



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

▶ **FILE #:** 10-B-14-SP

AGENDA ITEM #: 23

AGENDA DATE: 10/9/2014

▶ **APPLICANT:** CINDY BRADLEY

OWNER(S): Cindy Bradley

TAX ID NUMBER: 68 D E 011

JURISDICTION: Council District 5

STREET ADDRESS: 609 Cedar Ln

▶ **LOCATION:** Northwest side Cedar Ln., northeast of Rowan Rd.

▶ **APPX. SIZE OF TRACT:** 2.7 acres

SECTOR PLAN: North City

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

ACCESSIBILITY: Access is via Cedar Ln., a minor arterial street with 23-38' of pavement width within 35-85' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

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

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

▶ **EXISTING LAND USE:** Office

▶ **PROPOSED USE:** Business/professional office

EXTENSION OF PLAN DESIGNATION: No

HISTORY OF REQUESTS: None noted

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

South: House / LDR

East: Cedar Ln. - Attached and detached residential / MDR, LDR

West: Residential / LDR

NEIGHBORHOOD CONTEXT This site is located along Cedar Ln. in an area that is developed with low and medium density residential uses under R-1, R-1A, R-2 and RP-1 zoning. The residential development includes both attached and detached residential uses.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION # 10-B-14-SP, amending the North City Sector Plan to O (Office) and LDR (Low Density Residential) as shown on attached 'MPC Staff Recommendation Map' and recommend that City Council also adopt the amendment. (See attached Exhibit A.)**

Office uses will be compatible with the scale and intensity of surrounding development and zoning. The site is already developed with a church building containing offices, but the building is no longer used for church services, so is no longer appropriate for the CI designation. It is recommended that the sector plan be amended to LDR for the vacant, narrower portion of the site at the back of the site where it fronts on Ozark Ln. This area is not appropriate for office uses, as it is situated between two residential lots along a local neighborhood street. There is enough area that two residential lots could be created there in the future.

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 Cedar Ln. or utilities, but they are adequate to serve the proposed office uses. Public water and sewer utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The sector plan proposes civic and institutional uses for the site, based on the previous use as a church. Civic and institutional uses are similar in intensity to office uses. The LDR designation for the vacant, narrower portion of the site is an extension of LDR uses from three sides in an existing neighborhood.

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

No changes in government policy apply in this case, but Cedar Ln. is developed with and zoned for commercial uses just 800 feet southwest of the site. Office uses may be appropriate from this subject property southwest to the commercially zoned area as a transitional area between commercial and residential uses.

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

There is a trend toward allowing a mix of more intense uses along arterial streets, particularly in areas with houses that rely on the arterial street for access. Office uses are similar in intensity to CI uses and are compatible with residential uses.

