



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

▶ **FILE #:** 7-C-12-SP

AGENDA ITEM #: 20

AGENDA DATE: 7/12/2012

▶ **APPLICANT:** **HARB-WHITE PROPERTIES**

OWNER(S): Harb-White Properties

TAX ID NUMBER: 119 L A 01601

JURISDICTION: Council District 2

▶ **LOCATION:** **Southwest side Bridgewater Rd., north side I-40**

▶ **APPX. SIZE OF TRACT:** **6.75 acres**

SECTOR PLAN: Northwest County

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

ACCESSIBILITY: Access is via Bridgewater Rd., a major collector street with 4 lanes and a center median within 80-90' of right-of-way, or Comstock Rd., a local street with 26' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Ten Mile Creek

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

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

▶ **EXISTING LAND USE:** **Vacant church**

▶ **PROPOSED USE:** **Any use permitted in O-1 zoning**

EXTENSION OF PLAN DESIGNATION: No

HISTORY OF REQUESTS: None noted for this site. Adjacent site to west was rezoned C-6 with conditions in 2007 (7-H-07-RZ).

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Comstock Rd. - House and vacant land / Floodway / C-6 (General Commercial Park) & RA (Low Density Residential)

South: I-40/75 R-O-W / TR / C-3 (General Commercial Park)

East: Bridgewater Rd. - Vacant land, apartments, house, utility / MDR / R-1 & RA (Low Density Residential) and RB (General Residential)

West: Vacant land / MDR / C-6 (General Commercial Park)

NEIGHBORHOOD CONTEXT This section of Bridgewater Rd., situated between I-40/75 and Ten Mile Creek, has a church and a few houses, zoned R-1, RA and R-2. The C-6 zoned land to the west is yet to be developed.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION # 7-C-12-SP, amending the Northwest County Sector Plan to MDR/O (Medium Density Residential/Office) and recommend that City Council also approve the sector plan amendment**

to make it operative. (See attached resolution, Exhibit A.)

The MDR/O plan designation is appropriate for this site that is adjacent to Interstate 40/75 right-of-way and a C 6 zoned site. The requested O-1 zoning allows both medium density residential and office uses.

COMMENTS:

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No known improvements have been made recently to this section of Bridgewater Rd.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan proposes medium density residential uses for this area, consistent with the current R-2 zoning. Staff has recommended amending the plan to MDR/O, which adds office as an appropriate zoning to be considered. The office designation is similar in intensity to the current MDR designation and is also appropriate at this location.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

In 2007, MPC and City Council approved conditional C-6 zoning for the site to the west, setting a precedent for future non-residential uses in this area just north of the Bridgewater interchange with I-40/75 access roads.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

This site has been zoned R-2 for many years, and was the location of a church. With the approved C-6 zoning of the site to the west, a precedent was set to consider non-residential zoning for 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. The law now 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 8/7/2012 and 8/21/2012. 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 COUNTY 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 County 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**, Harb-White 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 Northwest County 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 12, 2012, 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 County Sector Plan, with its accompanying staff report and map, file #7-C-12-SP.

