



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

▶ **FILE #:** 7-A-13-SP

AGENDA ITEM #: 25

AGENDA DATE: 7/11/2013

▶ **APPLICANT:** RICHARD W. RACKLEY

OWNER(S): Richard W. Rackley

TAX ID NUMBER: 58 L D 045

JURISDICTION: Council District 4

▶ **LOCATION:** Northwest side Tazewell Pike, northeast of Jacksboro Pike

▶ **APPX. SIZE OF TRACT:** 6.46 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 24' of pavement width within 70' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** CI (Civic/Institutional) / R-2 (General Residential)

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

▶ **EXISTING LAND USE:** Fountainhead College

▶ **PROPOSED USE:** Office space

EXTENSION OF PLAN DESIGNATION: Yes, extension of O designation from the southeast

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Houses / LDR

South: Tazewell Pike - Apartments, offices / GC, O

East: Offices, apartments / O, MDR

West: Church / CI

NEIGHBORHOOD CONTEXT This area is developed with a mix of office, medium and low density residential uses under R-2, O-1 and O-3 zoning. To the southwest, at the intersection of Tazewell Pike and Jacksboro Pike, are commercial uses, zoned C-1 and C-3.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION # 7-A-13-SP, amending the North City Sector Plan to O (Office) and recommend that City Council also adopt the amendment. (See attached resolution, Exhibit A.)**

Office uses at this site would be similar in intensity to the previous sector plan designation of CI (Civic Institutional) and compatible with surrounding land uses and zoning. The proposal is an extension of the office

designation from the south and east.

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 to any of the roads surrounding this site. Public water and sewer utilities are available to serve the site. However, Tazewell Pike is classified as a minor arterial street that is sufficient to accommodate office use of the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The property is currently designated for civic institutional uses, consistent to its previous use as a technical college. The site is adjacent to other properties designated for office uses.

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

Previous applications have been approved to allow development of office uses in this general area.

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

Offices and apartments are the most common land uses in the immediate vicinity of the site, so office use of this site would be compatible with the surrounding development pattern.

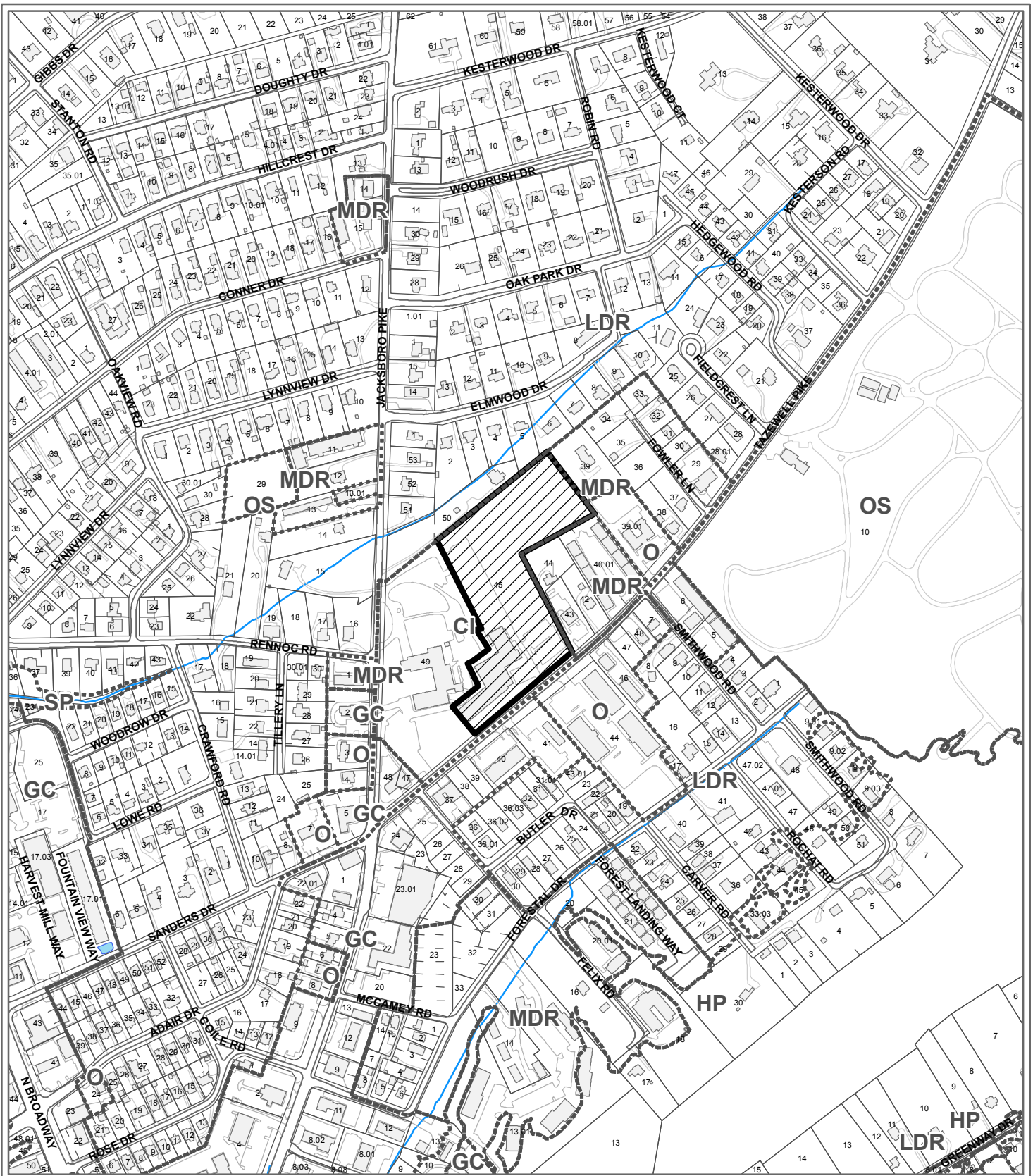
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

