

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

▶ **FILE #:** 7-A-15-SP

AGENDA ITEM #: 38

AGENDA DATE: 7/9/2015

▶ **APPLICANT:** LYNN E. KECK

OWNER(S): Lynn E. Keck

TAX ID NUMBER: 69 P A 007

[View map on KGIS](#)

JURISDICTION: Council District 5

STREET ADDRESS: 300 Tillery Dr

▶ **LOCATION:** Southeast side Tillery Dr., southwest side Bounds Rd.

▶ **APPX. SIZE OF TRACT:** 0.32 acres

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Tillery Dr., a major collector street with 20' of pavement width within 40' of right-of-way, or Bounds Rd., a local street with 20' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** C (Commercial) / C-3 (General Commercial)

▶ **PROPOSED PLAN DESIGNATION:** MDR (Medium Density Residential)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Residential

EXTENSION OF PLAN DESIGNATION: Yes, extension of MDR from the northwest and southeast.

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Tillery Dr. - House, laundromat, mobile home park / MDR and LDR
 South: House - MDR/O

East: Bounds Rd. - House and apartments / C

West: Business / C & SLPA

NEIGHBORHOOD CONTEXT This area is developed with a mix of low and medium density residential, office and commercial development, under R-2, O-1 and C-3 zoning.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION # 7-A-15-SP, amending the Northwest City Sector Plan to MDR (Medium Density Residential) and recommend that City Council also adopt the sector plan amendment. (See attached resolution, Exhibit A.)**

Medium density residential uses will be compatible with the scale and intensity of surrounding development

and zoning. The proposed plan amendment is an extension of MDR uses from the northwest and southeast.

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 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 subject property is currently designated for general commercial uses, consistent with the current C-3 zoning. However, the site is surrounded by a mix of development and zoning, including R-2. This property may be appropriate for multiple uses.

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

This area is developed and zoned for a mix of uses. Public policy and previous zoning decisions have led to this zoning pattern in the area.

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

The mix of uses and zoning present in this area has been long established. This proposal will continue that trend.

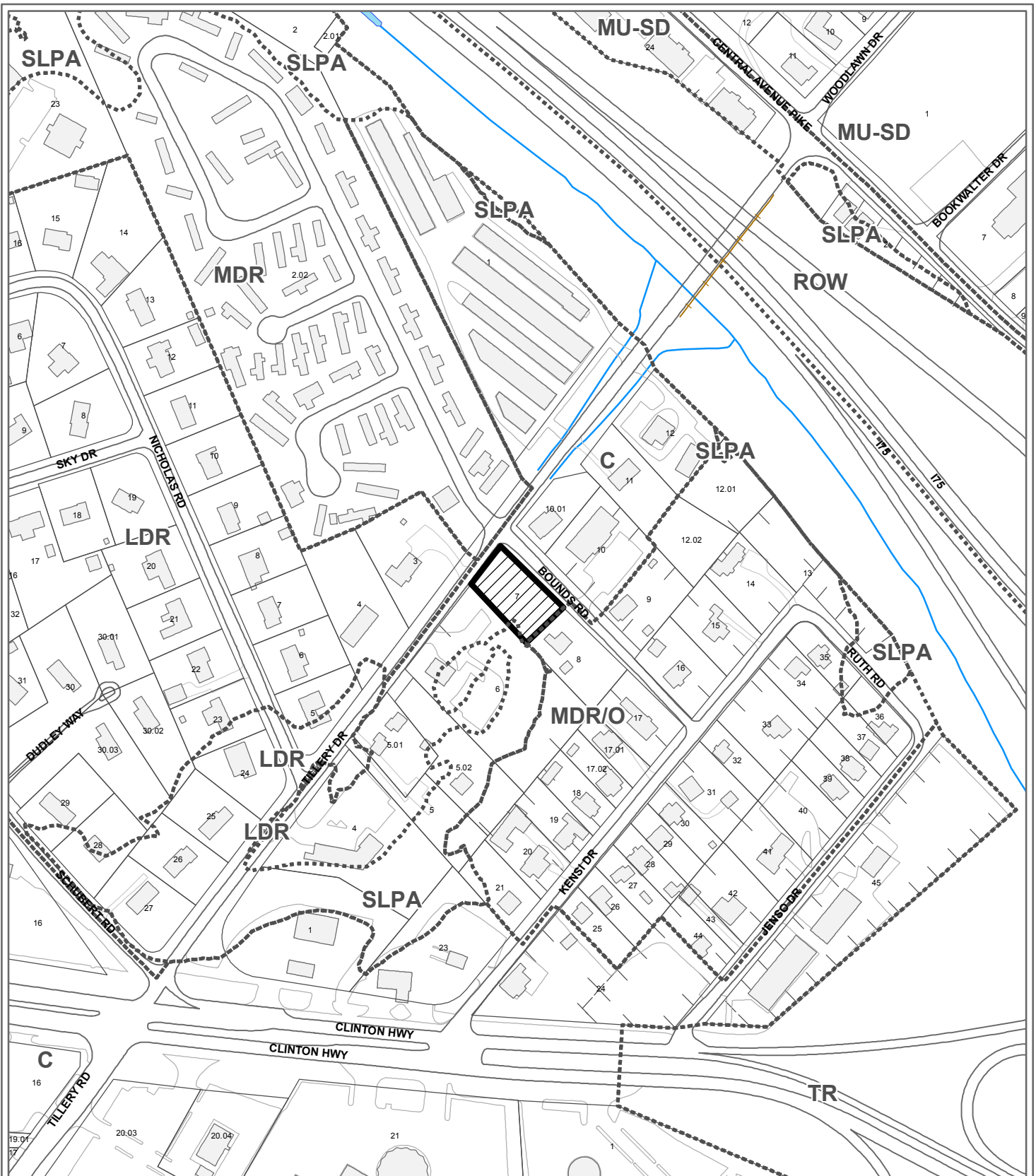
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

