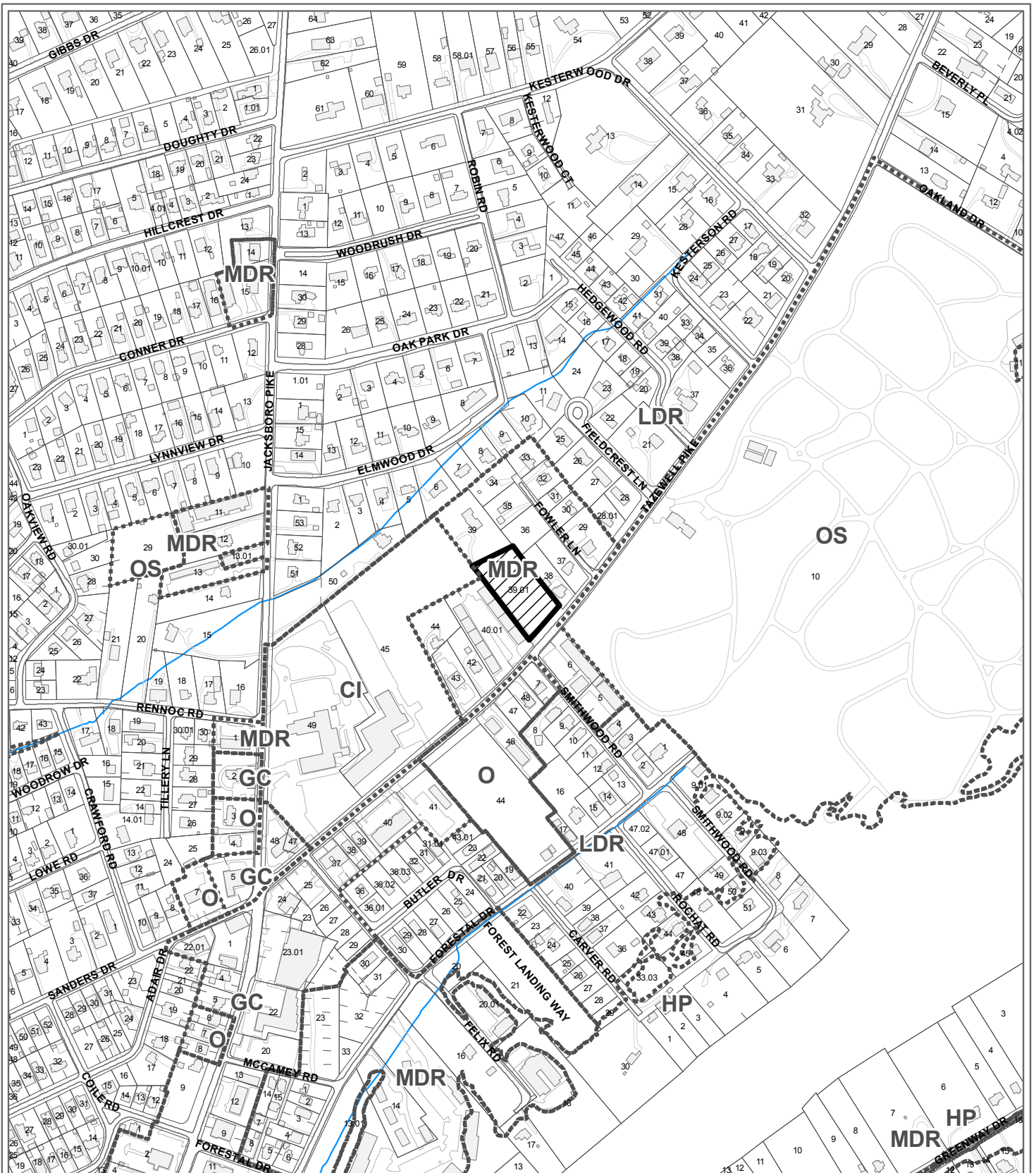
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. New law provides for two methods to amend the plan at TCA 13-3-304:

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 11/16/2010 and 11/30/2010. 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.



