



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

▶ **FILE #:** 10-E-16-SP

AGENDA ITEM #: 49

AGENDA DATE: 10/13/2016

▶ **APPLICANT:** RUFUS H. SMITH JR. & COMPANY
OWNER(S): SEC, LLC

TAX ID NUMBER: 69 E B 01302 [View map on KGIS](#)

JURISDICTION: Council District 4

STREET ADDRESS: 4421 Whittle Springs Rd

▶ **LOCATION:** Southwest side Whittle Springs Rd., southeast side Mineral Springs Ave.

▶ **APPX. SIZE OF TRACT:** 1 acres

SECTOR PLAN: East City

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

ACCESSIBILITY: Access is via Mineral Springs Ave., a minor arterial street with 27' of pavement width within 40' of right-of-way, or Whittle Springs Rd., a minor arterial street with 24' of pavement width within 50' of right-of-way.

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

WATERSHED: First Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** HDR (High Density Residential) / R-3 (High Density Residential)

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

▶ **EXISTING LAND USE:** Office

▶ **PROPOSED USE:** Office

EXTENSION OF PLAN DESIGNATION: Yes, extension of O designation from the north and west

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Mineral Springs Ave., houses and medical clinic / O
South: Apartments / HDR
East: Whittle Springs Rd., offices / O
West: Dental office / O

NEIGHBORHOOD CONTEXT This area is developed with a mix of office and residential uses under R-3 and O-1 zoning. Some commercial uses are located to the east, toward N. Broadway, zoned C-3.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION #10-E-16-SP, amending the East City Sector Plan to O (Office) and recommend that City Council also approve the sector plan amendment, to make it operative. (See resolution,**

Exhibit A.)

Office uses at this location would be a logical extension of the plan designation from the north and east. The surrounding area is developed with multi-dwelling attached residential uses and offices that are of similar intensity to the proposed 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:

No known improvements have been recently made to either of the access streets., but it is adequate to serve the recommended office uses. Public water and sewer utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

There are no apparent errors in the plan. The current plan proposes HDR uses for the site, consistent with the current R-3 zoning and previous uses on the site.

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

With the established commercial zoning pattern to the west and the surrounding office and high density residential uses, office uses and zoning are appropriate for the subject property in this transitional area.

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

No new information has become available to reveal the need for a plan amendment. The current zoning pattern of similar intensity uses has long been established in this area, making this site appropriate for transitional office uses.