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 8/4/2015 and 8/18/2015. 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.



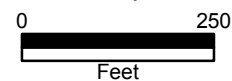
**7-A-15-SP
NORTHWEST CITY SECTOR PLAN AMENDMENT**

From: C (Commercial)
To: MDR (Medium Density Residential)



Petitioner: Keck, Lynn E.

Map No: 69
Jurisdiction: City



Original Print Date: 6/24/2015 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

**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, Lynn E. Keck, has submitted an application to amend the Sector Plan from General Commercial to Medium Density Residential, 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 9, 2015, 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-A-15-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-B-15-RZ
 7-A-15-PA

AGENDA ITEM #: 38
AGENDA DATE: 7/9/2015

▶ **APPLICANT:** LYNN E. KECK
 OWNER(S): Lynn E. Keck

TAX ID NUMBER: 69 P A 007 [View map on KGIS](#)

JURISDICTION: Council District 5

STREET ADDRESS: 300 Tillery Dr

▶ **LOCATION:** Southeast side Tillery Dr., southwest side Bounds Rd.

▶ **TRACT INFORMATION:** 0.32 acres.

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Tillery Dr., a major collector street with 20' of pavement width within 40' of right-of-way, or Bounds Rd., a local street with 20' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** GC (General Commercial) / C-3 (General Commercial)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** MDR (Medium Density Residential) / R-2 (General Residential)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Residential

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of MDR from the northwest across Tillery Dr.

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Tillery Dr. - House, laundromat, mobile home park / MU (MDR,O) / O-1 (Office, Medical & Related Services) & R-2 (General Residential)

South: House / C-3 (General Commercial)

East: Bounds Rd. - House and apartments / GC / R-2 (General Residential)

West: Business / GC / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of low and medium density residential, office and commercial development, under R-2, O-1 and C-3 zoning.

STAFF RECOMMENDATION:

- ▶ **RECOMMEND that City Council APPROVE MDR (Medium Density Residential) One Year Plan designation.**

Medium density residential uses will be compatible with the scale and intensity of surrounding development and zoning. The proposed plan amendment is an extension of MDR uses from the northwest and southeast.

- ▶ **RECOMMEND that City Council APPROVE R-2 (General Residential) zoning.**

R-2 zoning is a logical extension of zoning from the northeast and northwest and is consistent with the proposal for medium density residential uses on the One Year Plan and sector plan maps.

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 subject property is currently designated for general commercial uses, consistent with the current C-3 zoning. However, the site is surrounded by a mix of development and zoning, including R-2. This property may be appropriate for multiple uses.

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 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 area is developed and zoned for a mix of uses. Public policy and previous zoning decisions have led to this zoning pattern in the area.

D. NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT - There is no new information known that would have an impact on this plan amendment request.

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 request is an extension of R-2 zoning from the northwest and southeast and is compatible with the scale and intensity of surrounding development and zoning.
2. The subject property abuts an existing apartment development to the east, zoned C-3, and a mobile home park to the northwest, zoned R-2. The rezoning of this small site will have a minimal impact on surrounding properties.
3. R-2 is an extension of zoning from the northeast and northwest.

