



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

▶ **FILE #:** 7-H-13-SP

AGENDA ITEM #: 39

AGENDA DATE: 7/11/2013

▶ **APPLICANT:** KNOXVILLE CITY COUNCIL

OWNER(S): Knox County

TAX ID NUMBER: 106 K B 02602

JURISDICTION: Council District 3

▶ **LOCATION:** North side Middlebrook Pike, east side Francis Rd.

▶ **APPX. SIZE OF TRACT:** 1.5 acres

SECTOR PLAN: Northwest County

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

ACCESSIBILITY: Access is via Middlebrook Pike, a 4-lane, major arterial street with center median within 105-115' of right-of-way, or Francis Rd., a median-divided, minor arterial street with turning lanes within 100-115' of right-of-way in the section adjacent to the subject property.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Fourth Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** PI (Public Institutional) / R-1 (Low Density Residential)

▶ **PROPOSED PLAN DESIGNATION:** NC (Neighborhood Commercial)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Neighborhood commercial

EXTENSION OF PLAN DESIGNATION: Yes, extension of commercial from the west.

HISTORY OF REQUESTS: MPC approved an office plan designation for this site on 4/11/13 (4-D-13-SP).

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Bearden Middle School campus / PI

South: Middlebrook Pike - Church / PI

East: Residence / O

West: Francis Rd. - Gas/convenience store / GC

NEIGHBORHOOD CONTEXT The area around this intersection is developed with a mix of uses, including a school, church, businesses and residences, under various zoning districts.

STAFF RECOMMENDATION:

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

The site is appropriate for office uses, as recommended. The applicant requested neighborhood commercial, but limited access presents issues with the location of a commercial business at this location. Office or residential uses, as permitted by O-1 zoning, generate less traffic and are therefore more appropriate at this location. The site's location at the intersection of two arterial streets make it appropriate for consideration of non-residential uses.

COMMENTS:

MPC approved an O (Office) plan designation for this site at its April 11, 2013 meeting, consistent with staff's recommendation. The MPC file number was 4-D-13-SP and the applicant at that time was Knox County, who owns the property. When the application reached City Council on May 28, 2013, Council initiated its own sector plan amendment for the subject parcel, and it was referred back to MPC for reconsideration of the NC (Neighborhood Commercial) designation. Knoxville City Council is now the applicant, and they can now act on the sector plan amendment as they choose when it gets back on their agenda for consideration. MPC staff continues to maintain its original recommendation for the O (Office) plan designation.

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 in the vicinity of this site. The existing infrastructure supports the recommended office development. However, the limited access from the two fronting streets caused by the center medians, makes the site less appropriate for the neighborhood commercial uses requested. Also, the location of curbcuts, especially along Francis Rd. could be problematic, considering the site's proximity to the traffic signal controlled adjacent intersection. Ideally, one curbcut into the site should be established along Middlebrook Pike at the far east side of the subject property. Turning movements into the site will be severely limited under the current conditions. Therefore, staff recommends less intense office uses, which will allow reasonable use of the site, while limiting the number of new vehicle trips generated.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The sector plan currently designates the site for PI (Public Institutional) uses, consistent with the adjacent school's plan designation. However, this site is not part of the school property and is eligible to be developed privately, so it should be changed to a non-public land use designation.

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

No change in public policy impacts this proposal.

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

The subject property is not part of the adjacent school campus, so it should not be designated as a PI (Public Institution) use. The property's location at the intersection of two arterial streets and its distance away from residential uses make it appropriate for limited non-residential development.

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.

**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**, Knoxville City Council has submitted an application to amend the Sector Plan from Public Institutional to Neighborhood Commercial, 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 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 County Sector Plan, with its accompanying staff report and map, file #7-H-13-SP.