**10-A-10-SP
NORTH CITY SECTOR PLAN AMENDMENT**

From: MDR (Medium Density Residential)
To: O (Office)



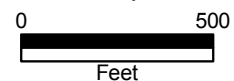
Original Print Date: 9/21/2010
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: CAD Properties

Map No: 58

Jurisdiction: City



**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTH 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 North 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**, CAD Properties, has submitted an application to amend the Sector Plan from Medium 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 North 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 October 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 North City Sector Plan, with its accompanying staff report and map, file #10-A-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 #: 10-A-10-RZ **AGENDA ITEM #** 25b&c
 10-A-10-PA **AGENDA DATE:** 10/14/2010

APPLICANT: CAD PROPERTIES
OWNER(S): CAD PROPERTIES

TAX ID NUMBER: 58 L D 039.01
JURISDICTION: Council District 4

LOCATION: Northwest side Tazewell Pike, northeast of Smithwood Rd.

TRACT INFORMATION: 1.18 acres.

SECTOR PLAN: North City

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

ACCESSIBILITY: Access is via Tazewell Pike, a minor arterial street with 26' of pavement width within 60' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

PRESENT PLAN DESIGNATION/ZONING: MDR (Medium Density Residential) / R-2 (General Residential)

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

EXISTING LAND USE: Medical office

PROPOSED USE: Professional office

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of O designation from the northeast

HISTORY OF ZONING REQUESTS: MPC approved a One Year Plan amendment to and rezoning to O-1 on 1/11/07. City Council denied the requests on 2/13/07 (1-F-07-RZ/1-C-07-PA).

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

North: House / MDR / R-2 (General Residential)
 South: Tazewell Pike- Apartments / MDR / R-2 (General Residential)
 East: Professional office / MU (O, MDR) / O-1 (Office, Medical & Related Services)
 West: Apartments / MDR / R-2 (General Residential)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of low to medium density residential, office and institutional uses, under R-1, R-2, O-1 and O-3 zoning.

STAFF RECOMMENDATION:

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

Office uses are appropriate at this location which is surrounded by a mix of institutional, office and medium

density residential uses and has access to a minor arterial 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. The proposed amendment is an extension of the existing plan designation from the northeast.

C. **CHANGES IN GOVERNMENT POLICY** - The property is accessed from Tazewell Pike, a minor arterial street, so no additional traffic will be generated through residential streets, making this location viable for office use. There are office uses to the south and east and an educational facility (Fountainhead) to the southwest of the site, so office uses at this location are compatible with the scale and intensity of the surrounding land uses and zoning pattern.

D. **CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS** - Several properties in this section of Tazewell Pike have been rezoned for small office developments. Office zoning is located to the northeast and south of the subject property.

The site is located along a minor arterial street, justifying the request for a 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 northeast of the site.
2. The surrounding area is developed with residential, office and institutional uses. O-1 zoning is compatible with surrounding development and zoning.
3. O-1 zoning is appropriate at this location along a minor arterial street, surrounded by other offices, apartments and a school.

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.

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 North City Sector Plan amendment accompanies these One Year Plan amendment and rezoning requests (10-A-10-SP). That request is to amend the sector plan from medium density residential to office. This amendment must also be approved to be consistent with the requested O-1 zoning.

