



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

▶ **FILE #:** 3-E-16-RZ
3-E-16-SP

AGENDA ITEM #: 30
AGENDA DATE: 3/10/2016

▶ **APPLICANT:** DR. KERRI BENTLEY
OWNER(S): Victor K. Phillips III

TAX ID NUMBER: 162 M C 019 [View map on KGIS](#)
 JURISDICTION: Commission District 5
 STREET ADDRESS: 1615 Choto Rd
 ▶ **LOCATION:** South side Choto Rd., east side S. Northshore Dr.
 ▶ **TRACT INFORMATION:** 0.9 acres.
 SECTOR PLAN: Southwest County
 GROWTH POLICY PLAN: Planned Growth Area
 ACCESSIBILITY: Access is via Choto Rd., a minor collector street with 21' of pavement width within 60' of right-of-way, or S. Northshore Dr., a minor arterial street with 20' of pavement width within 90' of right-of-way.
 UTILITIES: Water Source: First Knox Utility District
 Sewer Source: First Knox Utility District
 WATERSHED: Tennessee River

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / A (Agricultural)
 ▶ **PROPOSED PLAN DESIGNATION/ZONING:** O (Office) / OA (Office Park)
 ▶ **EXISTING LAND USE:** Vacant
 ▶ **PROPOSED USE:** Doctor's office
 EXTENSION OF PLAN DESIGNATION/ZONING: No
 HISTORY OF ZONING REQUESTS: Proposals for commercial use have been either denied or withdrawn for the site in 2001, 2004 and 2010.
 SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
 North: Choto Rd., neighborhood shopping center / NC / CN (Neighborhood Commercial)
 South: Vacant land, house / LDR / A (Agricultural)
 East: Residential subdivision / LDR / PR (Planned Residential) at 1-3 du/ac
 West: S. Northshore Dr., residential subdivision / LDR / PR (Planned Residential) at 1-3 du/ac
 NEIGHBORHOOD CONTEXT: With the exception of the neighborhood commercial uses and zoning to the north, zoned CN, this area is developed with agricultural and rural to low density residential uses under A and PR zoning.

STAFF RECOMMENDATION:

- ▶ **ADOPT RESOLUTION #3-E-16-SP, amending the Southwest County Sector Plan to O (Office) and recommend the Knox County Commission also approve the sector plan amendment, to make it operative. (See resolution, Exhibit A.)**

Office uses at this site are appropriate on this one acre property located at the traffic circle intersection of Choto Rd. and S. Northshore Dr. Office uses would be compatible with the surrounding land use and zoning pattern. Adjacent to the traffic circle on the corner, the site is not desirable for the currently proposed LDR uses. Office use of site creates a transition between the CN zoned area to the north and the surrounding residential uses.

- ▶ **RECOMMEND that County Commission APPROVE OA (Office Park) zoning.**

OA zoning for this site creates a logical, transitional use between commercial uses to the north and surrounding residential uses. OA zoning only allows professional offices, which should have minimal impact on adjacent residential uses, while giving the applicant reasonable use of the site that is no longer desirable for residential use.

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:

The intersection of Choto Rd. and S. Northshore Dr. has recently been improved to a traffic circle, which impacted the potential use of this site. The close proximity to this traffic circle makes the site considerably less desirable for residential uses, but more desirable for an office use. Public water and sewer utilities are available in the area, but may need to be extended to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The property is currently designated for low density residential uses, consistent with its current Agricultural zoning. Office use for this site is appropriate considering its proximity to a traffic circle and neighborhood commercial uses to the north.

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

The property to the north was approved for a plan amendment to NC and rezoning to CN in 2009, establishing this intersection as a small non-residential node. Office use of this site creates a transitional area between the commercial and surrounding residential uses.

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

The development of the neighborhood commercial use to the north and the improvement of the intersection to a traffic circle are factors warranting reconsideration of the current LDR designation. Residential use of this site is no longer a desirable use at this location.

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. This site, which is located at the interection of minor collector and minor arterial streets adjacent to a traffic circle, is appropriate for office uses, as proposed by the applicant.
2. OA zoning will allow uses compatible with surrounding development and zoning.
3. OA zoning establishes a transitional area between neighborhood commercial to the north and residential surrounding uses.

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

1. OA zoning is compatible with surrounding residential areas and serves as a transitional area from

residential to other less compatible land uses. It allows for various professional, business, medical, dental and governmental offices.