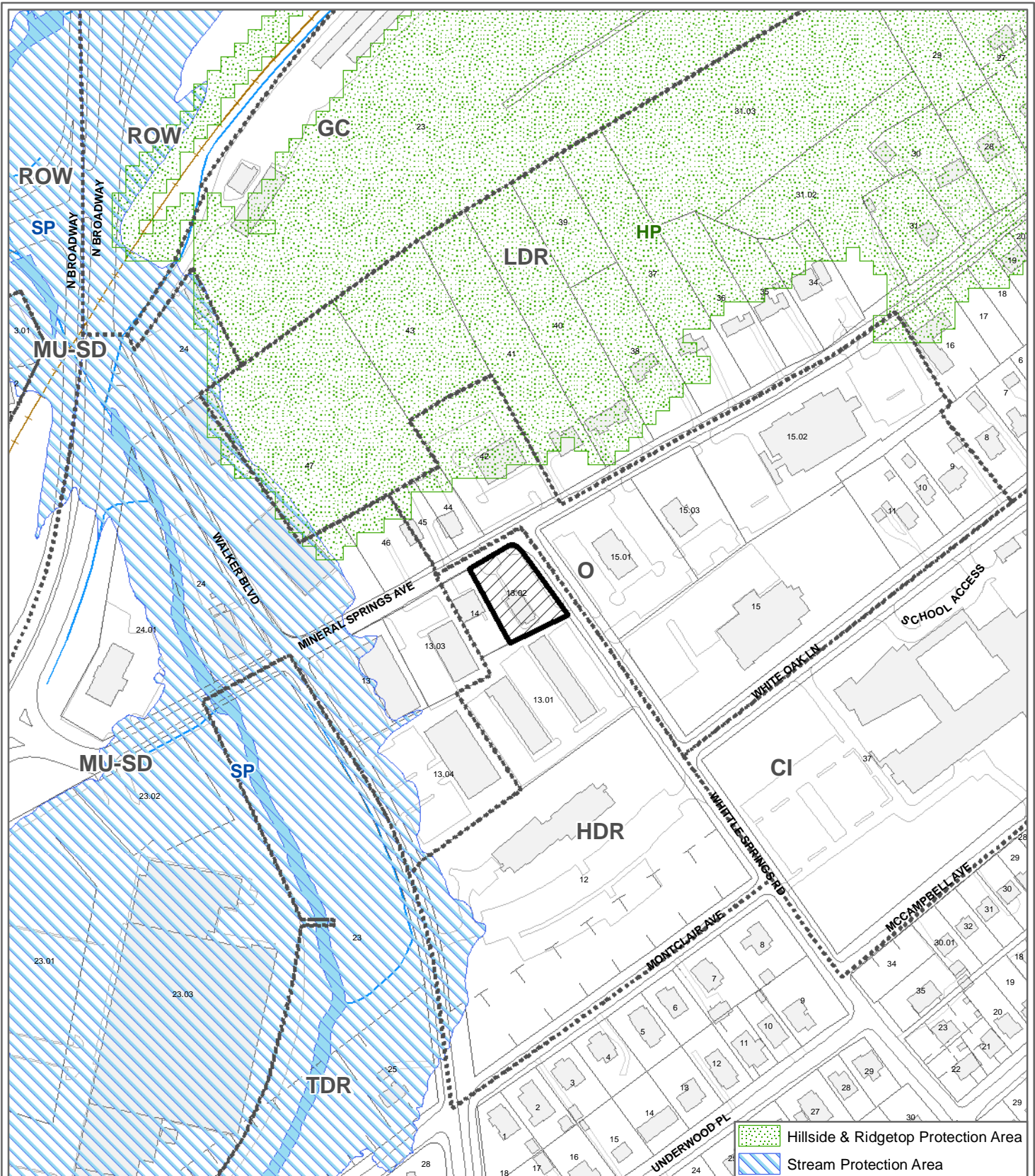
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

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 11/8/2016 and 11/22/2016. 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.



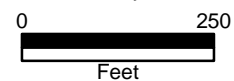
**10-E-16-SP
EAST CITY SECTOR PLAN AMENDMENT**

From: HDR (High Density Residential)
To: O (Office)



Petitioner: Rufus H. Smith Jr. & Company

Map No: 69
Jurisdiction: City



Original Print Date: 9/22/2016 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE EAST 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 East 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, Rufus H. Smith & Company, has submitted an application to amend the Sector Plan from High 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 East 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 13, 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 East City Sector Plan, with its accompanying staff report and map, file #10-E-16-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

East City Sector

KNOXVILLE-KNOX COUNTY

MPC

METROPOLITAN
PLANNING
COMMISSION
TENNESSEE

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
FAX • 215 • 2068
www.knoxmpc.org

REZONING PLAN AMENDMENT

Name of Applicant: Robert H. Smith & Co.

Date Filed: 8/24/16 Meeting Date: Oct. 13, 2016

Application Accepted by: Brusseau

Fee Amount: 1000 File Number: Rezoning ~~10-1-16-13~~

Fee Amount: 0 File Number: Plan Amendment 16-E-16-157

PROPERTY INFORMATION

Address: 2421 Whittle Springs Rd
General Location: at intersection of Whittle Springs Rd & Mineral Spring W.