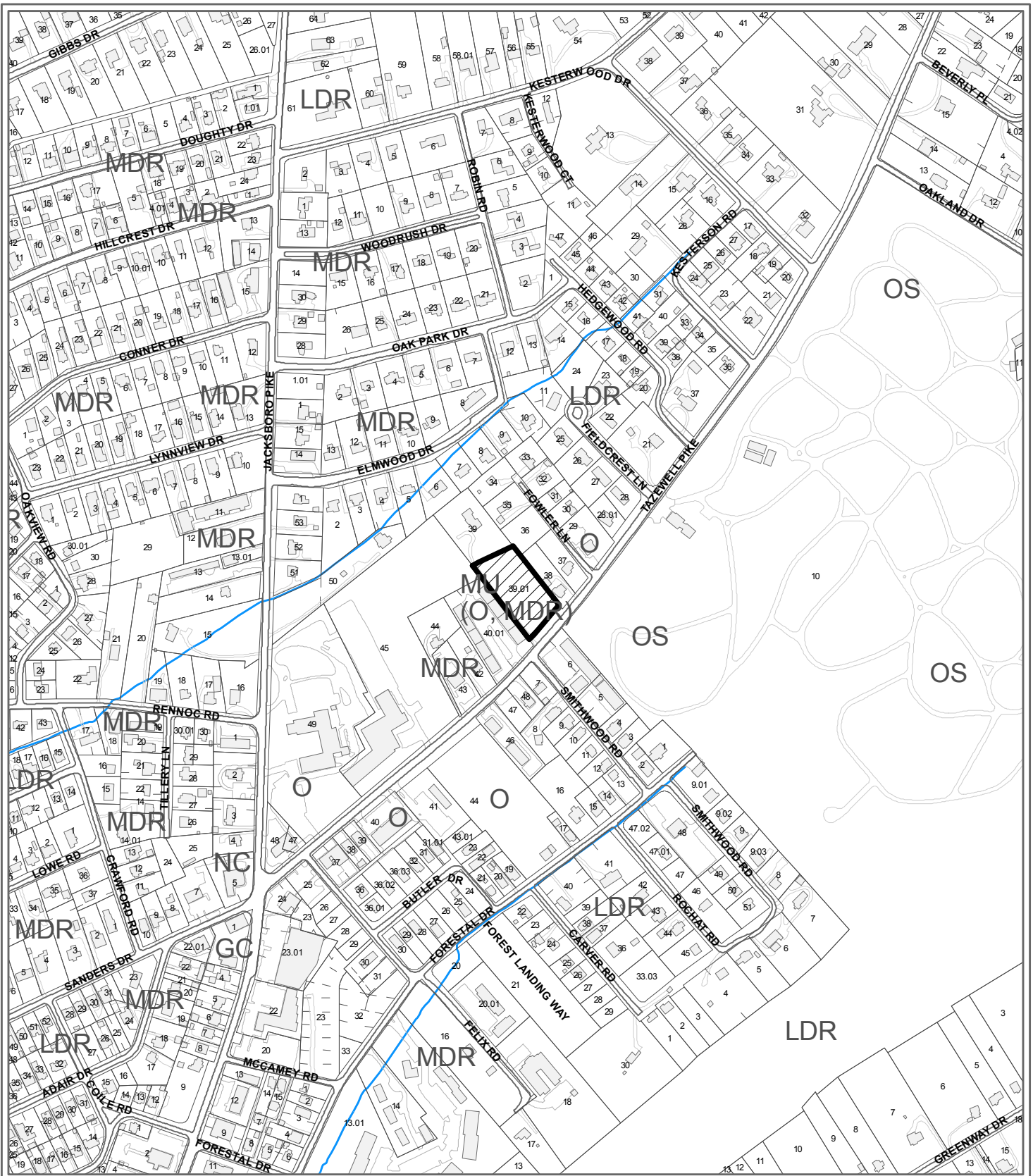
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**10-A-10-PA / 10-A-10-RZ
KNOXVILLE ONE YEAR PLAN AMENDMENT**

From: MDR (Medium Density Residential)
To: O (Office)



