



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

▶ **FILE #:** 4-G-14-SP

AGENDA ITEM #:

AGENDA DATE: 4/10/2014

▶ **APPLICANT:** KNOXVILLE CITY COUNCIL

OWNER(S): Flournoy Development

TAX ID NUMBER: 154 093, 094.04

JURISDICTION: Council District 2

STREET ADDRESS: 0 Thunderhead Rd

▶ **LOCATION:** North side S. Northshore Drive, west side Thunderhead Road

▶ **APPX. SIZE OF TRACT:** 10.1 acres

SECTOR PLAN: Southwest County

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

ACCESSIBILITY: Access is via Thunderhead Rd., a local, boulevard street within 85' of right-of-way, or S. Northshore Dr., a major arterial street with 20' of pavement width within 100' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Tennessee River

▶ **PRESENT PLAN AND ZONING DESIGNATION:** MU (Mixed Use) / OS-2 (Park and Open Space), TC-1 (Town Center)

▶ **PROPOSED PLAN DESIGNATION:** HDR (High Density Residential)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Apartments

EXTENSION OF PLAN DESIGNATION: No

HISTORY OF REQUESTS: TC-1 zoning was established on this site in 2005 (8-F-05-RZ).

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Northshore Elementary School - MU

South: Office, commercial - MU

East: Vacant land - MU

West: Residential subdivision - LDR

NEIGHBORHOOD CONTEXT This site is near the southwest corner of the Northshore Town Center Development, zoned TC-1 and PC-1. It is located south of the new Northshore Elementary School and north of an established office/commercial building in the TC-1 zone.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION #4-G-14-SP, amending the Southwest County Sector Plan to HDR (High Density Residential) and recommend that City Council also approve the sector plan amendment to make it**

operative. (See attached resolution, Exhibit A.)

Allowing high density residential uses at this location within the town center development will bring more residents to the area to support the surrounding town center development. Previous town center plans had shown apartments to the north of this site where the new elementary school is now located. This site had been designated for townhouses. Both of these uses would have required residential densities at least in the medium density range of up to 24 dus/ac. The density proposed with the companion rezoning request (file #4-M-14-RZ) is 246 units, or slightly more than 24 dus/ac, which makes this request for high density residential necessary. Location of apartments on this site may be more appropriate as it is closer to Northshore Dr. and more on the edge of the overall town center development.

COMMENTS:

A sector plan amendment request for medium density residential developed was previous considered by MPC at their January, 2014, meeting as file #1-H-14-SP, along with a One Year Plan amendment request for medium density residential and a rezoning request for RP-1 (Planned Residential) @ 24 dus/ac. The applicant of record at that time was Flournoy Development. The Planning Commission denied the request for a sector plan amendment and recommended denial of the One Year Plan and rezoning applications, after hearing testimony from staff, the applicant, and area residents. Consistent with state law, the applicant could not appeal MPC's decision to deny the sector plan amendment, but could appeal the rezoning, which they did. City Council heard the rezoning appeal at their February 18, 2014, meeting, again hearing testimony from staff, the applicant and area residents. The City Council referred the rezoning back to MPC for consideration of a change that would allow up to 246 dwelling units on the property. City Council also requested that MPC consider sector plan and One Year Plan changes that would allow the proposed units.

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:

The Northshore Town Center development has been planned since the early 2000's. Roads and utilities were planned to support intense development, as represented by the request for a sector plan change. With the previous apartment site now the location of a school, it is more feasible to locate apartments at the proposed new location.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The Southwest County Sector Plan currently designates the site for mixed uses, consistent with the current TC 1 zoning. However, the current TC-1 zoning cannot accommodate the residential density that is proposed. It was not anticipated that the sector plan designation would need to be changed because of the mix of uses permitted in TC-1 zoning, but as the development has progressed, the need for plan amendments has arisen.

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

Initially, it was thought that TC-1 zoning could accommodate the mix of uses that would be desired. But, with the sector plan amendment that was approved for commercial uses in the eastern portion of the site, the precedent was set for some changes as needed. The intent of the town center concept can still be maintained under the proposed zoning for planned residential, which can reference the approved town center design guidelines.

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

With the new school being developed on the site to the north that was proposed for apartments, a reconsideration of the original plan proposal is warranted.