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 8/6/2013 and 8/20/2013. 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.



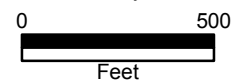
**7-A-13-SP
NORTH CITY SECTOR PLAN AMENDMENT**

From: CI (Civic/Institutional)
To: O (Office)



Petitioner: Rackley, Richard W.

Map No: 58
Jurisdiction: City



Original Print Date: 6/27/2013 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

**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**, Richard W. Rackley has submitted an application to amend the Sector Plan from Civic Institutional 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 July 11, 2013, 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 #7-A-13-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-C-13-RZ
7-B-13-PA

AGENDA ITEM #: 25
AGENDA DATE: 7/11/2013

APPLICANT: RICHARD W. RACKLEY
OWNER(S): Richard W. Rackley

TAX ID NUMBER: 58 L D 045
JURISDICTION: Council District 4

LOCATION: Northwest side Tazewell Pike, northeast of Jacksboro Pike

TRACT INFORMATION: 6.46 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 24' of pavement width within 70' 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: Fountainhead College buildings

PROPOSED USE: Office space

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of Office from the south and east

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Houses / LDR / R-2 (General Residential)
South: Tazewell Pike - Apartments, offices / MDR, O / O-1 (Office, Medical & Related Services), O-3 (Office Park)
East: Offices, apartments / O, MDR / R-2 (General Residential), O-1 (Office, Medical & Related Services), O-3 (Office Park)
West: Church / MDR / R-2 (General Residential)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of office, medium and low density residential uses under R-2, O-1 and O-3 zoning. To the southwest, at the intersection of Tazewell Pike and Jacksboro Pike, are commercial uses, zoned C-1 and C-3.

STAFF RECOMMENDATION:

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

Office uses for this site would be similar in intensity to the previous use for a technical college. It is also an extension of the office designation from adjacent parcels. Office uses are compatible in scale and intensity to surrounding development and zoning.

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

O-1 zoning for this parcel is compatible with surrounding land uses and 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 to any of the roads surrounding this site. However, Tazewell Pike is classified as a minor arterial street that is sufficient to accommodate office use of the site. Public water and sewer utilities are available to serve the site.
- B. **ERROR OR OMISSION IN CURRENT PLAN** - The property is currently designated for medium density residential uses on the One Year Plan, consistent with its current R-2 zoning. The site is adjacent to other properties designated for office uses.
- C. **CHANGES IN GOVERNMENT POLICY** - Previous applications have been approved to allow development of office uses in this general area.
- D. **CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS** - Offices and apartments are the most common land uses in the immediate vicinity of the site, so office use of this site would be compatible with the surrounding development pattern.