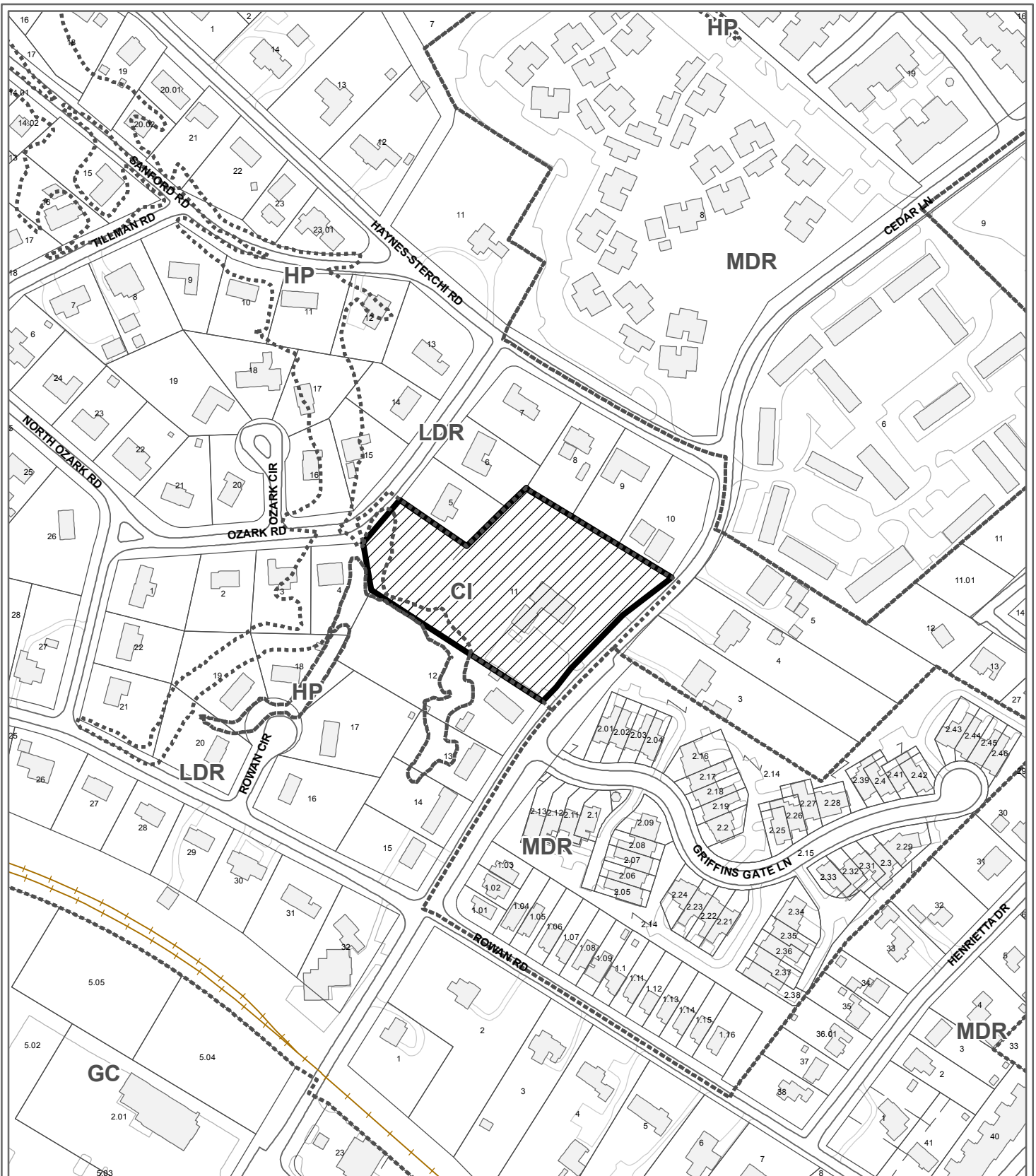
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

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 required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 11/11/2014 and 11/25/2014. 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.



**10-B-14-SP
NORTH CITY SECTOR PLAN AMENDMENT**

From: CI (Civic/Institutional)

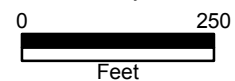
To: O (Office)