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: 2143 (average daily vehicle trips)

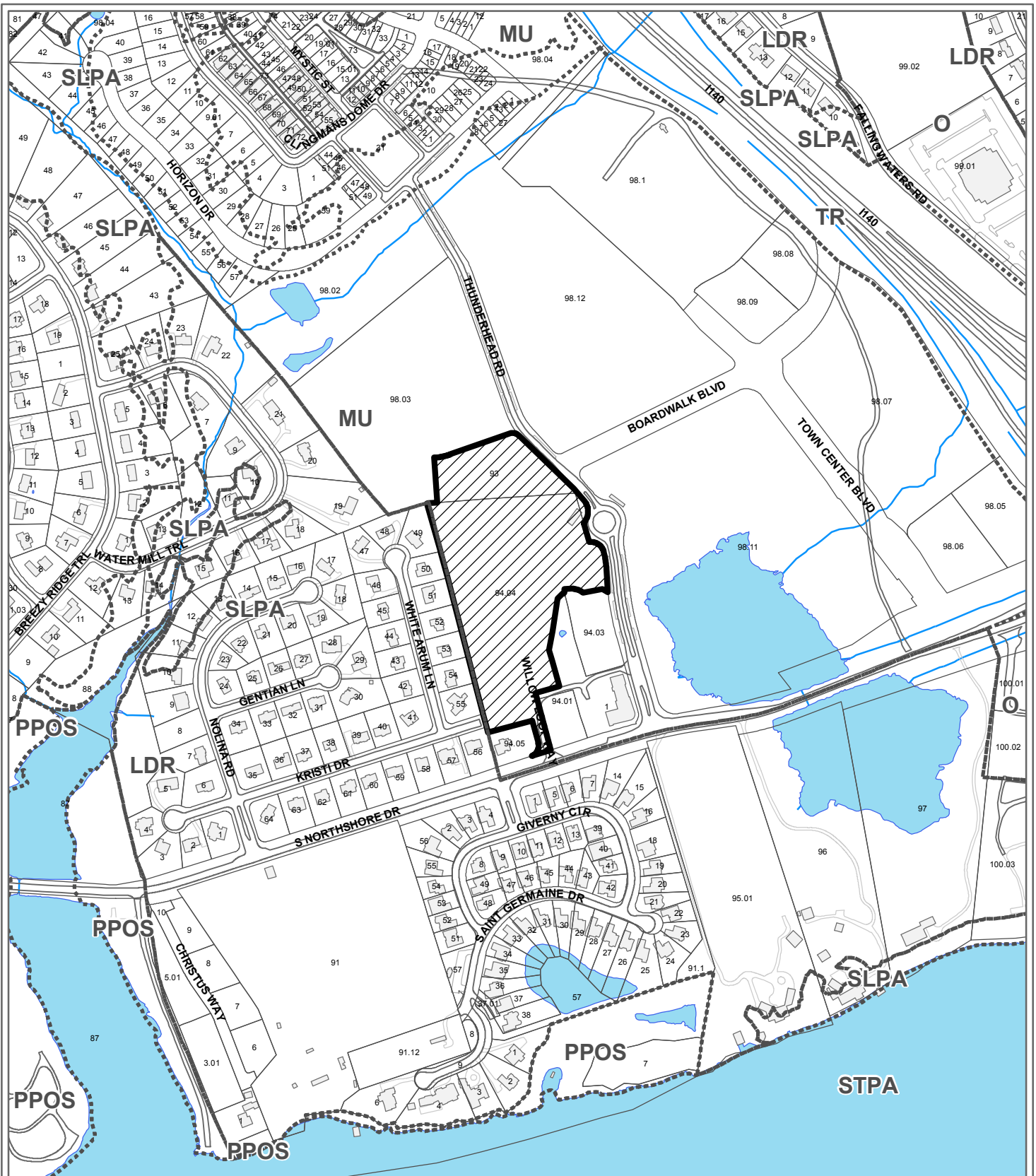
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 38 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Northshore Elementary, West Valley Middle, and Bearden High.

- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.
- School capacities are subject to change by Knox County Schools through building additions, curriculum or scheduling changes, or amendments to attendance zone boundaries.

If approved, this item will be forwarded to for action on . If denied, MPC's action is final, unless the action to deny is appealed to . The date of the appeal hearing will depend on when the appeal application is filed. Appellants have to appeal an MPC decision in the City.