Parcel ID Number(s): 069EB 01302

Tract Size: < 1.0 ac
Existing Land Use: Office
Planning Sector: East City
Growth Policy Plan: Inside City
Census Tract: 16
Traffic Zone: 26
Jurisdiction: City Council 4th District
 County Commission District

Requested Change REZONING

FROM: _____

TO: _____

PLAN AMENDMENT

One Year Plan East City Sector Plan

FROM: HDR

TO: 0

PROPOSED USE OF PROPERTY

Office
Density Proposed _____ Units/Acre
Previous Rezoning Requests: None noted

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT
Name: Josh Sanderton
Company: Primos Land Co. LLC
Address: 4909 Ballard
City: Knoxville State: TN Zip: 37931
Telephone: 865-694-7756
Fax: 865-693-9699
E-mail: Josh@rhcoco.com

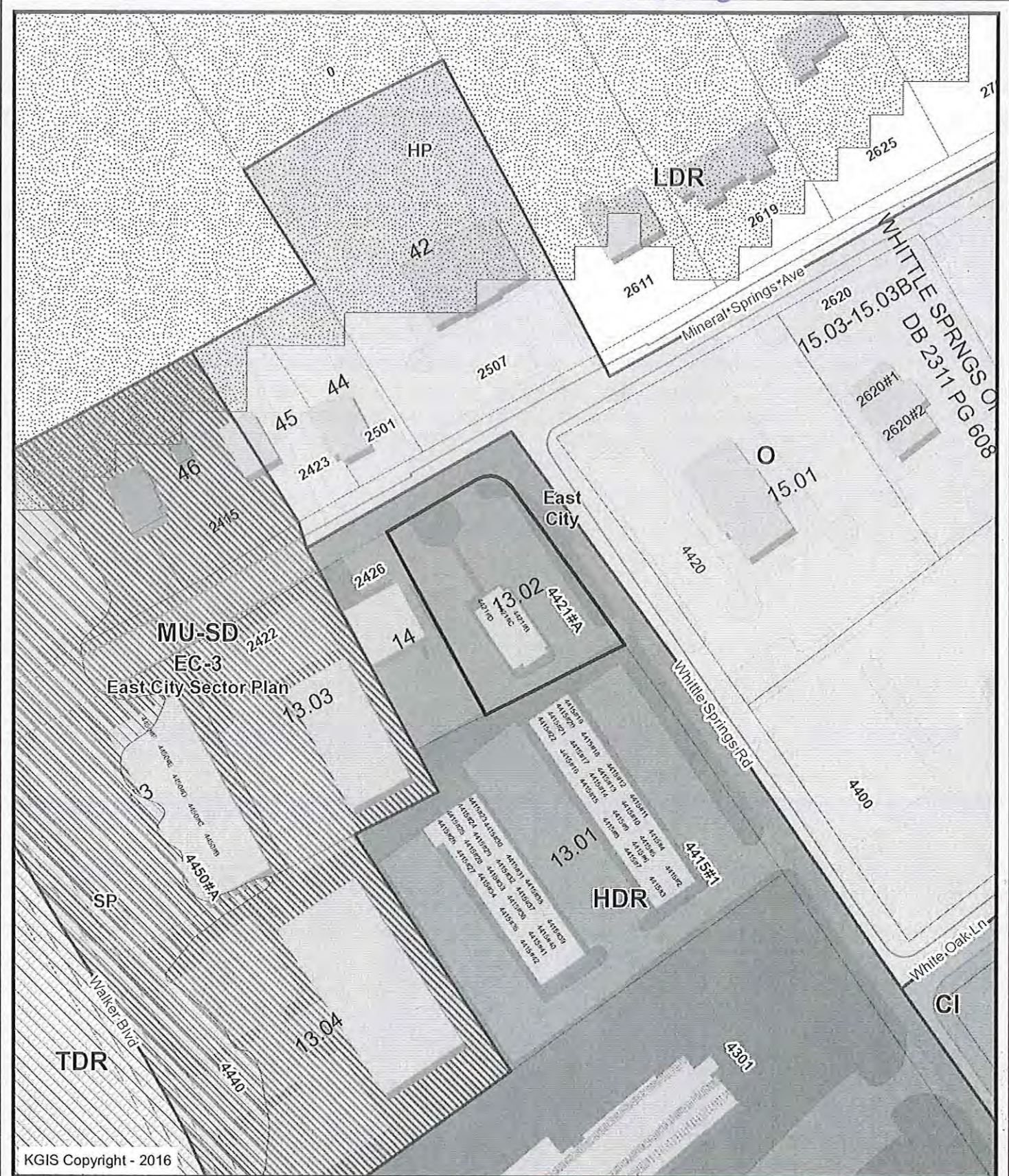
APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:
PLEASE PRINT
Name: Wanis A. Rghebi
Company: SBC, LLC
Address: 4909 Ballard
City: Knoxville State: TN Zip: 37931
Telephone: 865-694-7756
Fax: 865-693-9699
E-mail: wrghebi@sengconsultants.com

