



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

▶ **FILE #:** 4-C-14-SP

AGENDA ITEM #: 36

AGENDA DATE: 4/10/2014

▶ **APPLICANT:** SIGNAL MOUNTAIN GROUP, LLC

OWNER(S): Sean Thompson

TAX ID NUMBER: 69 I A 02701 PORTION DESIGNATED MDR ONLY

JURISDICTION: Council District 5

STREET ADDRESS: 4500 Fennel Rd

▶ **LOCATION:** Southeast end Fennel Rd., southeast of Elyria Dr.

▶ **APPX. SIZE OF TRACT:** 3.4 acres

SECTOR PLAN: North City

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

ACCESSIBILITY: Access is via Fennel Road, a local street, with approximately 18 ft. of pavement width, within 45 ft. of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** MDR (Medium Density Residential) & HP (Hillside/Ridge Top Protection Areas) / RP-1 (Planned Residential)

▶ **PROPOSED PLAN DESIGNATION:** GC (General Commercial) & HP (Hillside/Ridge Top Protection Areas)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Office/warehouses

EXTENSION OF PLAN DESIGNATION: Yes, from the northeast and southwest

HISTORY OF REQUESTS: Sector plan amendment to MDR/HP from LDR/HP was approved in 2010 (1-B-10-SP). Property was zoned C-6 at the time.

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Single family detached residential - LDR (Low Density Residential), HP (Hillside/Ridgetop Protection Areas)

South: Single-family attached residential - MU (Mixed Use) - SD (MU-NC 15), HP (Hillside/Ridgetop Protection Areas)

East: Bratten Electric Company - GC (General Commercial), HP (Hillside/Ridgetop Protection Areas)

West: Terminix Company, single-family detached dwellings - GC (General Commercial), MU (Mixed Use) -SD (MU-NC 15)

NEIGHBORHOOD CONTEXT The subject property, which is located in the southwest corner of the Inskip community, is situated in an area with a mix of commercial and office uses, single-family detached and attached residential uses, and light industrial development. Area zoning includes R-1, R-2, RP-1, O-1, C-3, C-6, and I-3.

STAFF RECOMMENDATION:

► **ADOPT RESOLUTION #4-C-14-SP, amending the North City Sector Plan to GC (General Commercial)/HP (Hillside/Ridgetop Protection Area), and recommend that City Council also adopt the amendment. (See attached resolution, Exhibit A.)**

The subject property was previously zoned C-6 until being rezoned in 2010 to RP-1 @ 16 dus/ac (file #1-C-10-RZ). Part of the property east of the extension of Fennel Road was approved under the C-6 review process and developed. At the time of rezoning, the sector plan classified the property as LDR (Low Density Residential), but this was changed to the correct plan designation, MDR (Medium Density Residential). Changing the sector plan to allow reconsideration of C-6 zoning is appropriate for this location.

COMMENTS:

Approval of the sector plan request for GC (General Commercial) and the companion One Year Plan and rezoning requests (file #4-C-14-PA and file #4-G-14-RZ) will allow the continued development of the subject property, consistent with a plan that was prepared under the previous C-6 zoning. Although the C-6 zone allows several uses, including those allowed under C-3 zoning, office/warehousing is being contemplated for the property at this time.

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

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

The development of the northeast end of the same parcel with a use allowed under C-6 and the property's location relative to other commercial office, and light industrial uses makes this request appropriate. A plan was developed under the previous C-6 zoning showing office/warehouse uses on the remaining portion of the parcel.

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 any of the streets surrounding this site, or the utilities serving the area. It should be noted that some improvement to Fennel Road may be required through review of a new C-6 plan as required by the zoning ordinance. The traffic count estimate included in this report is based on the previous plan developed for this property. Although the plan could be modified, the applicant's intent is to follow that plan.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The subject property is sandwiched between two GC sector plan designations, one of which covers the northeast end of Parcel 069IA02701. Prior to the current MDR designation, the property was zoned C-6, but classified as LDR. Although this request may not correct an error or omission in the plan, it would recognize the property's previous C-6 zoning, part of which has been developed with a commercial use.