**4-G-14-SP
SOUTHWEST COUNTY SECTOR PLAN AMENDMENT**

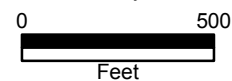
Petitioner: Knoxville City Council



From: MU (Mixed Use)
To: HDR (High Density Residential)

Map No: 154
Jurisdiction: City

Original Print Date: 3/25/2014 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE SOUTHWEST 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 Southwest 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 MU (Mixed Use) to HDR (High Density Residential), for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of an amendment to the Southwest 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 April 10, 2014, 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 Southwest County Sector Plan, with its accompanying staff report and map, file #4-G-14-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 #: 4-M-14-RZ
4-F-14-PA

AGENDA ITEM #: 42
AGENDA DATE: 4/10/2014

APPLICANT: KNOXVILLE CITY COUNCIL
OWNER(S): Flournoy Development

TAX ID NUMBER: 154 093, 094.04

JURISDICTION: Council District 2

STREET ADDRESS: 0 Thunderhead Rd

LOCATION: North side S. Northshore Drive, west side Thunderhead Road

TRACT INFORMATION: 10.1 acres.

SECTOR PLAN: Southwest County

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

ACCESSIBILITY: Access is via Thunderhead Rd., a local, boulevard street within 85' of right-of-way, or S. Northshore Dr., a major arterial street with 20' of pavement width within 100' of right-of-way.

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

WATERSHED: Tennessee River

PRESENT PLAN DESIGNATION/ZONING: MU (Mixed Use) (TND-1) (TC-1) / OS-2 (Park and Open Space) & TC-1 (Town Center)

PROPOSED PLAN DESIGNATION/ZONING: HDR (High Density Residential) / RP-2 (Planned Residential)

EXISTING LAND USE: Vacant land

PROPOSED USE: Attached residential development

DENSITY PROPOSED: 246 dwelling units

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: TC-1 zoning was established on this site in 2005 (8-F-05-RZ).

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

North: Northshore Elementary School - MU (TND-1, TC-1) - TC-1 (Town Center)
South: Office, commercial - MU (TND-1, TC-1) - TC-1 (Town Center)
East: Vacant land - MU (TND-1, TC-1) - TC-1 (Town Center)
West: Residential subdivision - LDR - PR (Planned Residential) at 5 du/ac

NEIGHBORHOOD CONTEXT: This site is near the southwest corner of the Northshore Town Center Development, zoned TC-1 and PC-1. It is located south of the new Northshore Elementary School and north of an established office/commercial building, in the TC-1 zone.

STAFF RECOMMENDATION:

► **RECOMMEND that City Council APPROVE HDR (High Density Residential) One Year Plan designation.**

Allowing high density residential uses at this location within the town center development will bring more residents to the area to support the surrounding town center uses. Previous town center plans had shown apartments to the north of this site where the new Northshore Elementary School is now located. This site had been designated for townhouses. Both of these uses would have required residential densities at least in the medium density range. The location of 246 apartments on this site as proposed may be more appropriate as it is closer to Northshore Dr. and more on the edge of the overall town center development.

► **RECOMMEND that City Council APPROVE RP-2 (Planned Residential) at a density not to exceed 246 units for the subject property, subject to the following condition:**

1. Development plans should maintain a connected vehicle and pedestrian circulation network that is consistent with the previously approved town center development plan, provide recreation facilities and amenities internal to the development, provide off-street parking areas designed to minimize the visual impact from Thunderhead Road, and provide building design elements and locations that are consistent with the approved design guidelines for the adjacent TC-1 (Town Center) zone district.

With the above recommended condition, the proposed rezoning will allow appropriate development that will be consistent with the intent of the Northshore Town Center development plan and TC-1 zoning.

COMMENTS:

A previous rezoning for this property under file #1-H-14-RZ was appealed to City Council and heard at their February 18, 2014, meeting. The previous applicant, Flournoy Development, had requested rezoning from RP 1 (Planned Residential) @ less than 24 dus/ac, along with sector plan and One Year Plan requests for medium density residential. City Council referred the rezoning back to MPC and requested that changes to the property's zoning, and sector plan and One Year Plan designations be considered to allow the proposed density of 246 dwelling units.