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.
Signature: Wanis A. Rghebi
PLEASE PRINT
Name: WANIS A. Rghebi
Company: SBC
Address: 4909 Ballard Rd
City: KNOX State: TN Zip: 37931
Telephone: 865-694-7756
E-mail: wrghebi@sengconsultants.com

SP: HDR to O

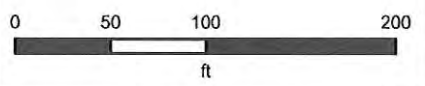


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**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 10-I-16-RZ
10-D-16-PA

AGENDA ITEM #: 49
AGENDA DATE: 10/13/2016

▶ **APPLICANT:** RUFUS H. SMITH JR. AND COMPANY
OWNER(S): SEC, LLC

TAX ID NUMBER: 69 E B 01302 [View map on KGIS](#)

JURISDICTION: Council District 4

STREET ADDRESS: 4421 Whittle Springs Rd

▶ **LOCATION:** Southwest side Whittle Springs Rd., southeast side Mineral Springs Ave.

▶ **TRACT INFORMATION:** 1 acres.

SECTOR PLAN: East City

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

ACCESSIBILITY: Access is via Mineral Springs Ave., a minor arterial street with 27' of pavement width within 40' of right-of-way, or Whittle Springs Rd., a minor arterial street with 24' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** HDR (High Density Residential) / R-3 (High Density Residential)

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

▶ **EXISTING LAND USE:** Office

▶ **PROPOSED USE:** Office

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of O plan designation and O-1 zoning from the north and east

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, North: Mineral Springs Ave., houses and medical clinic / O / O-1 (Office, Medical & Related Services)

ZONING South: Apartments / HDR / R-3 (High Density Residential)

East: Whittle Springs Rd., offices / O / O-1 (Office, Medical & Related Services)

West: Dental office / O / R-3 (High Density Residential)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of office and residential uses under R-3 and O-1 zoning. Some commercial uses are located to the east, toward N. Broadway, zoned C-3.

STAFF RECOMMENDATION:

► **RECOMMEND that City Council APPROVE O (Office) One Year Plan designation.**

Office uses at this location would be a logical extension of the plan designation from the north and east. The surrounding area is developed with multi-dwelling attached residential uses and offices that are of similar intensity to the proposed use.

► **RECOMMEND that City Council APPROVE O-1 (Office, Medical & Related Services) zoning.**

O-1 zoning will create a transitional area between commercial uses to the south and residential uses to the north. O-1 zoning is compatible with the scale and intensity of surrounding development and zoning pattern. O-1 zoning is similar or lesser in intensity to the current R-3 zoning and is equally appropriate as a transitional land use. The recommended amendment to the One Year Plan and sector plan both support office uses at this location.