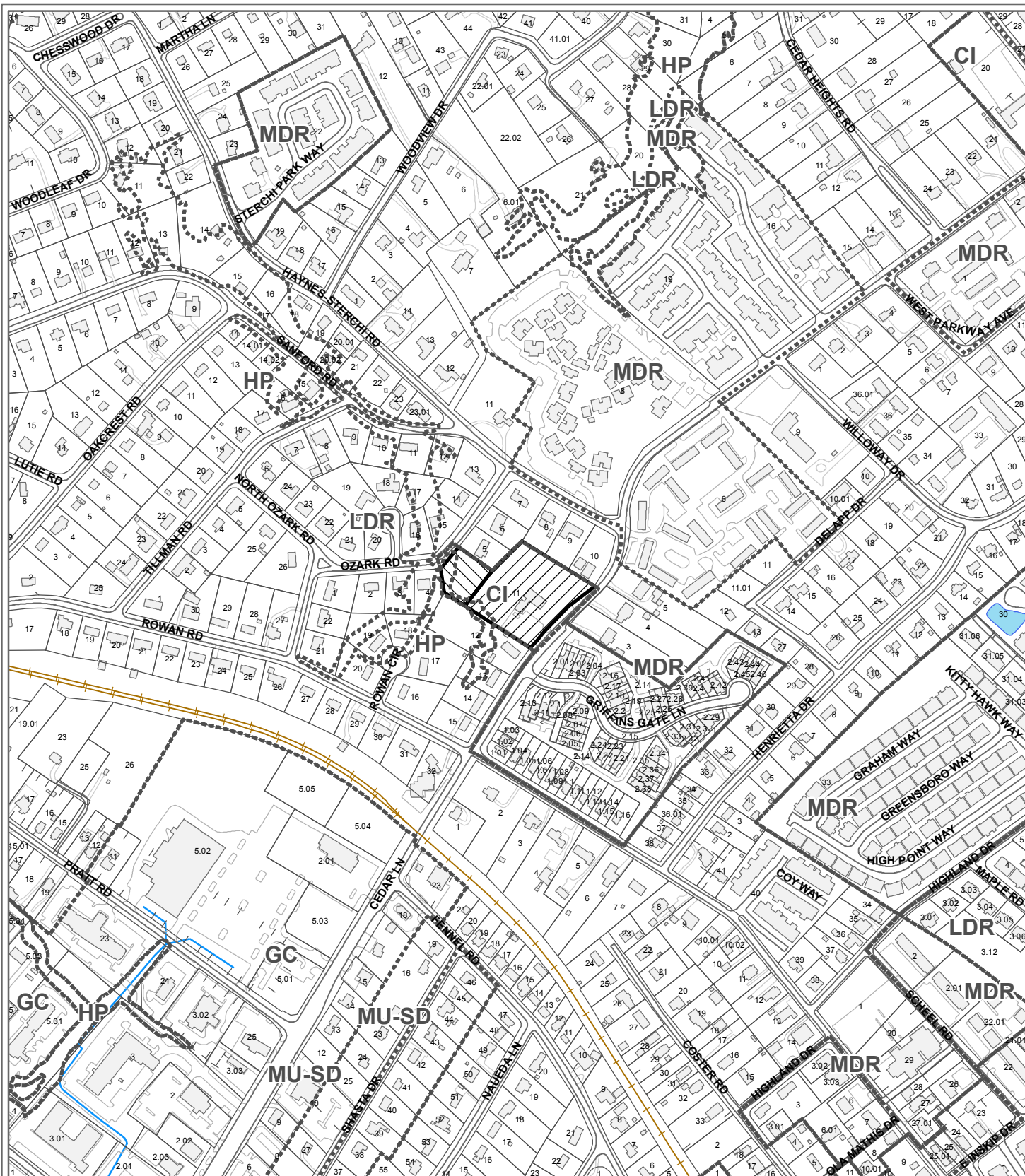
Petitioner: Bradley, Cindy

Map No: 68

Jurisdiction: City



Original Print Date: 9/22/2014 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**10-B-14-SP MPC STAFF RECOMMENDATION
NORTH CITY SECTOR PLAN AMENDMENT**

Petitioner: Bradley, Cindy



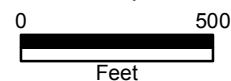
From: CI (Civic/Institutional)
To: O (Office)



From: CI (Civic/Institutional)
To: LDR (Low Density Residential)

Original Print Date: 10/1/2014
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Map No: 68
Jurisdiction: City



**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**, Cindy Bradley, has submitted an application to amend the Sector Plan from Civic and 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 October 9, 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 #10-B-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 #: 10-B-14-RZ
10-B-14-PA

AGENDA ITEM #: 23
AGENDA DATE: 10/9/2014

APPLICANT: CINDY BRADLEY
OWNER(S): Cindy Bradley

TAX ID NUMBER: 68 D E 011
JURISDICTION: Council District 5
STREET ADDRESS: 609 Cedar Ln

LOCATION: Northwest side Cedar Ln., northeast of Rowan Rd.

TRACT INFORMATION: 2.7 acres.

SECTOR PLAN: North City

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

ACCESSIBILITY: Access is via Cedar Ln., a minor arterial street with 23-38' of pavement width within 35-85' of right-of-way.

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

WATERSHED: Second Creek

PRESENT PLAN DESIGNATION/ZONING: LDR (Low Density Residential) / R-1 (Low Density Residential)

PROPOSED PLAN DESIGNATION/ZONING: O (Office) / O-1 (Office, Medical, and Related Services)

EXISTING LAND USE: Office

PROPOSED USE: Business/professional office

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Residential / LDR / R-1 (Low Density Residential)
South: House / LDR / R-1 (Low Density Residential)
East: Cedar Ln. - Attached and detached residential / LDR / RP-1 (Planned Residential) and R-2 (General Residential)
West: Residential / LDR / R-1 (Low Density Residential)

NEIGHBORHOOD CONTEXT: This site is located along Cedar Ln. in an area that is developed with low and medium density residential uses under R-1, R-1A, R-2 and RP-1 zoning. The residential development includes both attached and detached residential uses.