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 mixed uses, limited to TC-1 or TND-1 zoning, consistent with the current TC-1 zoning. However, neither the current TC-1 zoning nor TND-1 can accommodate the residential density that is proposed. It was not anticipated that the plan designation would need to be changed because of the mix of uses permitted in TC-1 zoning, but as the development has progressed, the need for plan amendments has arisen.

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** - The Northshore Town Center development has been planned since the early 2000's. Roads and utilities were planned to support intense development. With the previous apartment site now the location of a school, it is more feasible to locate apartments at the new location.

C. **A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN** - Initially, it was thought that TC-1 zoning could accommodate the mix of uses that would be desired. But, with the plan amendment that was approved for commercial uses in the eastern portion of the site, the precedent was set for some changes as needed. The intent of the town center concept can still be maintained under the proposed planned residential zoning, which can reference the approved town center design guidelines.

D. **NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT** - With the new school being developed on the site to the north that was proposed for apartments, a reconsideration of the original plan proposal is warranted.

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. The recommendation is compatible with the scale and intensity of the surrounding land uses and zoning

pattern. Town center development is intended to support a mix of uses, including residential in all density ranges. The recommended condition will help to ensure that the future development will meet the general intent of the TC-1 zoning district and the approved Northshore Town Center development plan.

2. RP-2 zoning at the recommended density is needed to support the number of units needed for a viable project. On this site, which is smaller than the original site planned for apartments to the north, the density is greater than what can be accommodated in TC-1 zoning.

3. RP-2 zoning requires site plan approval by MPC as a use on review prior to development. As part of this review, MPC and City Engineering staff can address issues such as landscape screening, site lighting, traffic circulation, access, drainage and other potential development concerns, as well as compliance with the Northshore Town Center Design Guidelines. It will also give the opportunity for public comment at a public hearing.

4. It should be noted that the subject property is within 1,000 ft. of Northshore Drive, a Scenic Highway, as designated by the Scenic Highway System Act of 1971 (TCA 54-17-114). The act stipulates that the height limitations imposed by the act do not apply to properties zoned TC-1, or a similar zoning classification, such as RP-1, which requires development plan review and allows a mix of uses. Virtually all of the Northshore town center site would qualify under this provision.

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

1. RP-2 zoning is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational and cultural facilities which are integrated with the total project by unified architectural and open space treatment.

2. Additionally, the zoning states that each development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the Planning Commission by review of development plans. Staff maintains that RP-2 is the most appropriate zone for this development.

3. It should be expected that the development's design will be consistent with the design principles called for in the TC-1 (Town Center) 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 recommendation is compatible with surrounding development and will have a minimal impact on adjacent properties. Allowing higher density residential development within the Town Center will bring more residents to the area, further enhancing the viability of the overall development.

2. Approval of RP-2 zoning at the recommended density will allow the applicant to submit a development plan for up to 246 dwelling units for MPC's consideration. If developed with multi-dwelling attached residential uses as proposed, this would add approximately 2143 vehicle trips per day to the street system and would add approximately 38 children under the age of 18 to the school system.

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 approval of the One Year Plan amendment to HDR, RP-2 zoning at the requested density of 246 units would be consistent with the plan.

2. With approval of the Southwest County Sector Plan amendment to HDR, RP-2 zoning would be consistent with the plan. There is an accompanying sector plan amendment request for the site requesting a change from MU to HDR (4-G-14-SP).

3. The site is located within the Urban Growth Area (inside Knoxville City limits) 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: 2143 (average daily vehicle trips)