2. Based on the above description, this site is appropriate for OA 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. Public water and sanitary sewer are available to serve the site.
2. The impact to the streets and school system will depend on the type of development proposed. The existing streets are sufficient to handle additional traffic that would be generated by uses permitted in the OA zoning district.
3. This proposed amendment of the zoning map will not adversely affect any other part of the County.

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 Southwest County Sector Plan, OA zoning will be consistent with the plan.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This proposal does not present any apparent conflicts with any other adopted plans.

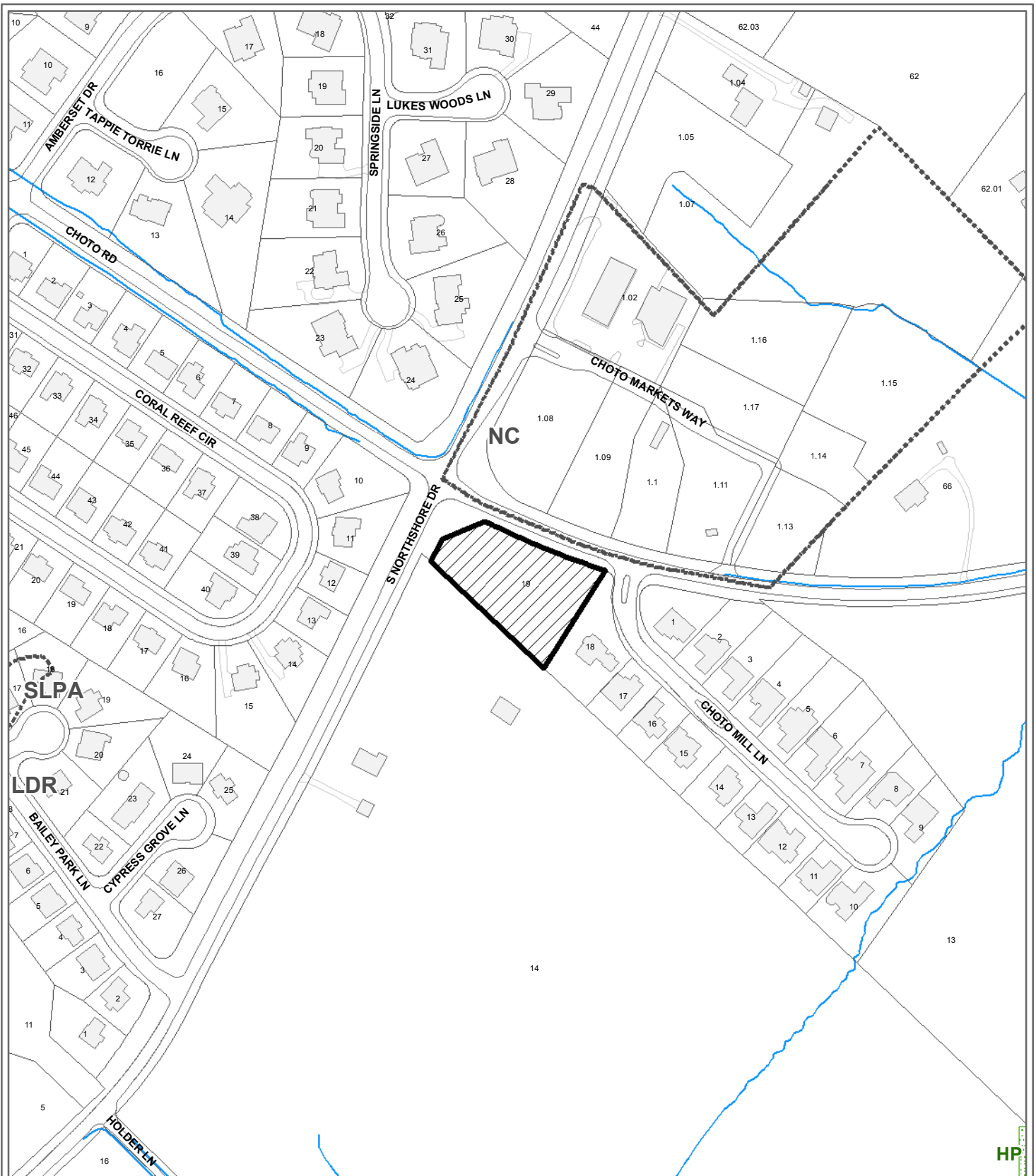
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law provides for two methods to amend the plan at TCA 13-3-304:

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 Knox County Commission for action on 4/25/2016. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**3-E-16-SP / 3-E-16-RZ
SOUTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)

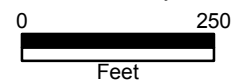


To: O (Office)