STAFF RECOMMENDATION:

- ▶ **RECOMMEND that City Council APPROVE O (Office) One Year Plan designation on a portion of the property. (See attached MPC staff recommendation map.)**

Office uses on the recommended portion of the site will be compatible with the scale and intensity of surrounding development and zoning. The site is already developed with a church building containing offices, but the building is no longer used for church services. Staff is recommending that the narrow northwest portion of the site remain designated LDR for future detached residential development. Allowing office uses within this area would not be appropriate because of the way in which that part of the site is situated within an existing residential subdivision with access to a local neighborhood street.

- ▶ **RECOMMEND that City Council APPROVE O-1 (Office, Medical & Related Services) zoning on a portion of the property, subject to 3 conditions. (See attached MPC staff recommendation map.)**

1. Approximately seven lined parking spaces are currently located within public right-of-way at the front of the site along Cedar Ln. These parking spaces must be removed, in accordance with policies of the Knoxville Department of Engineering. All required and other parking must be located within the subject parcel.
2. Part of the existing, lined parking lot to the southwest of the building is also located within public right-of-way. This parking area must be redesigned in such a way to remove all parking from within public right-of-way and reduce the width of the driveway entrance to Cedar Ln., in accordance with current requirements of the Knoxville Department of Engineering.
3. No access to the site shall be taken from Ozark Ln. along the northwest property line, except for driveway access to detached dwellings in the R-1 zone, as recommended by staff.

With the above recommended conditions, O-1 zoning is appropriate for the recommended portion of the site. O-1 zoning is compatible with the the scale and intensity of surrounding development and zoning pattern. If so desired, MPC could add a condition to exclude certain uses that may be deemed inappropriate at this particular location. This condition could read as follows: 'The following O-1 uses shall be prohibited on this site: (insert specific uses here)'.

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 sector plan proposes civic and institutional uses for the site, based on the previous use as a church. Civic and institutional uses are similar in intensity to office uses. The current LDR designation on the One Year Plan is not consistent with the sector plan or with the church building located at the site.
- 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 Cedar Ln. or area utilities, but they are adequate to serve the proposed office uses. Public water and sewer utilities are available to serve the site.
- C. **A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN** -No changes in government policy apply in this case, but Cedar Ln. is developed with and zoned for commercial uses just 800 feet southwest of the site. Office uses may be appropriate from this subject property southwest to the commercially zoned area as a transitional zone between commercial and residential 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.

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. O-1 zoning for the subject property creates a portion of a transitional area between commercial uses to the southwest and residential uses to the north and east.
2. O-1 uses are compatible with the surrounding land use and zoning pattern. The current R-1 zoning does not allow apartments or halfway houses, so, if MPC desires, a condition could be added to exclude these and

other uses deemed inappropriate for this location.

3. The site is already developed with a church building that has been there for quite some time. It is currently vacant and for sale. O-1 zoning will allow more flexibility in finding potential users for the 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, the recommended portion of the site is appropriate for O-1 zoning.
3. The narrow portion of the site is recommended to remain zoned R-1 to allow appropriate detached residential development within that area.

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 the surrounding land uses and zoning pattern.
2. The recommendation will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.
3. The existing streets are adequate to handle any additional traffic generated by allowing office uses on the site, and the site's location is appropriate for transitional office uses between commercial and residential uses.

