

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

▶ **FILE #:** 7-D-13-SP

AGENDA ITEM #: 30

AGENDA DATE: 7/11/2013

▶ **APPLICANT:** **WALLACE MEMORIAL BAPTIST CHURCH**

OWNER(S): Wallace Memorial Baptist Church, Inc.

TAX ID NUMBER: 68 K F 010 PORTION ZONED R-2

JURISDICTION: Council District 5

▶ **LOCATION:** **Northwest side Merchant Dr., northeast side Scenicwood Rd.**

▶ **APPX. SIZE OF TRACT:** **4.9 acres**

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Merchant Dr., a 4-lane, minor arterial street with 60' of pavement width within 80' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

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

▶ **PROPOSED PLAN DESIGNATION:** **C (Commercial)**

▶ **EXISTING LAND USE:** **Church**

▶ **PROPOSED USE:** **Church with new signage**

EXTENSION OF PLAN DESIGNATION: Yes, extension of commercial from the south and east

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Parking / PI and LDR

South: Merchant Dr. - Businesses and apartments / C

East: Bank / O

West: Apartments / MDR

NEIGHBORHOOD CONTEXT Most properties fronting along this section of Merchant Dr. are developed with commercial uses under C-3 zoning. The subject property is one of only two sites fronting on Merchant Dr. that is not zoned commercial.

STAFF RECOMMENDATION:

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

Commercial uses will be compatible with the scale and intensity of surrounding development and zoning. The site is located along Merchant Dr., a minor arterial street that has been developed with commercial uses on both sides between Clinton Hwy. and I-75, where this site is located.

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 recently made to any of the roads surrounding this site. Public water and sewer utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The sector plan currently designates the site for MDR (Medium Density Residential), consistent with its current R-2 zoning. Amendment of the sector plan designation for this site would bring it into consistency with the remainder of this section of Merchant Dr.

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

This section of Merchant Dr. between Clinton Hwy. and I-40 is developed with commercial uses, mostly under C-3 zoning. This proposed plan amendment is an extension of that pattern and would bring the site into consistency with surrounding proposed land uses.

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

The surrounding properties along Merchant Dr. are mostly commercial, so commercial use of this site would be compatible with the surrounding development pattern.

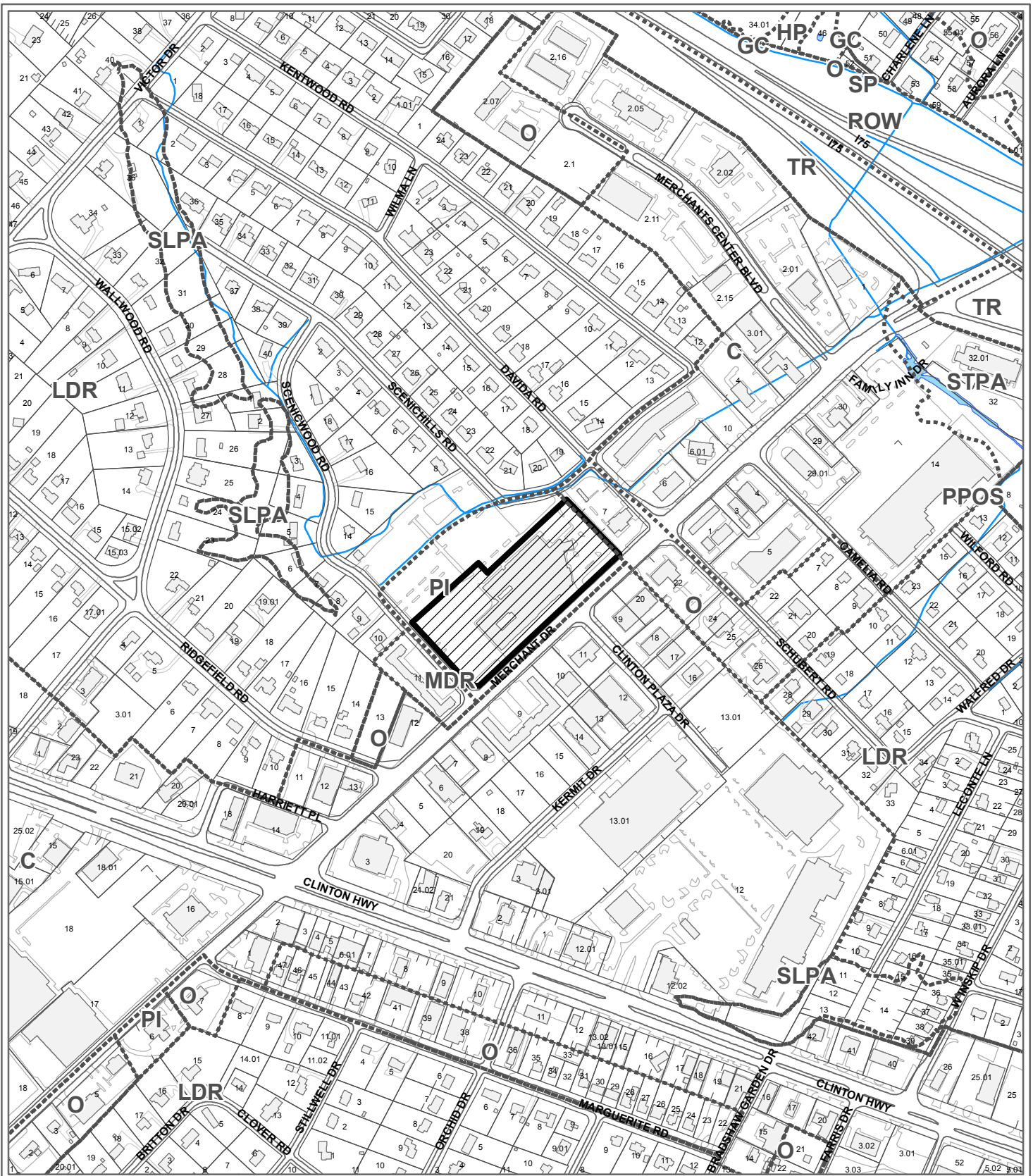
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