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

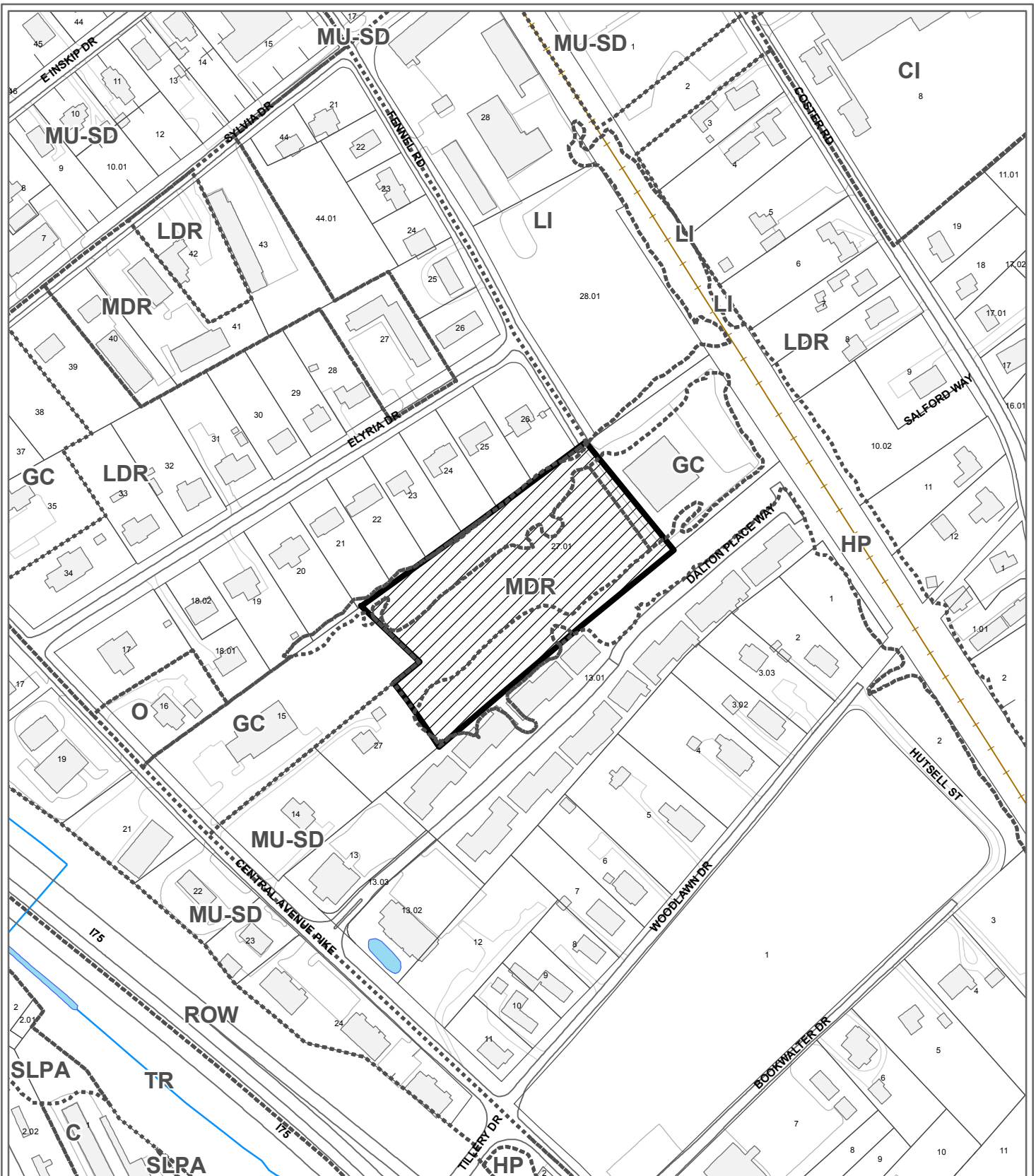
There has been no change in government policy as described by the General Plan. The surrounding area has been one where office, commercial and light industrial uses to the southwest and northeast have concentrated over the years.

ESTIMATED TRAFFIC IMPACT: 147 (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: Not applicable.

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-C-14-SP
NORTH CITY SECTOR PLAN AMENDMENT**

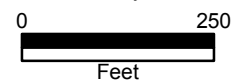


From: MDR (Medium Density Residential) & HP (Hillside/Ridge Top Protection Areas)
 To: GC (General Commercial) & HP (Hillside/Ridge Top Protection Areas)

Petitioner: Signal Mountain Group, LLC

Map No: 69

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 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, Signal Mountain Group, LLC, has submitted an application to amend the Sector Plan from MDR (Medium Density Residential)/HP (Hillside/Ridgetop Protection Area) to GC (General Commercial)/HP (Hillside/Ridgetop Protection Area), for property described in the application; and

WHEREAS, the Metropolitan Planning Commission staff recommends approval of an 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 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 North City Sector Plan, with its accompanying staff report and map, file #4-C-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-G-14-RZ
 4-C-14-PA

AGENDA ITEM #: 36
AGENDA DATE: 4/10/2014

▶ **APPLICANT:** SIGNAL MOUNTAIN GROUP, LLC
 OWNER(S): Sean Thompson

TAX ID NUMBER: 69 I A 02701 PORTION ZONED RP-1 ONLY

JURISDICTION: Council District 5

STREET ADDRESS: 4500 Fennel Rd

▶ **LOCATION:** Southeast end Fennel Rd., southeast of Elyria Dr.