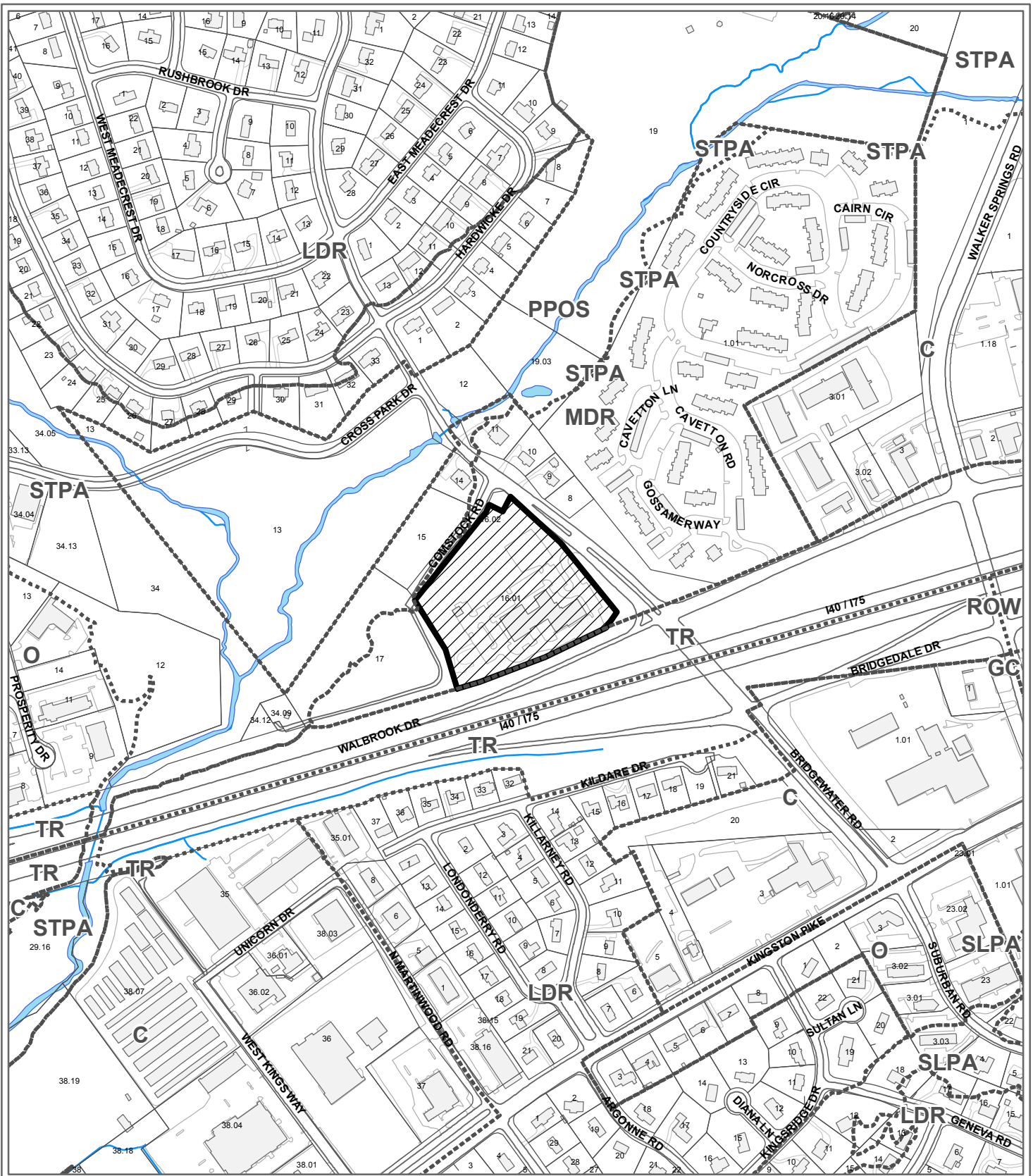
SECTION 2: This Resolution shall take effect upon its approval.

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

Date

Chairman

Secretary



**7-C-12-SP
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

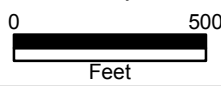
Petitioner: Harb-White Properties



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

Map No: 119
Jurisdiction: City

Original Print Date: 6/22/2012 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902





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

FILE #: 7-F-12-RZ
7-D-12-PA

AGENDA ITEM #: 20
AGENDA DATE: 7/12/2012

APPLICANT: HARB-WHITE PROPERTIES
OWNER(S): Harb-White Properties

TAX ID NUMBER: 119 L A 01601
JURISDICTION: Council District 2

LOCATION: Southwest side Bridgewater Rd., north side I-40

TRACT INFORMATION: 6.75 acres.

SECTOR PLAN: Northwest County

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

ACCESSIBILITY: Access is via Bridgewater Rd., a major collector street with 4 lanes and a center median within 80-90' of right-of-way, or Comstock Rd., a local street with 26' of pavement width within 50' of right-of-way.