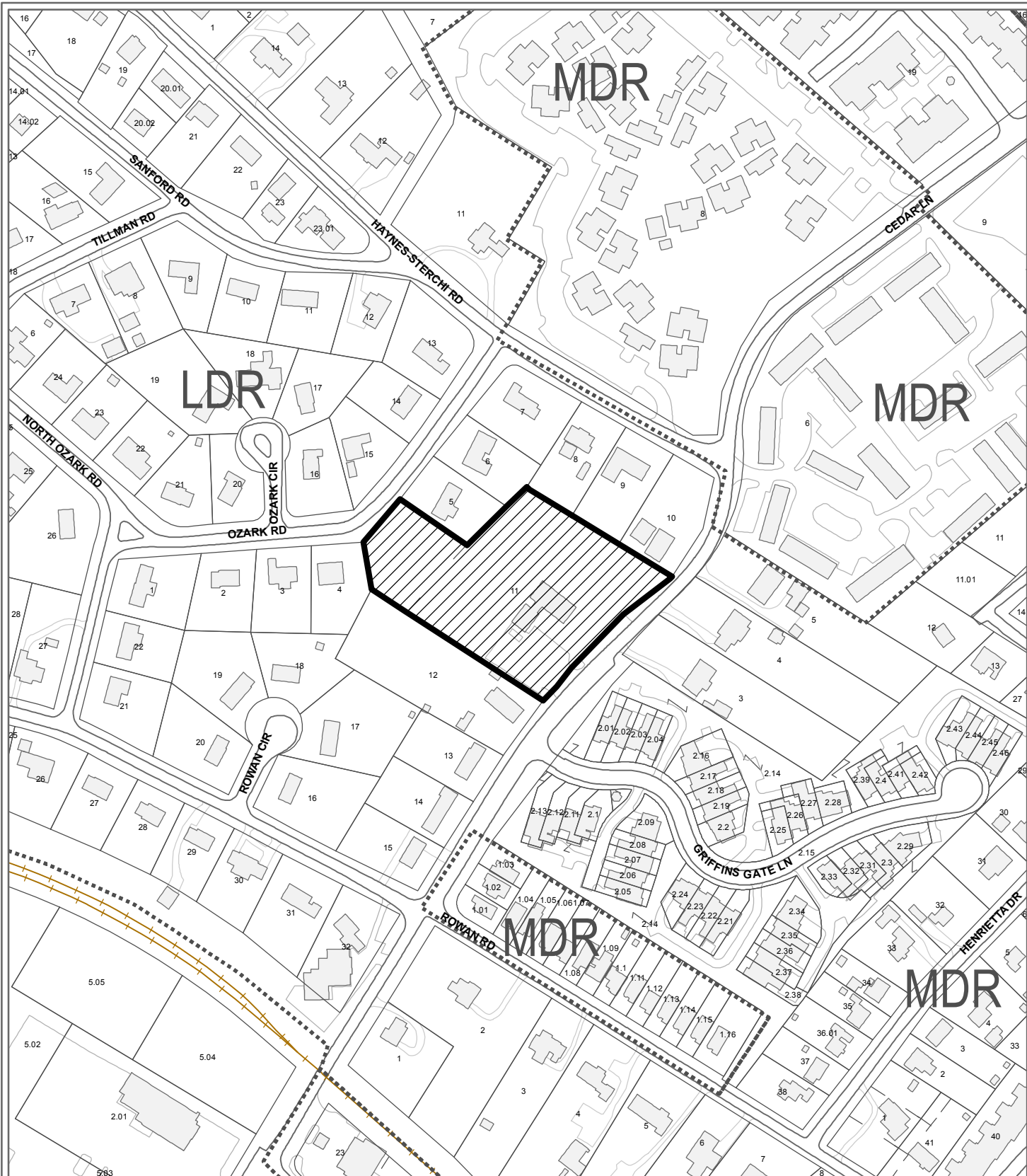
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. With the recommended amendment to the North City Sector Plan to office on the accompanying application (10-B-14-SP), O-1 zoning would be consistent with the plan.
2. With the recommended amendment of the City of Knoxville One Year Plan to O, the proposed O-1 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 required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 11/11/2014 and 11/25/2014. 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.