▶ **TRACT INFORMATION:** 3.4 acres.

SECTOR PLAN: North City

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

ACCESSIBILITY: Access is via Fennel Road, a local street, with approximately 18 ft. of pavement width within 45 ft. 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) / RP-1 (Planned Residential) at up to 16 du/ac

▶ **PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial) / C-6 (General Commercial Park)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Office/warehouses

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, from the northeast and southwest

HISTORY OF ZONING REQUESTS: Property was rezoned from C-6 to RP-1 @ 16 du/ac (1-C-10-RZ) and from GC to MDR (1-A-10-PA) in 2010.

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

North: Single family detached residential - LDR - R-1 (Low Density Residential)

South: Single-family attached residential - MU-SD(MU-N15) - R-2 (General Residential)

East: Bratten Electric Company - GC - C-6 (General Commercial Park)

West: Terminix Company, single-family detached dwellings - GC, MU-SD(MU-N15) - C-6 (General Commercial Park), R-2 (General Residential)

NEIGHBORHOOD CONTEXT: The subject property, which is located in the southwest corner of the Inskip community, is situated in an area with a mix of commercial and office uses, single-family detached and attached residential uses, and light industrial development. Area zoning includes R-1, R-2, RP-1, O-1, C-3, C-6, and I-3.

STAFF RECOMMENDATION:

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

The subject property was previously designated GC (General Commercial), which allowed consideration of C-6 (General Commercial Park) zoning. Part of the property east of the extension of Fennel Road was approved under the C-6 review process and developed. Changing the One Year Plan to allow reconsideration of C-6 zoning for the portion of the site zoned RP-1 is appropriate.

► **RECOMMEND that City Council APPROVE C-6 (General Commercial Park) zoning**

COMMENTS:

Approval of the One Year Plan and rezoning requests and the companion sector plan request for GC (General Commercial) (file #4-C-14-SP) will allow the continued development of the subject property, consistent with a plan that was prepared under the previous C-6 zoning. Although the C-6 zone allows several uses, including those allowed under C-3 zoning, office/warehousing is being contemplated for the property at this time.

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT TO THE LAND USE PLAN (may meet any one of these):

A. **AN ERROR IN THE PLAN -** The subject property is sandwiched between two GC sector plan designations, one of which covers the northeast end of Parcel 069IA02701. Prior to the current MDR designation, the property was zoned C-6, but classified as LDR. Although this request may not correct an error or omission in the plan, it would recognize the property's previous C-6 zoning, part of which has been developed with a commercial use. (Please note that rezoning the property to RP-1 negated any approvals under the previous C-6 zoning.)

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 THE AREA -** No known improvements have been made recently to any of the streets surrounding this site, or the utilities serving the area. It should be noted that some improvement to Fennel Road may be required through review of a new C-6 plan as required by the zoning ordinance. The traffic count estimate included in this report is based on the previous plan developed for this property. Although the plan could be modified, the applicant's intent is to follow that plan.

C. **A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN -** No specific change in public policy has occurred to warrant this plan amendment. The surrounding area has been one where office, commercial and light industrial uses to the northeast and southwest have concentrated over the years.

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 this plan amendment. However, the request does represent a minor extension of the general commercial designation from the northeast and the southwest. The One Year Plan previously showed the site designated for GC development.

REZONING REQUIREMENTS FROM THE ZONING ORDINANCE (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 proposed zoning change will be compatible with the scale and intensity of similar commercial uses in the area.
2. The change represents a logical extension of C-6 zoning from two directions. As noted in the associated staff report for the sector plan amendment, the property was previously zoned and partially developed under C-6.

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

1. The C-6 zone, as described in the zoning ordinance, is for the orderly clustering and development of

commercial activities so that any adverse impact on surrounding uses and on the general flow of traffic can be ameliorated. Another purpose of the C-6 zone is to encourage the orderly and systematic development design providing the rational placement of activities, parking and auto circulation, pedestrian circulation, access and egress, and loading and landscaping. As such the rezoning of the property to C-6 is appropriate.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULTS FROM SUCH AMENDMENT:

1. The proposal will have no impact on schools. Any impact on area traffic volumes or patterns can be addressed through the C-6 site plan review process.
2. The C-6 zoning, with established development plan review standards, including requirements for landscaping, will reduce the property's impact on abutting and nearby development.

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. The One Year Plan shows the adjacent tract to the northeast designated for GC (General Commercial) and zoned C-6. The property to the southwest is also designated GC and zoned C-6. These proposals represent a logical extension of the same plan designation and zoning.
2. The property is located within the Urban Growth Area (City Limits of Knoxville) on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: 147 (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: Not applicable.