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

1. The requested R-2 zoning is a residential district to provide for medium population density. The principal uses of land may range from houses to low density multi-dwelling structures and developments. Certain uses, which are more compatible functionally with intensive residential uses than with commercial uses are permitted. Some recreational, religious, educational facilities and other related uses in keeping with the residential character of the district may be permitted on review by the planning commission. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and usable open space for dwellings and related facilities, and through consideration of the proper functional relationship to each use permitted in this district.
2. Based on the above description, R-2 is an appropriate zone for this site.

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. R-2 zoning will allow compatible development in the area.

2. The impact of the proposed rezoning should be minimal, as R-2 zoning and attached residential development are well established in the area.
3. Public water and sewer utilities are available to serve the site.

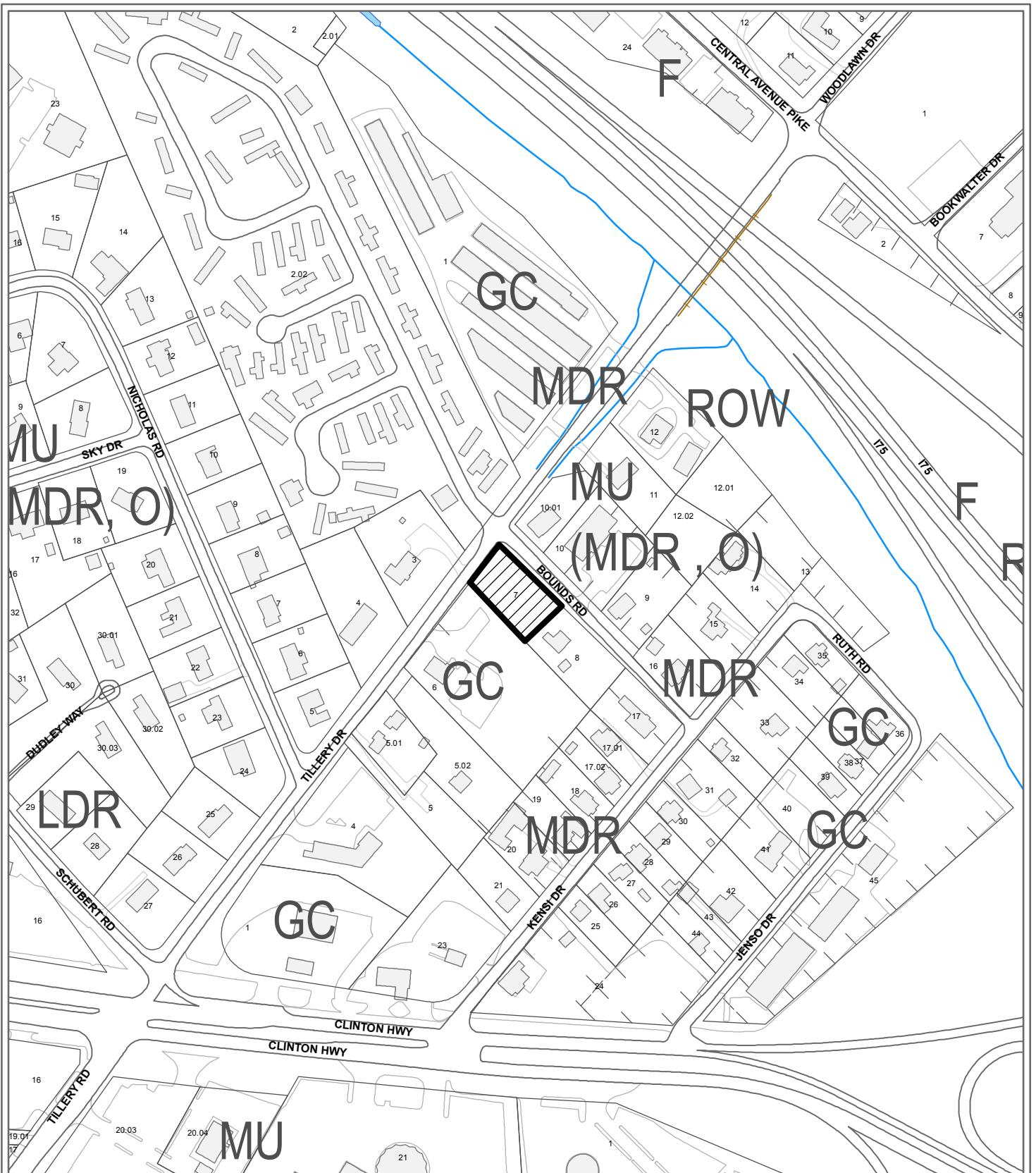
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. With the recommended amendments to the Northwest City Sector Plan and City of Knoxville One Year Plan to MDR, R-2 zoning will be consistent with the plans.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request may lead to future requests for R-2 zoning on surrounding properties, which may require plan amendments.
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 8/4/2015 and 8/18/2015. 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-A-15-PA / 7-B-15-RZ
PLAN AMENDMENT**