**10-B-14-PA / 10-B-14-RZ
PLAN AMENDMENT**

From: LDR (Low Density Residential)

To: O (Office)

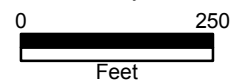


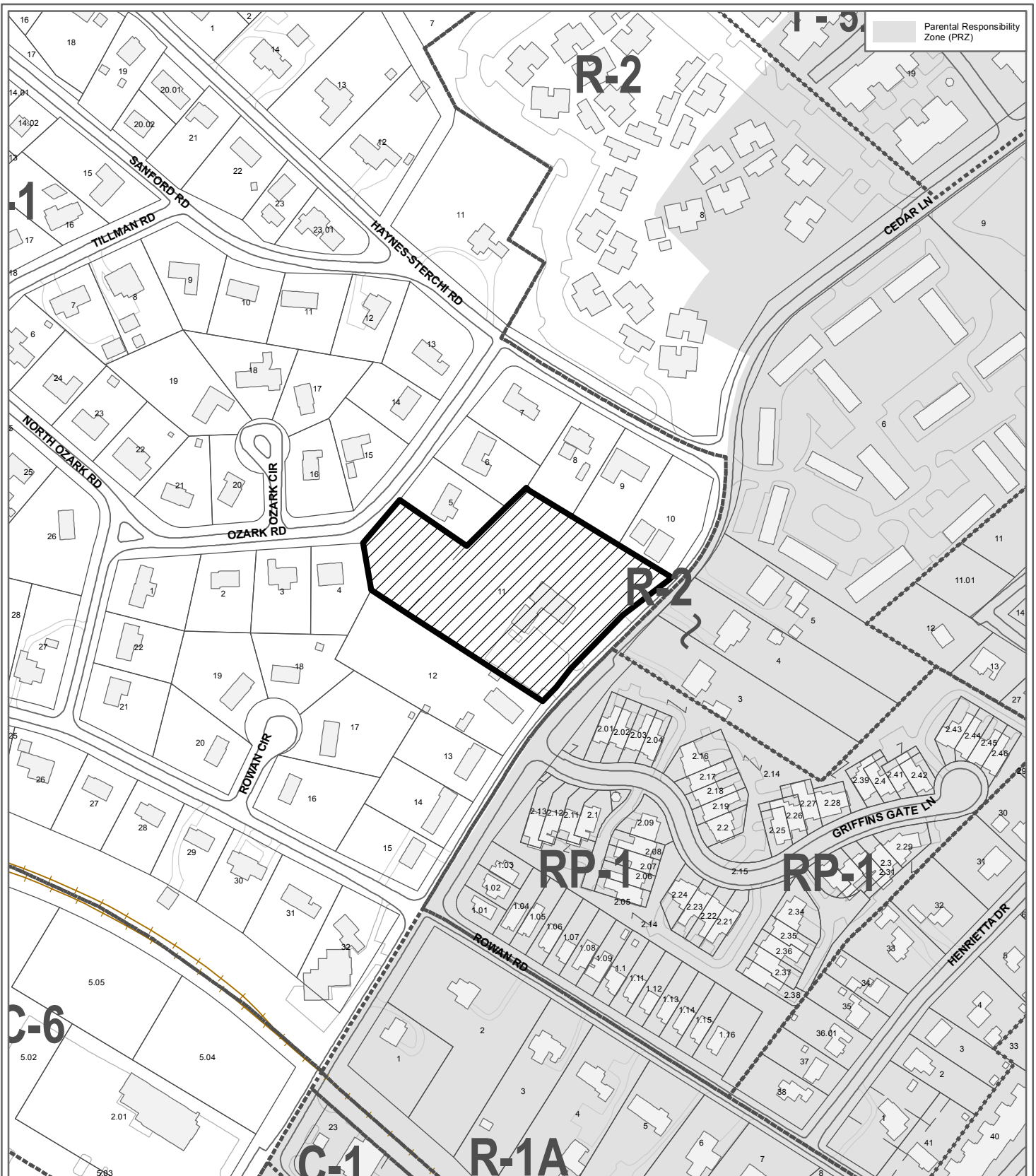
Original Print Date: 9/18/2014 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Bradley, Cindy