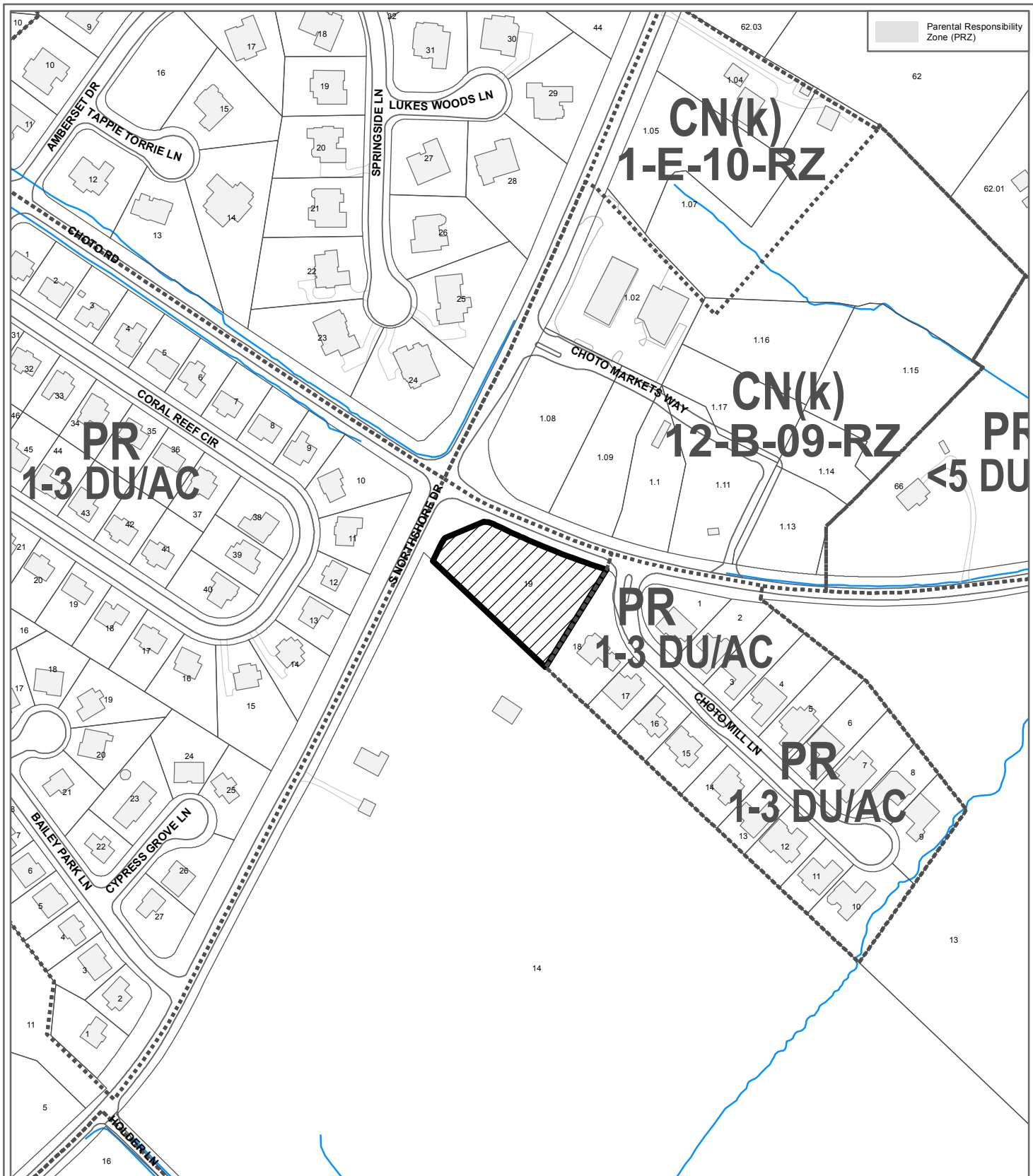
Petitioner: Dr. Kerri Bentley

Map No: 162

Jurisdiction: County

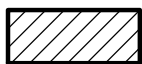


Original Print Date: 2/23/2016 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



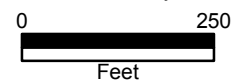
**3-E-16-RZ
REZONING**

From: A (Agricultural)
To: OA (Office Park)



Petitioner: Dr. Kerri Bentley

Map No: 162
Jurisdiction: County



Original Print Date: 2/23/2016
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**, Dr. Kerri Bentley, has submitted an application to amend the Sector Plan from Low Density Residential to Office, for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised 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 March 10, 2016, 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 #3-E-16-SP.

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

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

Date

Chairman

Secretary