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-D-13-SP
NORTHWEST CITY SECTOR PLAN AMENDMENT**

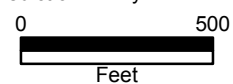
From: PI (Public Institutional)
To: C (Commercial)



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

Petitioner: Wallace Memorial Baptist Church

Map No: 68
Jurisdiction: 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**, Wallace Memorial Baptist Church Inc. has submitted an application to amend the Sector Plan from Medium Density Residential to Commercial for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised 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 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 Northwest City Sector Plan, with its accompanying staff report and map, file #7-D-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-H-13-RZ
7-C-13-PA

AGENDA ITEM #: 30
AGENDA DATE: 7/11/2013

APPLICANT: WALLACE MEMORIAL BAPTIST CHURCH
OWNER(S): Wallace Memorial Baptist Church, Inc.

TAX ID NUMBER: 68 K F 010 PORTION ZONED R-2
JURISDICTION: Council District 5

LOCATION: Northwest side Merchant Dr., northeast side Scenicwood Rd.

TRACT INFORMATION: 4.9 acres.

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Merchant Dr., a 4-lane, minor arterial street with 60' of pavement width within 80' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

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

PROPOSED PLAN DESIGNATION/ZONING: GC (General Commercial) / C-3 (General Commercial)

EXISTING LAND USE: Church

PROPOSED USE: Church with new signage

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

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Parking / LDR / R-1 (Low Density Residential)
South: Merchant Dr. - Businesses and apartments / GC / C-3 (General Commercial)
East: Bank / GC / C-3 (General Commercial)
West: Apartments / MDR / R-2 (General Residential)

NEIGHBORHOOD CONTEXT: Most properties fronting along this section of Merchant Dr. are developed with commercial uses under C-3 zoning. The subject property is the one of only two sites fronting on Merchant Dr. that is not zoned commercial.

STAFF RECOMMENDATION:

RECOMMEND that City Council APPROVE GC (General Commercial) One Year Plan designation.

General commercial uses will be compatible with the scale and intensity of surrounding development and

zoning. The site is located along Merchant Dr., a minor arterial street that has been developed with commercial uses on both sides between Clinton Hwy. and I-75, where this site is located.

► **RECOMMEND that City Council APPROVE C-3 (General Commercial) zoning.**

C-3 zoning is consistent with the scale and intensity of the surrounding development and zoning pattern and is a logical extension of C-3 from two sides.

COMMENTS:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these.)

- A. **AN ERROR IN THE PLAN** - The One Year Plan currently designates the site for MDR (Medium Density Residential), consistent with its current R-2 zoning. Amendment of the One Year Plan designation for this site would bring it into consistency with the remainder of this section of Merchant Dr.
- B. **A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA** - No known improvements have been recently made to any of the roads surrounding this site. Public water and sewer utilities are available to serve the site.
- C. **A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN** - This section of Merchant Dr. between Clinton Hwy. and I-75 is developed with commercial uses, mostly under C-3 zoning. This proposed plan amendment is an extension of that pattern and would bring the site into consistency with surrounding proposed land uses.
- D. **NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT** - No new information has become available to reveal the need for a plan amendment. The land use and zoning pattern has long been established as commercial in this corridor.

It is staff's understanding that the applicant is seeking C-3 zoning in order to allow more signage for the church. A church is a permitted use in the C-3 zoning district and is a use permitted on review in the R-2 zoning district.