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** - There are no apparent errors in the plan. The current plan proposes HDR uses for the site, consistent with the current R-3 zoning and previous uses on 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 either of the access streets., but it is adequate to serve the recommended office uses. Public water and sewer utilities are available to serve the site.
- C. **A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN** - With the established commercial zoning pattern to the west and the surrounding office and high density residential uses, office uses and zoning are appropriate for the subject property in this transitional area.
- 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. The current zoning pattern of similar intensity uses has long been established in this area, making this site appropriate for transitional office uses.

The applicant proposes to establish office uses at this location. Only medical offices are permitted in the current R-3 zoning, and are subject to use on review approval by MPC. O-1 zoning will allow the existing building to be used for all types of office uses, making it more marketable.

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 adds to transitional area between commercial uses to the west and residential uses to the east.
- 2. O-1 uses are compatible with the surrounding land use and zoning pattern.
- 3. O-1 is a logical extension of zoning from the north and west.
- 4. The existing building on site has adequate space and parking to accommodate either office or residential use, both of which are permitted by the requested O-1 zoning.

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, this site is appropriate for O-1 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 recommended O-1 zoning is compatible with the surrounding land uses and zoning pattern.

2. O-1 zoning 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.

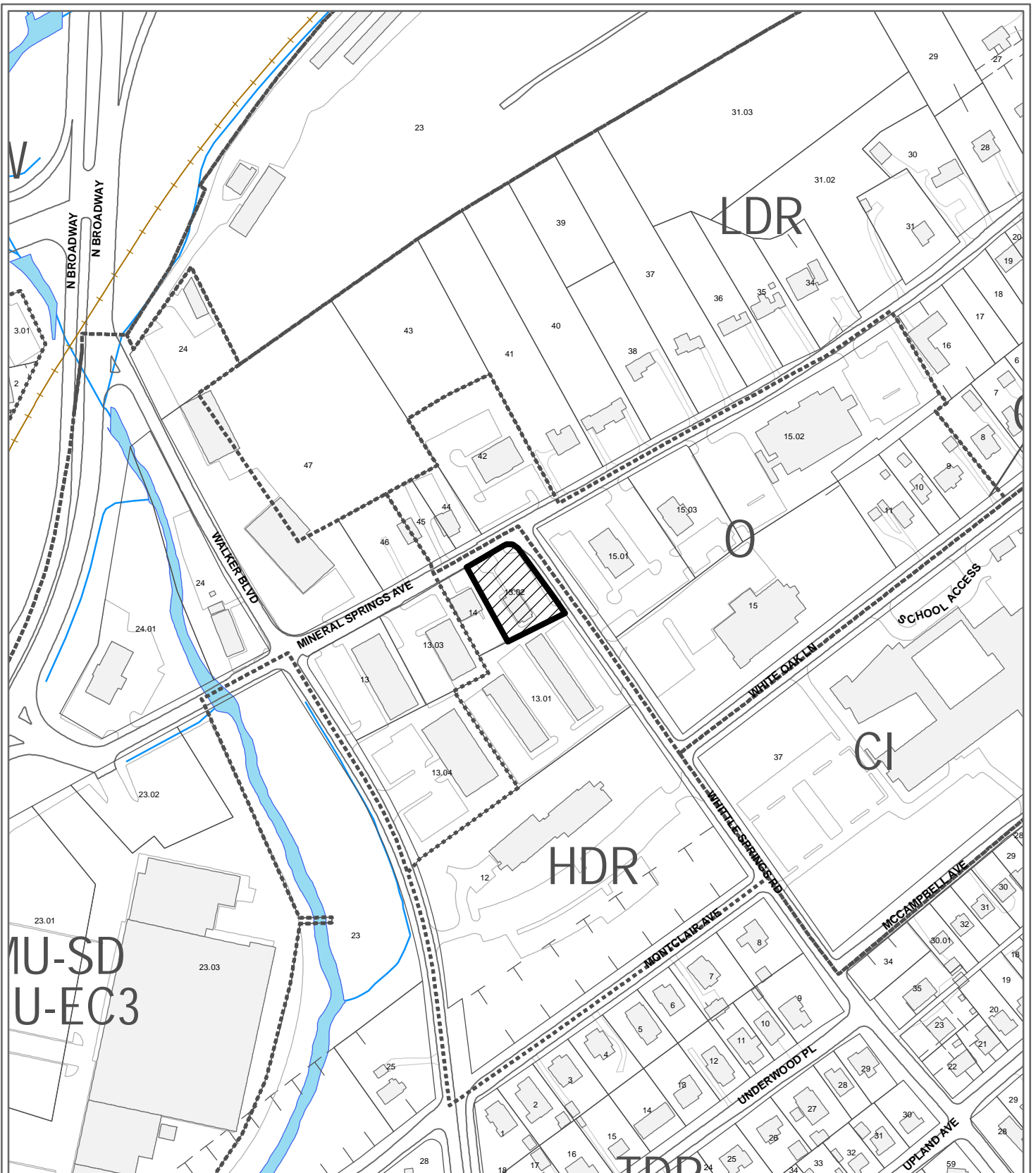
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. With the recommended amendment to the City of Knoxville One Year Plan to office on the accompanying application (10-D-16-PA), O-1 zoning would be consistent with the plan.
2. With the recommended amendment to the East City Sector Plan to office on the accompanying application (10-E-16-SP), 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 recommended O-1 zoning 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 11/8/2016 and 11/22/2016. 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-D-16-PA / 10-I-16-RZ
PLAN AMENDMENT**