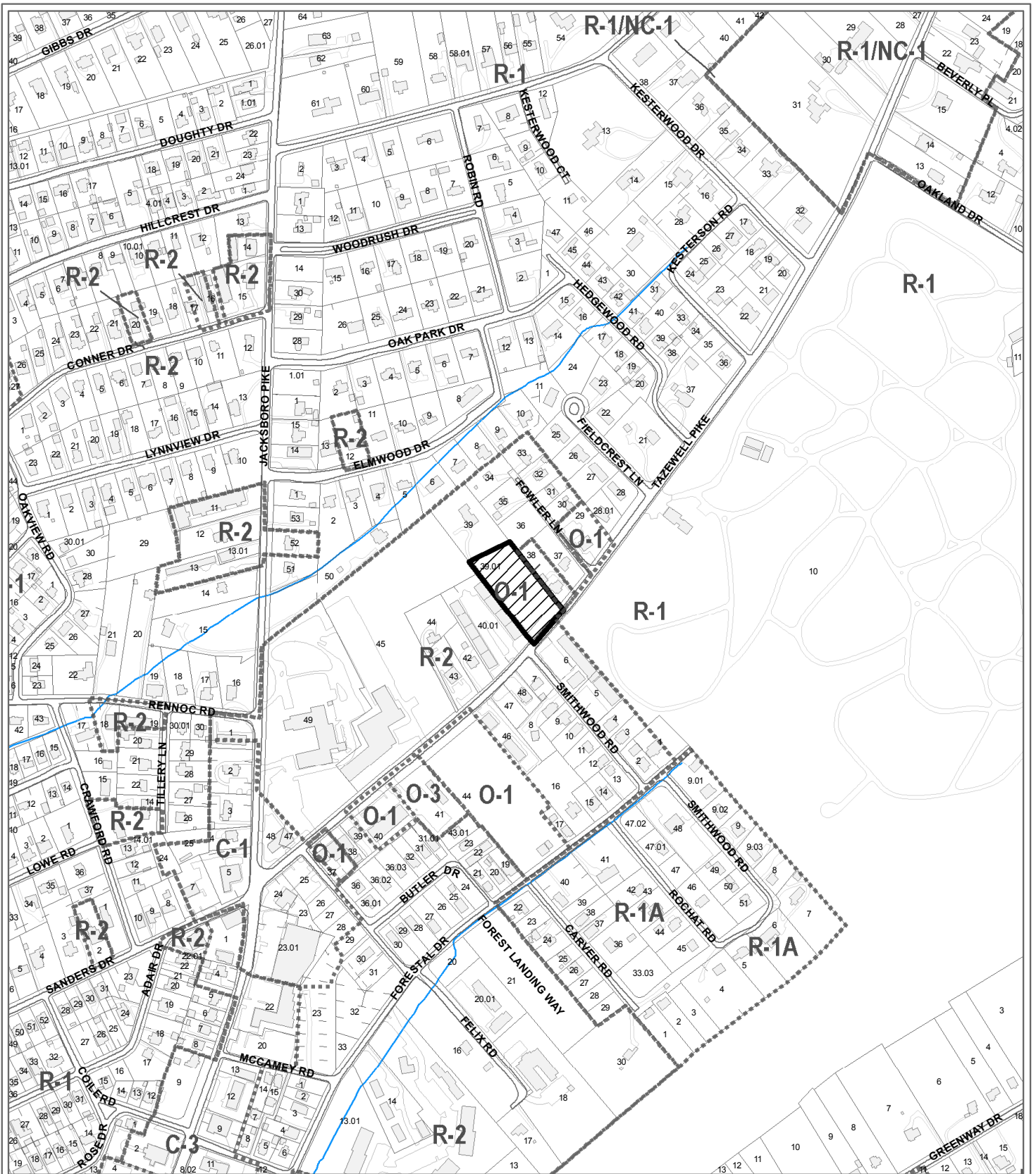
Petitioner: CAD Properties

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Jurisdiction: City



Original Print Date: 9/21/2010 Revised:
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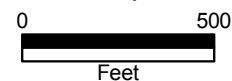
**10-A-10-RZ
REZONING**

From: R-2 (General Residential)
To: O-1 (Office, Medical, and Related Services)



Petitioner: CAD Properties

Map No: 58
Jurisdiction: City



Original Print Date: 9/21/2010 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



August 31, 2010

To whom it may concern:

I wanted to voice my opinion of the zoning change for:
CAD Properties, owned by Lisa M. Byrd. The address is
3403 Tazewell Pike, Knoxville TN 37918.

I own the adjoining property and have no objections to the R-2 to O-1 rezoning.
I see no negative impact on the surrounding area. This is a property that is already in
place and serving the community well. It is aesthetically pleasing, well built and an asset
to our area.

For a community to have a blend of services and buildings that enhance adds interest and
value to the Tazewell Pike area-especially in this location.

Sincerely,

A handwritten signature in cursive script that reads "Mary Parker Slack".

Mary Parker Slack
President and owner
Maplewood Development, LLC
3405 Tazewell Pike
Knoxville, TN. 37918