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. C-3 zoning for the subject property is an extension of commercial zoning from two sides.
- 2. C-3 zoning uses are compatible with the surrounding land use and zoning pattern.
- 3. The site is located in the middle of an established commercial corridor along Merchant Dr.

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

- 1. The C-3 zone, as described in the zoning ordinance, is for personal and business services and general retail businesses. This zoning category is intended to include areas where commercial development has displaced or is displacing residential development, or is moving in on vacant land. Further, the regulations are designed to guide future change so as to discourage formation of future commercial slums, to preserve the carrying capacity of the streets, and to provide for off-street parking and loading. It is not the intent of this district to encourage the extension of existing strip commercial areas, but rather to provide concentrations of general commercial activities.
- 2. Based on the above general intent, this site is appropriate for C-3 development.

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 the surrounding land uses and zoning pattern.
- 2. 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 recommended amendment to the Northwest City Sector Plan to general commercial, C-3 zoning

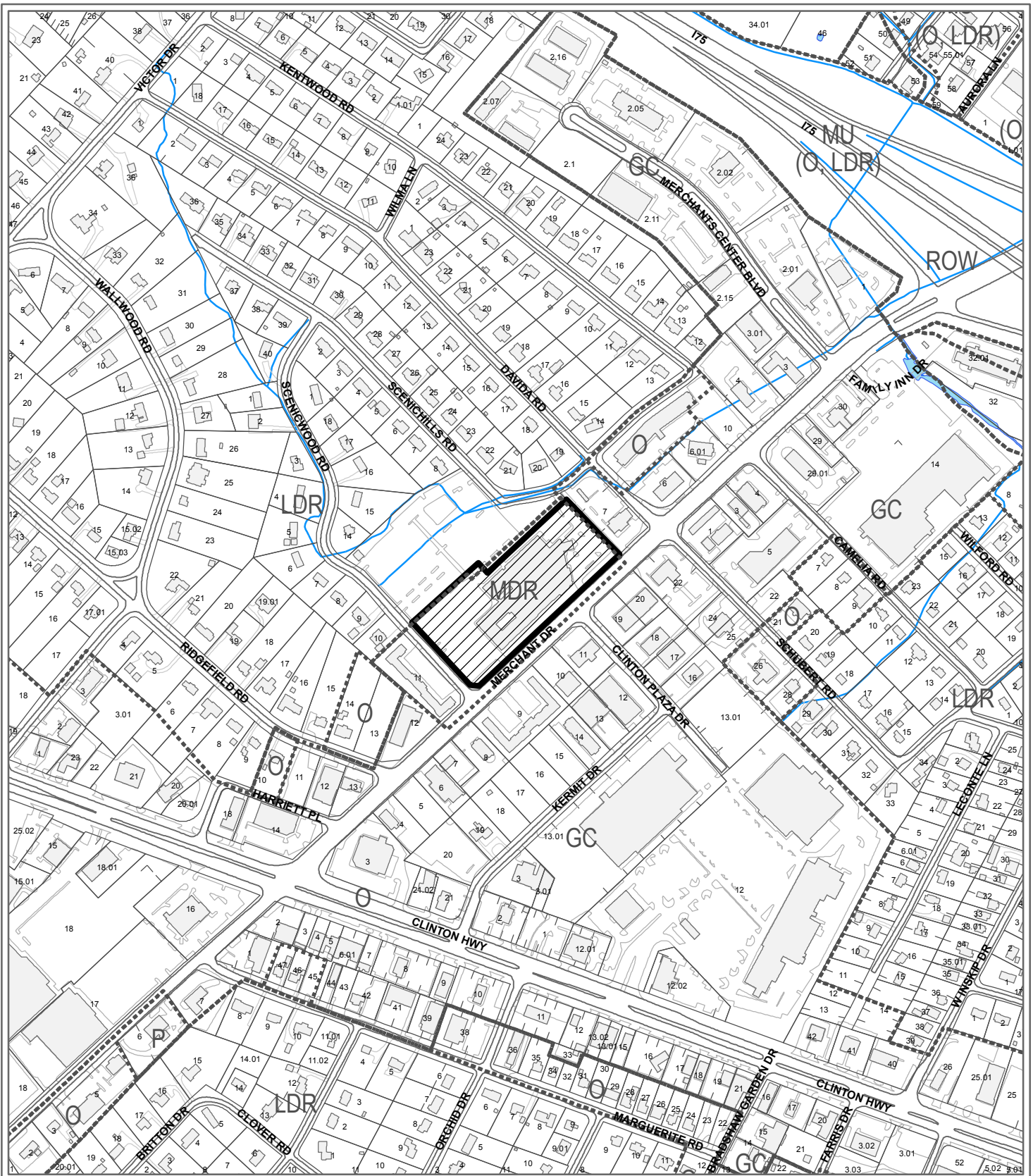
would be consistent with the plan.