From: HDR (High Density Residential)

To: O (Office)

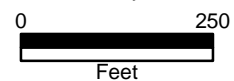


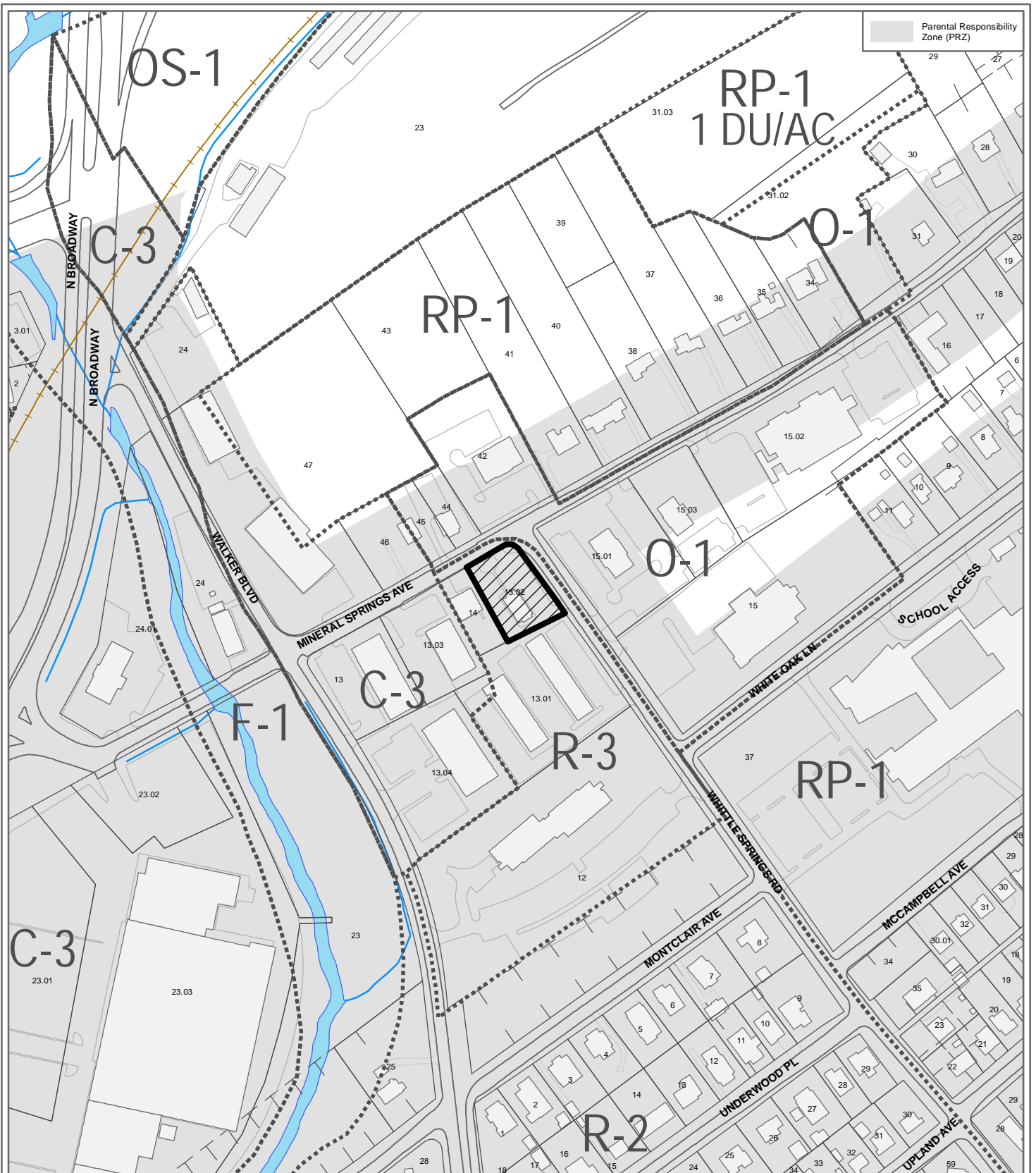
Petitioner: Rufus H. Smith Jr. and Company