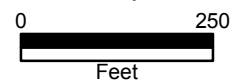
From: GC (General Commercial)
To: MDR (Medium Density Residential)



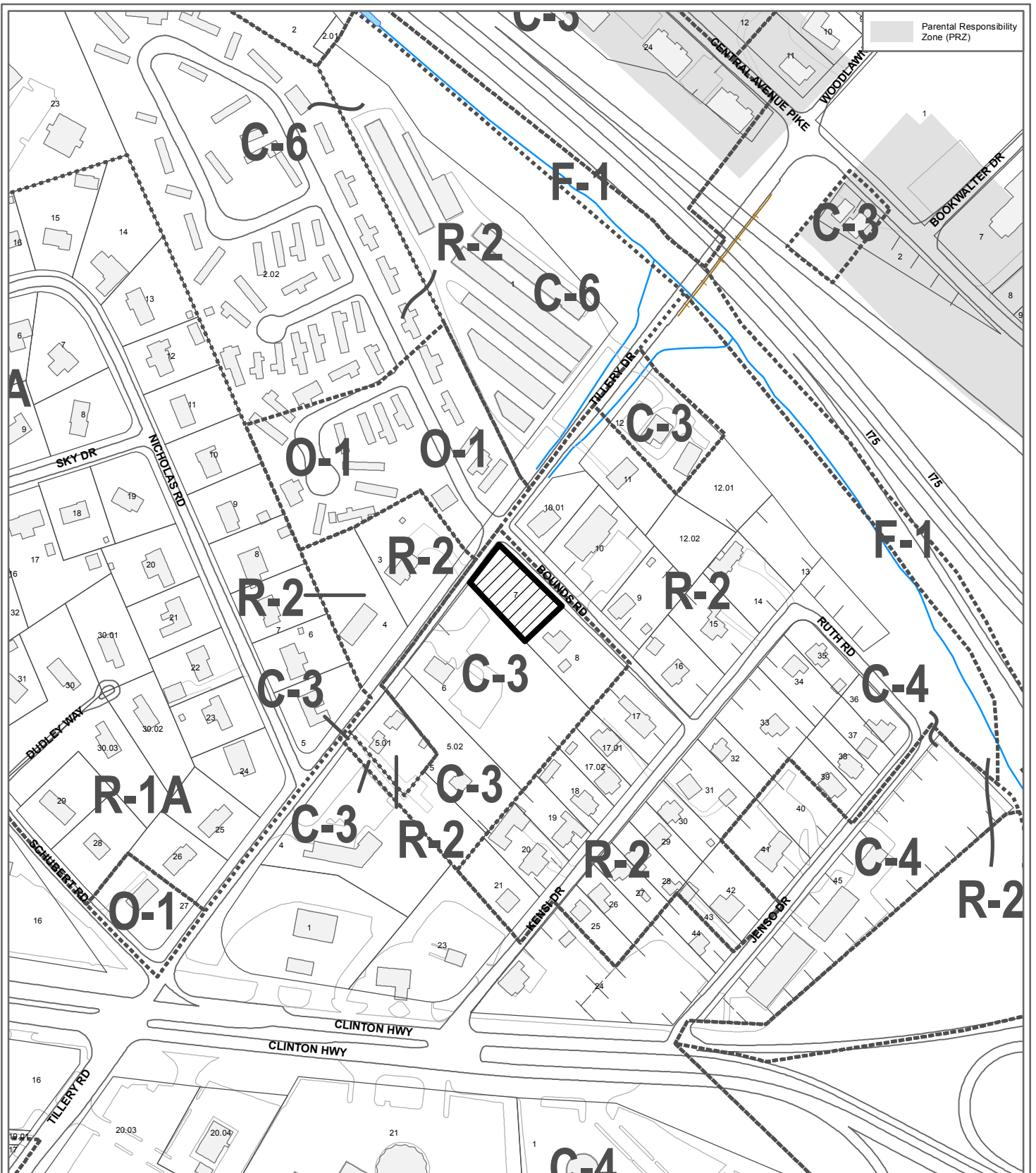
Petitioner: Keck, Lynn E.

Map No: 69

Jurisdiction: City



Original Print Date: 6/24/2015 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**7-B-15-RZ
REZONING**

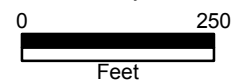
From: C-3 (General Commercial)
To: R-2 (General Residential)



Petitioner: Keck, Lynn E.

Map No: 69

Jurisdiction: City



Original Print Date: 6/24/2015 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902