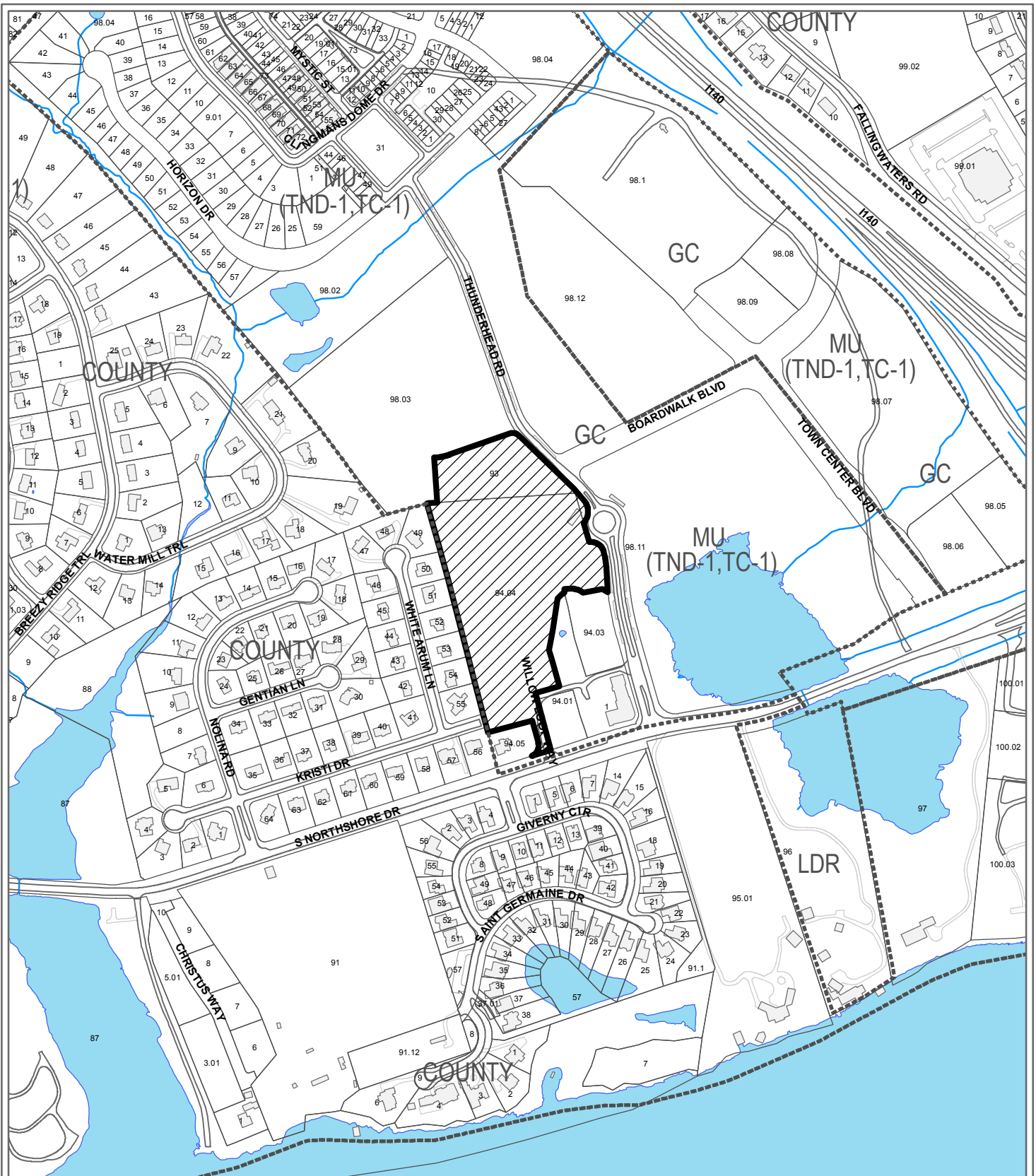
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ESTIMATED STUDENT YIELD: 38 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Northshore Elementary, West Valley Middle, and Bearden High.

- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.
- School capacities are subject to change by Knox County Schools through building additions, curriculum or scheduling changes, or amendments to attendance zone boundaries.

If approved, this item will be forwarded to Knoxville City Council for action on 5/13/2014 and 5/27/2014. 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.



**4-F-14-PA / 4-M-14-RZ
PLAN AMENDMENT**

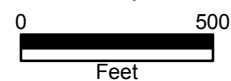
From: MU (Mixed Use) (TND-1) (TC-1)
To: HDR (High Density Residential)