Map No: 68

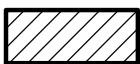
Jurisdiction: City





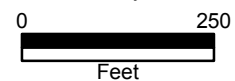
**10-B-14-RZ
REZONING**

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

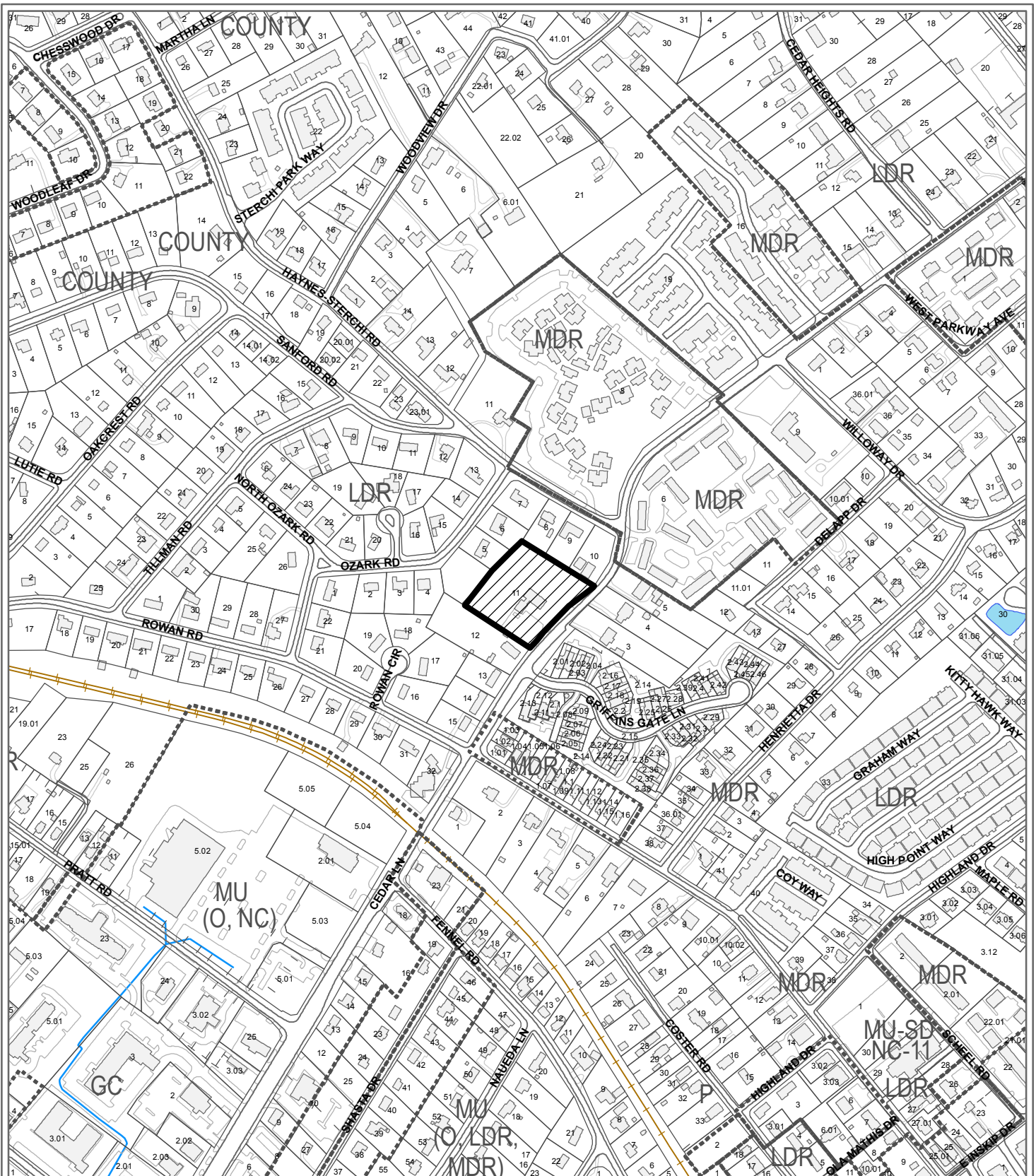


Petitioner: Bradley, Cindy

Map No: 68
Jurisdiction: City



Original Print Date: 9/22/2014 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**10-B-14-PA MPC STAFF RECOMMENDATION
KNOXVILLE ONE YEAR PLAN AMENDMENT**

From: LDR (Low Density Residential)

To: O (Office)