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-G-14-RZ
REZONING**

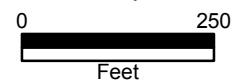
From: RP-1 (Planned Residential) at up to 16 du/ac
 To: C-6 (General Commercial Park)



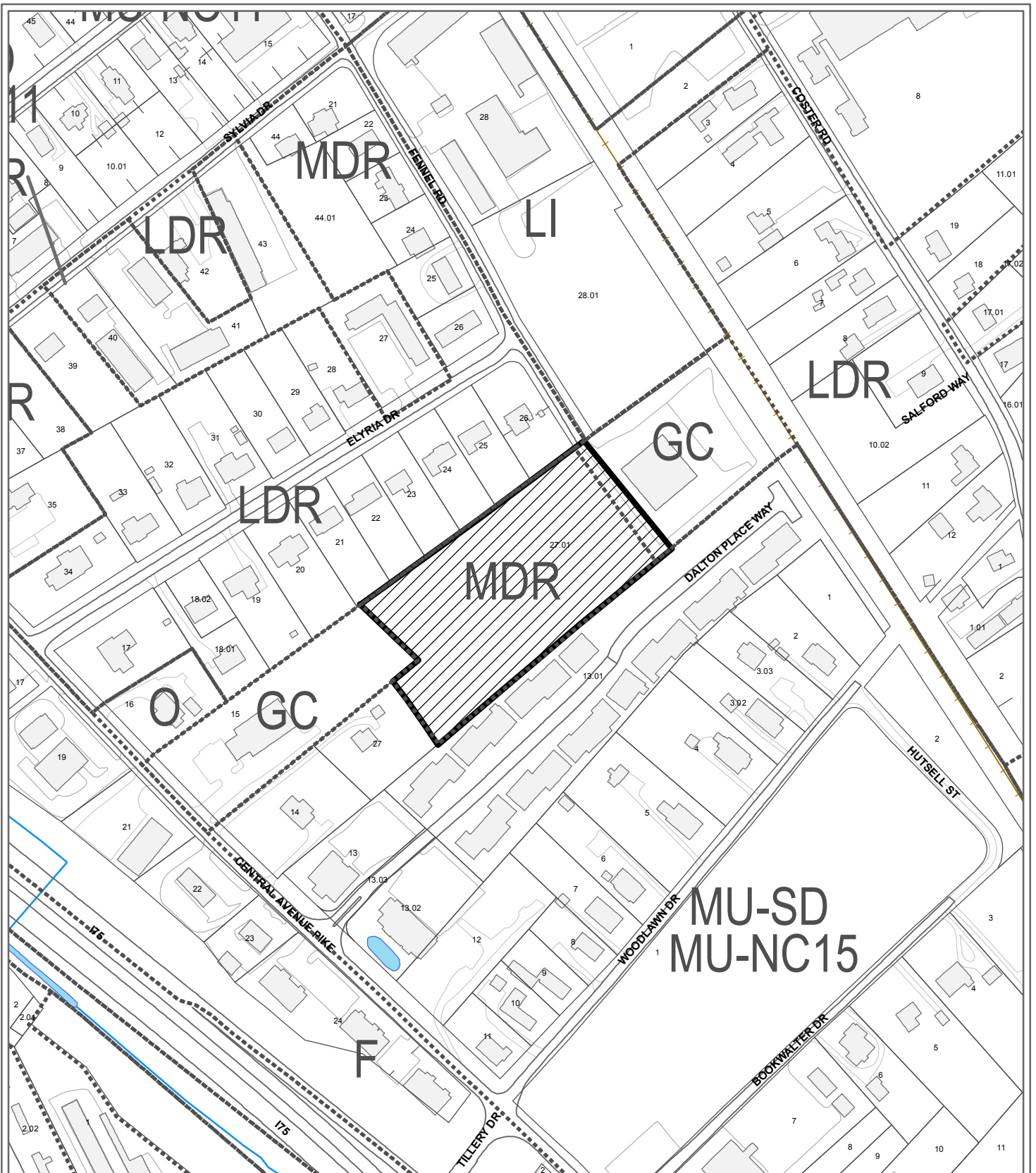
Petitioner: Signal Mountain Group, LLC

Map No: 69

Jurisdiction: City

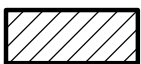


Original Print Date: 3/25/2014 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**4-C-14-PA / 4-G-14-RZ
PLAN AMENDMENT**

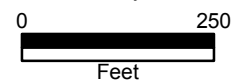
From: MDR (Medium Density Residential)
To: GC (General Commercial)



Petitioner: Signal Mountain Group, LLC

Map No: 69

Jurisdiction: City



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