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

WATERSHED: Ten Mile 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: Vacant church

PROPOSED USE: Any use permitted by O-1 zoning

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted for this site. Adjacent site to west was rezoned C-6 with conditions in 2007 (7-H-07-RZ).

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Comstock Rd. - House and vacant land / GC, County / C-6 (General Commercial Park) & RA (Low Density Residential)

South: I-40/75 R-O-W / ROW / C-3 (General Commercial Park)

East: Bridgewater Rd. - Vacant land, apartments, house, utility / LDR, County / R-1 & RA (Low Density Residential) and RB (General Residential)

West: Vacant land / GC / C-6 (General Commercial Park)

NEIGHBORHOOD CONTEXT: This section of Bridgewater Rd., situated between I-40/75 and Ten Mile Creek, has a church and a few houses, zoned R-1, RA and R-2. The C-6 zoned land to the west is yet to be developed.

STAFF RECOMMENDATION:

► **RECOMMEND that City Council APPROVE MDR/O (Medium Density Residential/Office) One Year Plan designation. (Applicant requested O.)**

The MDR/O plan designation is appropriate for this site that is adjacent to Interstate 40/75 right-of-way and a C 6 zoned site. The requested O-1 zoning allows both medium density residential and office uses.

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

O-1 zoning is compatible with the surrounding land use and zoning pattern and is similar in intensity to the current R-2 zoning.

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 have been made recently to this section of Bridgewater Rd.

B. **ERROR OR OMISSION IN CURRENT PLAN** - The current One Year Plan proposes medium density residential uses for this area, consistent with the current R-2 zoning. Staff has recommended amending the plan to MDR/O, which adds office as an appropriate zoning to be considered. The office designation is similar in intensity to the current MDR designation and is also appropriate at this location.

C. **CHANGES IN GOVERNMENT POLICY** - In 2007, MPC and City Council approved conditional C-6 zoning for the site to the west, setting a precedent for future non-residential uses in this area just north of the Bridgewater interchange with I-40/75 access roads.

D. **CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS** - This site has been zoned R-2 for many years, and was the location of a church. With the approved C-6 zoning of the site to the west, a precedent was set to consider non-residential zoning for the subject property.

REZONING REQUIREMENTS FROM ZONING ORDINANCES (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. O-1 zoning is compatible with the scale and intensity of the surrounding land uses and zoning.
2. O-1 zoning will expand the range of permitted uses allowed on the site.
3. The site is located adjacent to a C-6 zoned property to the west and to Interstate 40/75 to the south, making it appropriate for some limited non-residential uses, allowed under O-1 zoning.
4. Uses allowed in O-1 zoning are similar in intensity to uses permitted in the current R-2 zoning.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE 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. O-1 zoning also permits residential development, as regulated in the R-2 district. An assisted living facility, as proposed, would require use on review approval by MPC.
2. Based on the above description, this site is appropriate for O-1 zoning.

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. Additional impact, resulting from a rezoning to O-1, will be minimal, as the R-2 and O-1 zones are very similar in intensity.
2. The impact to the streets will depend on the type of development of proposed, but will likely be minimal. If developed with residential uses, the impact to the schools would depend on the type of development proposed.
3. The proposal will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.

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:

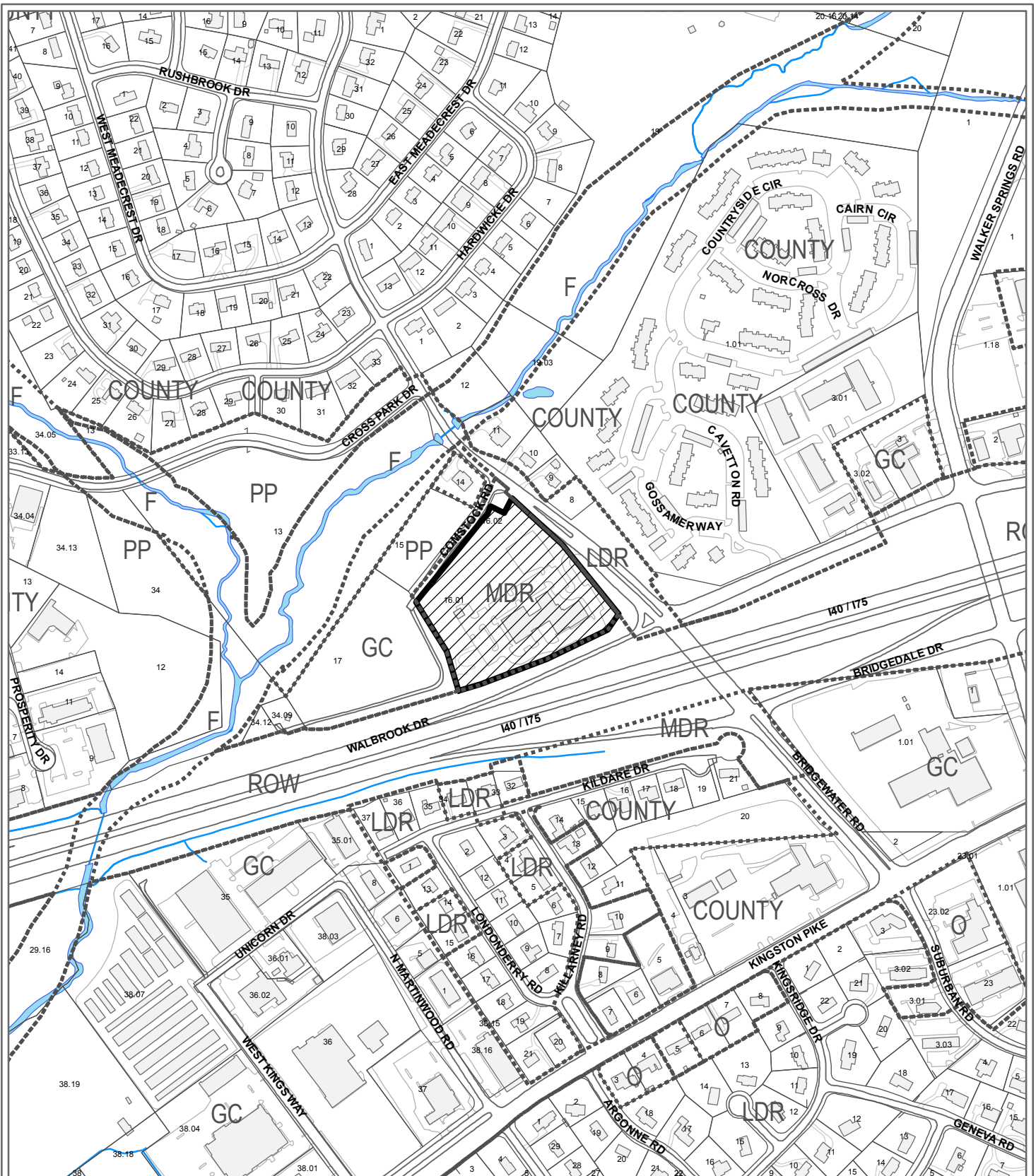
1. With the proposed amendment to MDR/O, O-1 zoning is consistent with the City of Knoxville One Year Plan.

2. There is an associated request to amend the Northwest County Sector Plan (7-C-12-SP) from MDR to O for this site, which, if approved, would be consistent with the proposed O-1 zoning.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 8/7/2012 and 8/21/2012. 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-D-12-PA / 7-F-12-RZ
PLAN AMENDMENT**

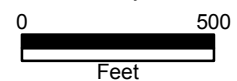
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To: O (Office)