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. The proposal is compatible with the scale and intensity of the surrounding land uses and zoning pattern.
- 2. Other properties in the area have been rezoned from R-2 to O-1 in the past to develop office uses. There is also an adjacent medical office to the east, zoned R-2.
- 3. O-1 zoning is appropriate to allow flexibility in the redevelopment of this former institutional use and building. Fountainhead College was formerly located in this building and on this site.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

- 1. The O-1 zone, as described in the zoning ordinance, is intended to provide areas for professional and business offices and related activities that require separate buildings surrounded by landscaped yards and open areas. 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 general intent, 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. The proposal is compatible with surrounding development and will have a minimal impact on adjacent properties.
- 2. The proposal will have a minimal impact on streets and no impact on schools.
- 3. Public water and sewer utilities are in place to serve the site.

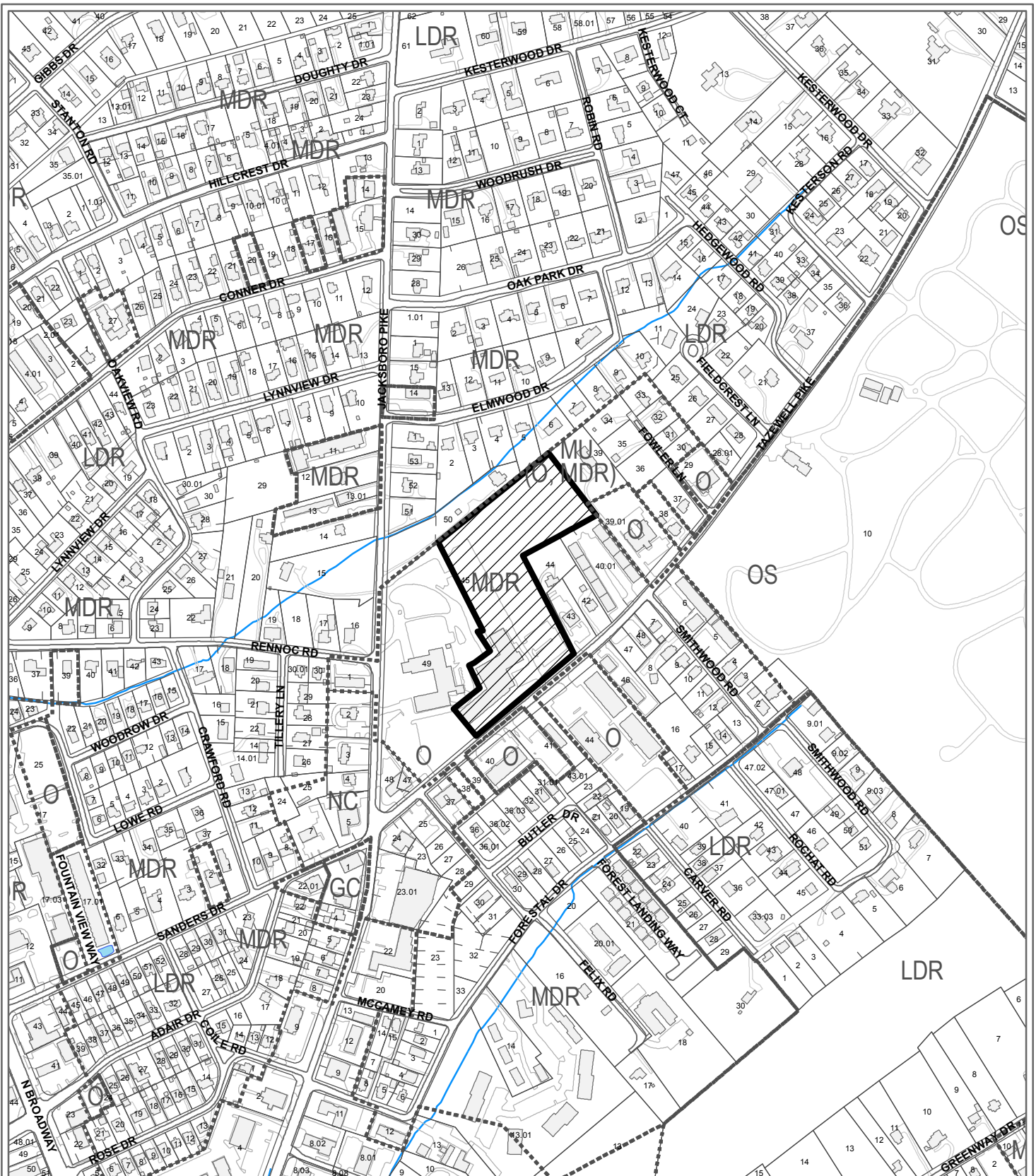
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