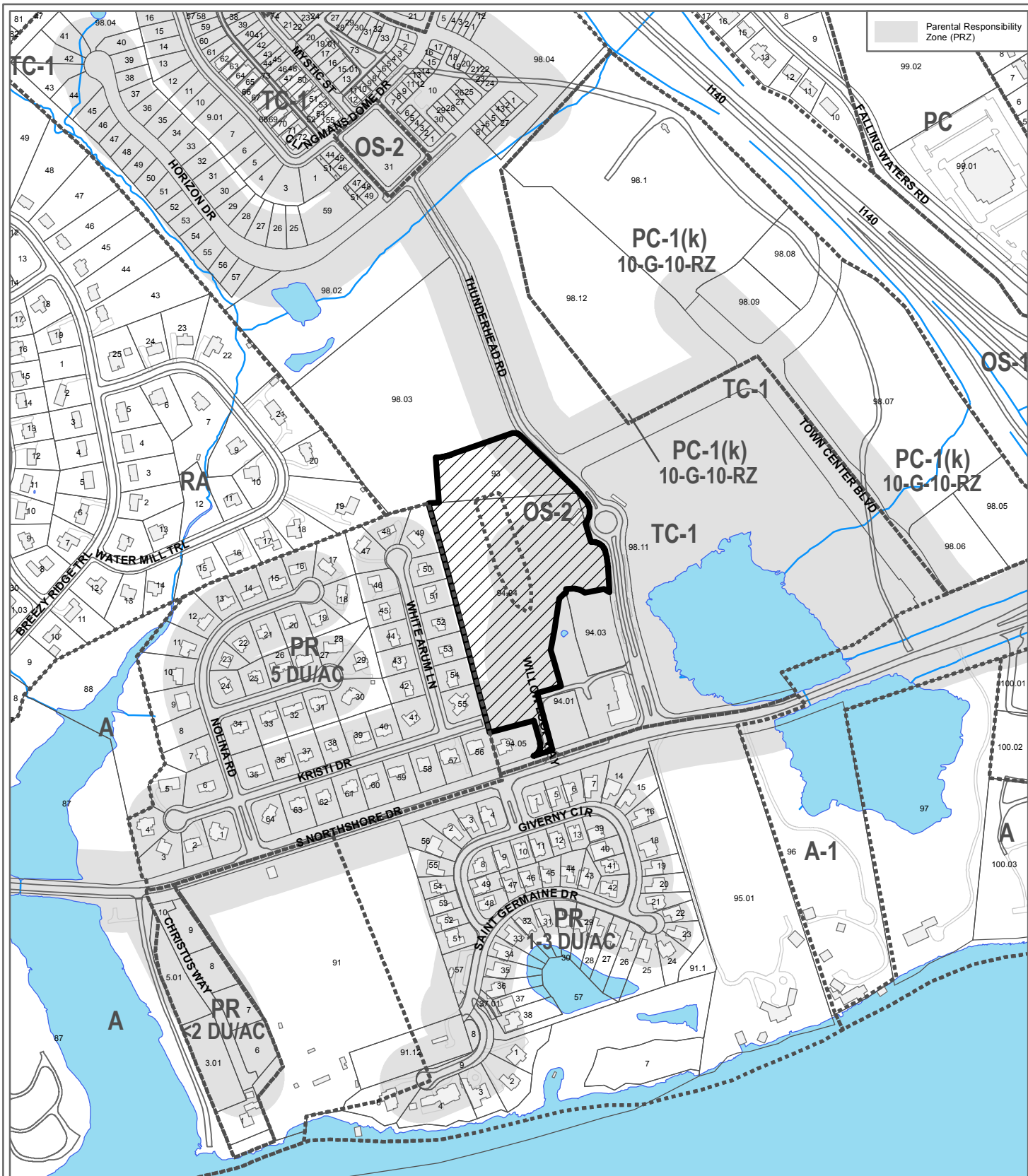


Petitioner: Knoxville City Council

Map No: 154
Jurisdiction: City

Original Print Date: 3/25/2014
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902





**4-M-14-RZ
REZONING**

From: OS-2 (Park and Open Space) & TC-1 (Town Center)
To: RP-2 (Planned Residential)



Original Print Date: 3/25/2014
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Knoxville City Council

Map No: 154
Jurisdiction: City





Fw: an April 10th agenda item

1 message

Bellsouth <lenedna@bellsouth.net>
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Fri, Mar 7, 2014 at 7:52 AM

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: apriljazz@charter.net
Sent: Friday, March 7, 2014 12:26 AM
To: lenedna@bellsouth.net
Subject: an April 10th agenda item

Hello Mr. Johnson

With your extensive architectural background, I am nervous to bring up the re-zoning issue in Northshore Town Center.

I do wonder why city council would send back a vote that was already made though.

I hope the city doesn't change your collective decision. It seems sort of rude to even try. I hope it backfires and more of you vote against the re-zoning than the first time...but I guess that is an unprofessional thing to say.

At any rate, thank you for your service as commissioner...it doesn't sound much fun.
April J.