2. With the recommended amendment of the City of Knoxville One Year Plan to GC, the proposed C-3 zoning would be consistent with the plan.
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.

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**7-C-13-PA / 7-H-13-RZ
PLAN AMENDMENT**

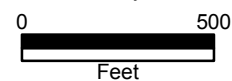
From: MDR (Medium Density Residential)
To: GC (General Commercial)

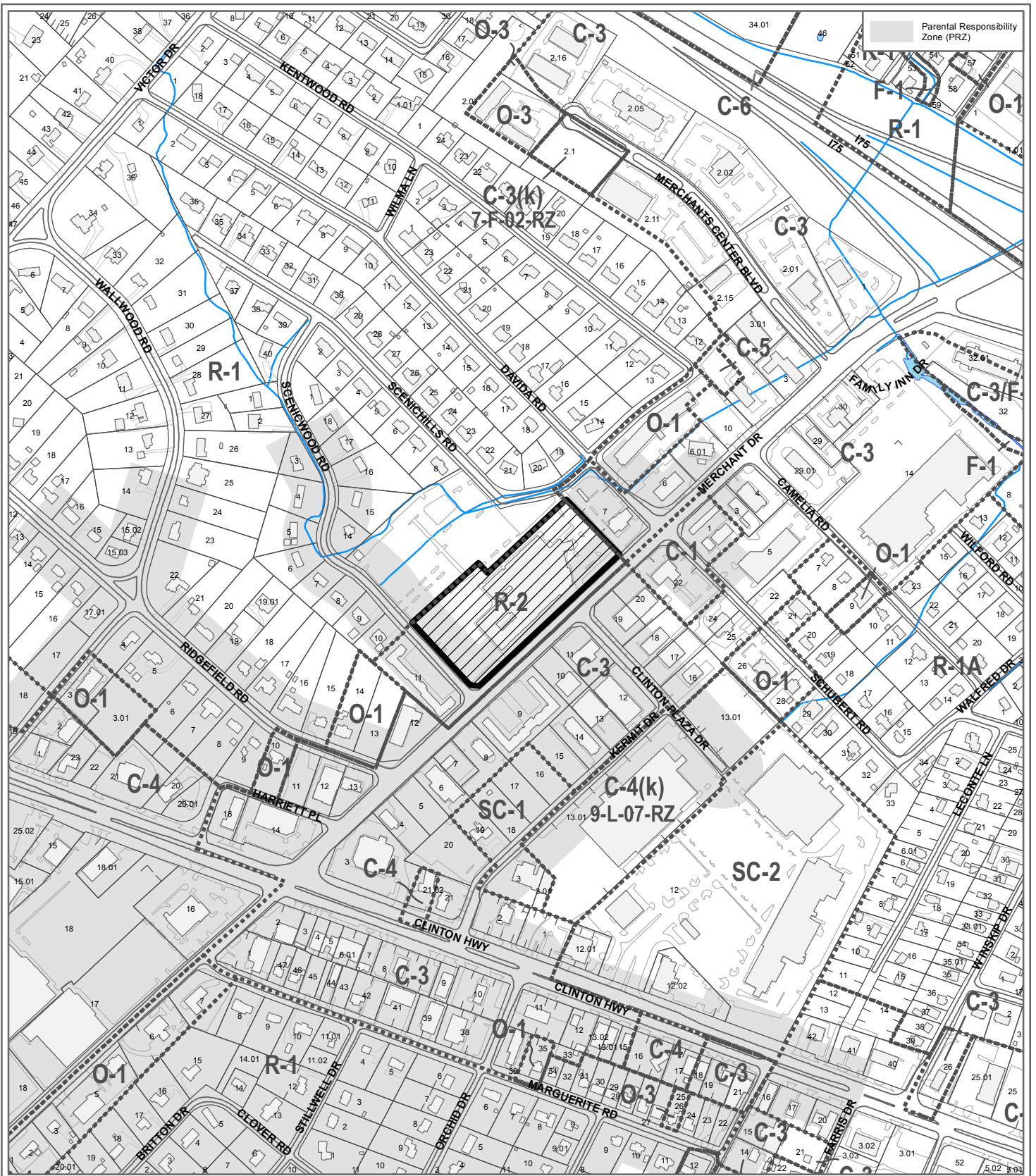


Petitioner: Wallace Memorial Baptist Church

Map No: 68
Jurisdiction: City

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**7-H-13-RZ
REZONING**

From: R-2 (General Residential)

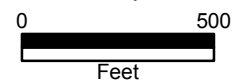
To: C-3 (General Commercial)



Petitioner: Wallace Memorial Baptist Church

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