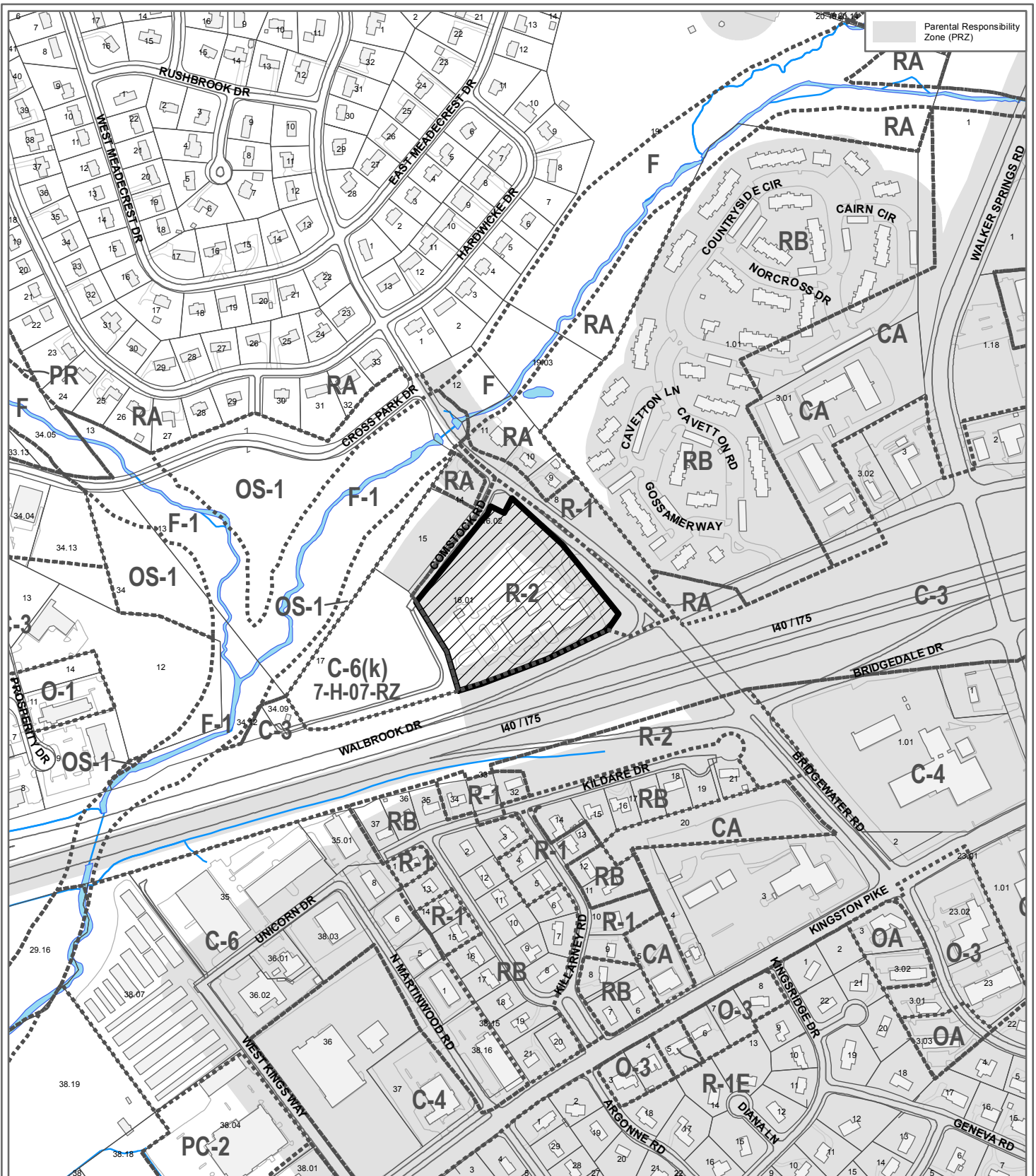
Petitioner: Harb-White Properties

Map No: 119

Jurisdiction: City



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**7-F-12-RZ
REZONING**

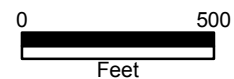
From: R-2 (General Residential)
To: O-1 (Office, Medical, and Related Services)



Petitioner: Harb-White Properties

Map No: 119

Jurisdiction: City



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