- 1. With the recommended amendment to the City of Knoxville One Year Plan to O (Office), O-1 zoning would be consistent with the One Year Plan.
- 2. With the recommended amendment to the North City Sector Plan to O (Office), O-1 zoning would be consistent with that plan.
- 3. 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 8/6/2013 and 8/20/2013. 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-13-PA / 7-C-13-RZ
PLAN AMENDMENT**

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



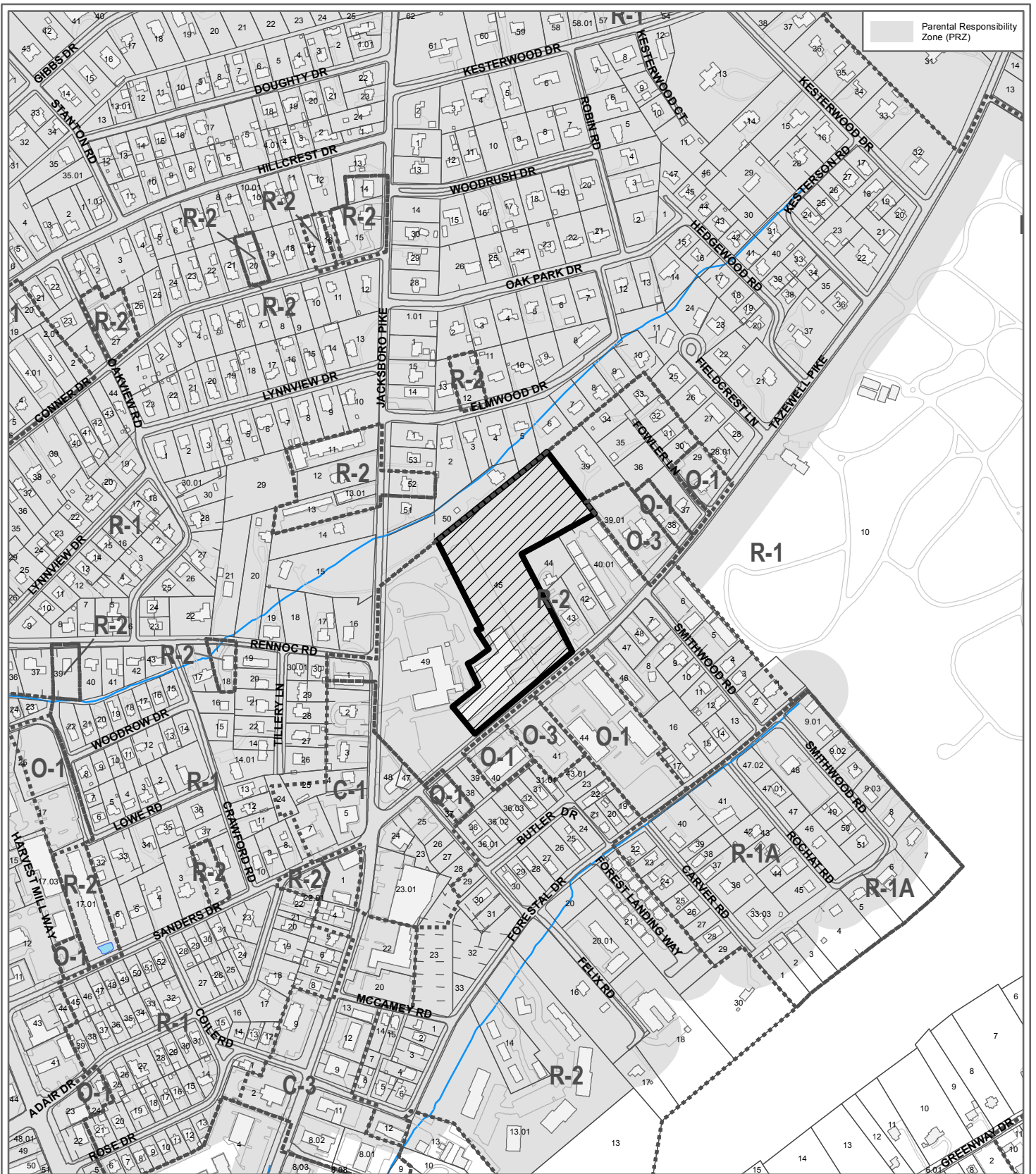
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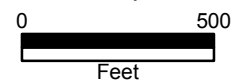
**7-C-13-RZ
REZONING**

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



Petitioner: Rackley, Richard W.

Map No: 58
Jurisdiction: City



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