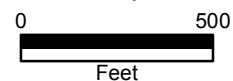


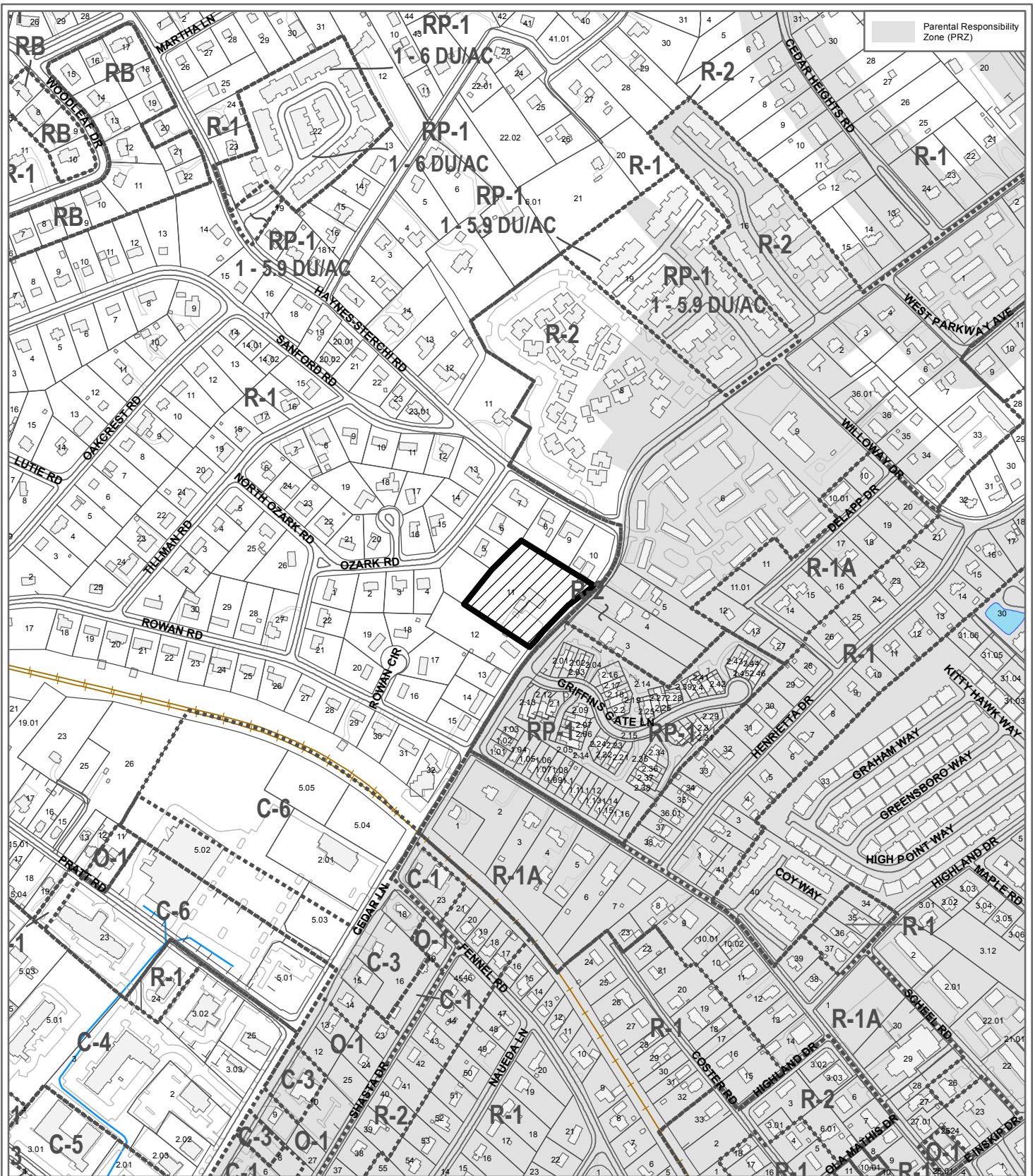
Original Print Date: 10/1/2014 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Bradley, Cindy

Map No: 68

Jurisdiction: City





**10-B-14-RZ MPC STAFF RECOMMENDATION
REZONING**

From: R-1 (Low Density Residential)

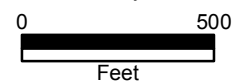
To: O-1 (Office, Medical, and Related Services)



Petitioner: Bradley, Cindy

Map No: 68

Jurisdiction: City



Original Print Date: 10/1/2014
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902