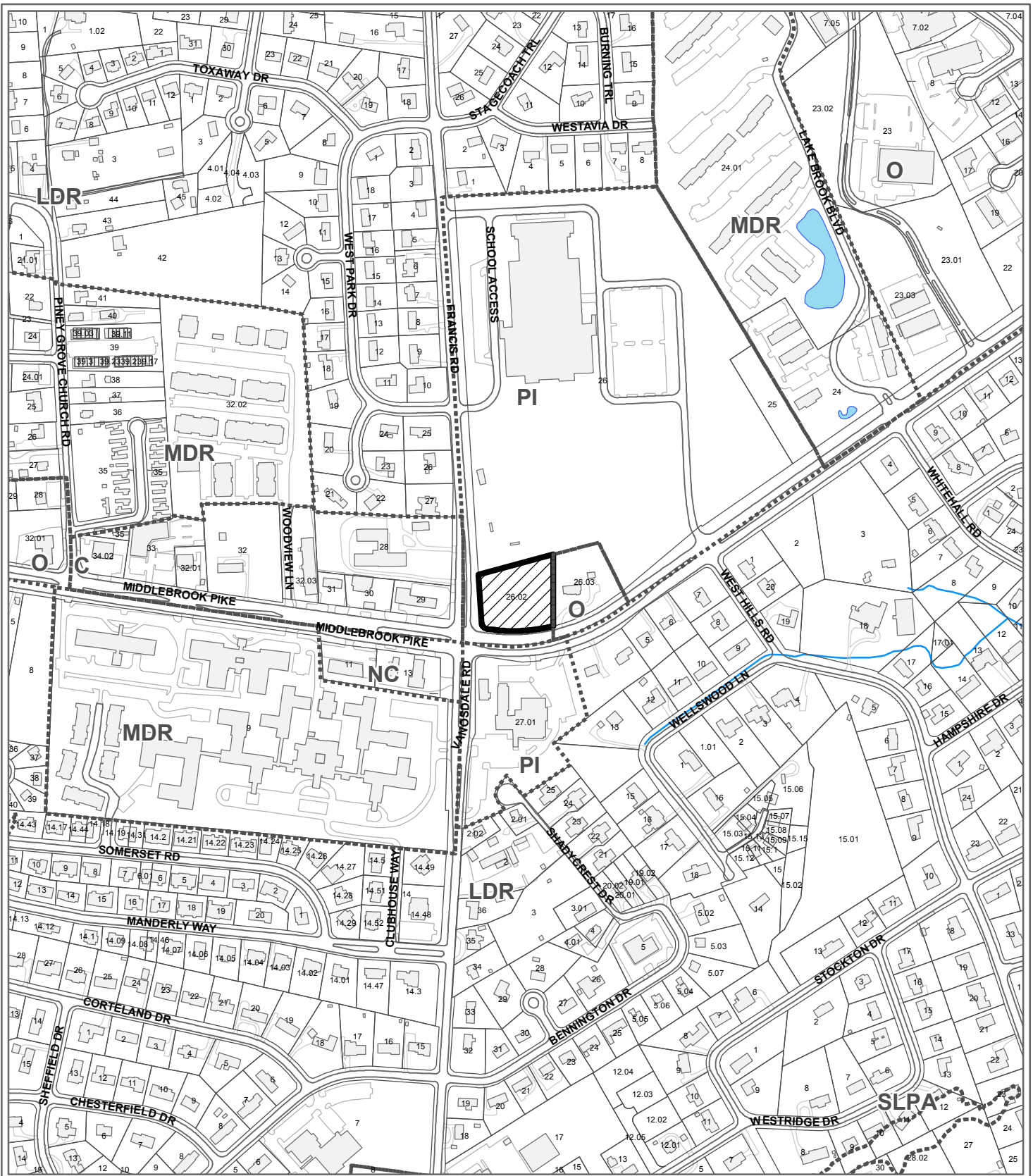
SECTION 2: This Resolution shall take effect upon its approval.

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

Date

Chairman

Secretary



**7-H-13-SP
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

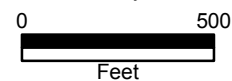
From: PI (Public Institutional)
 To: NC (Neighborhood Commercial)



Petitioner: Knoxville City Council

Map No: 106

Jurisdiction: City



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