Map No: 69

Jurisdiction: City

Original Print Date: 9/22/2016
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902





**10-I-16-RZ
REZONING**

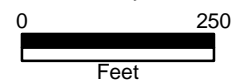
From: R-3 (High Density Residential)
To: O-1 (Office, Medical, and Related Services)



Petitioner: Rufus H. Smith Jr. and Company

Map No: 69
Jurisdiction: City

Original Print Date: 9/22/2016
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



REZONING PLAN AMENDMENT

One year

Name of Applicant: Rufus H. Smith & Co.

Date Filed: 8/24/16 Meeting Date: Oct 13, 2016

Application Accepted by: Bussseau (10-F-16 SP)

Fee Amount: \$1000 File Number: Rezoning 10-F-16-RZ

Fee Amount: \$600 File Number: Plan Amendment 10-D-16-PA

PROPERTY INFORMATION

Address: 4421 Whittle Springs Rd

General Location: at intersection of Whittle Springs Rd & Mineral Springs Ave. SE side

Tract Size: < 1.0 AC.

Tax Identification Number: 69EB 0302

Existing Land Use: OFFICE

Planning Sector: East City

Growth Policy Plan: Inside City

Census Tract: 16

Traffic Zone: 26

Jurisdiction: City Council 4th District County Commission District

Requested Change

REZONING

FROM: R3

TO: O1

PLAN AMENDMENT

One Year Plan Sector Plan

FROM: HDR

TO: O

PROPOSED USE OF PROPERTY

Office

Density Proposed Units/Acre

Previous Rezoning Requests: None noted

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose names are included on the back of this form.

Signature: Wanda R. Gheb

Date: 8-24-16

PLEASE PRINT

Name: WANDIS A. Rghebi

Company: SEC, LLC

Address: 4909 Ball Rd

City: Knoxville State: TN Zip: 37931

Telephone: 865-694-7756

Fax: 865-693-9699

E-mail: wrghebi@secconsultants.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be directed to:

PLEASE PRINT

Name:

Company: Same as above

Address:

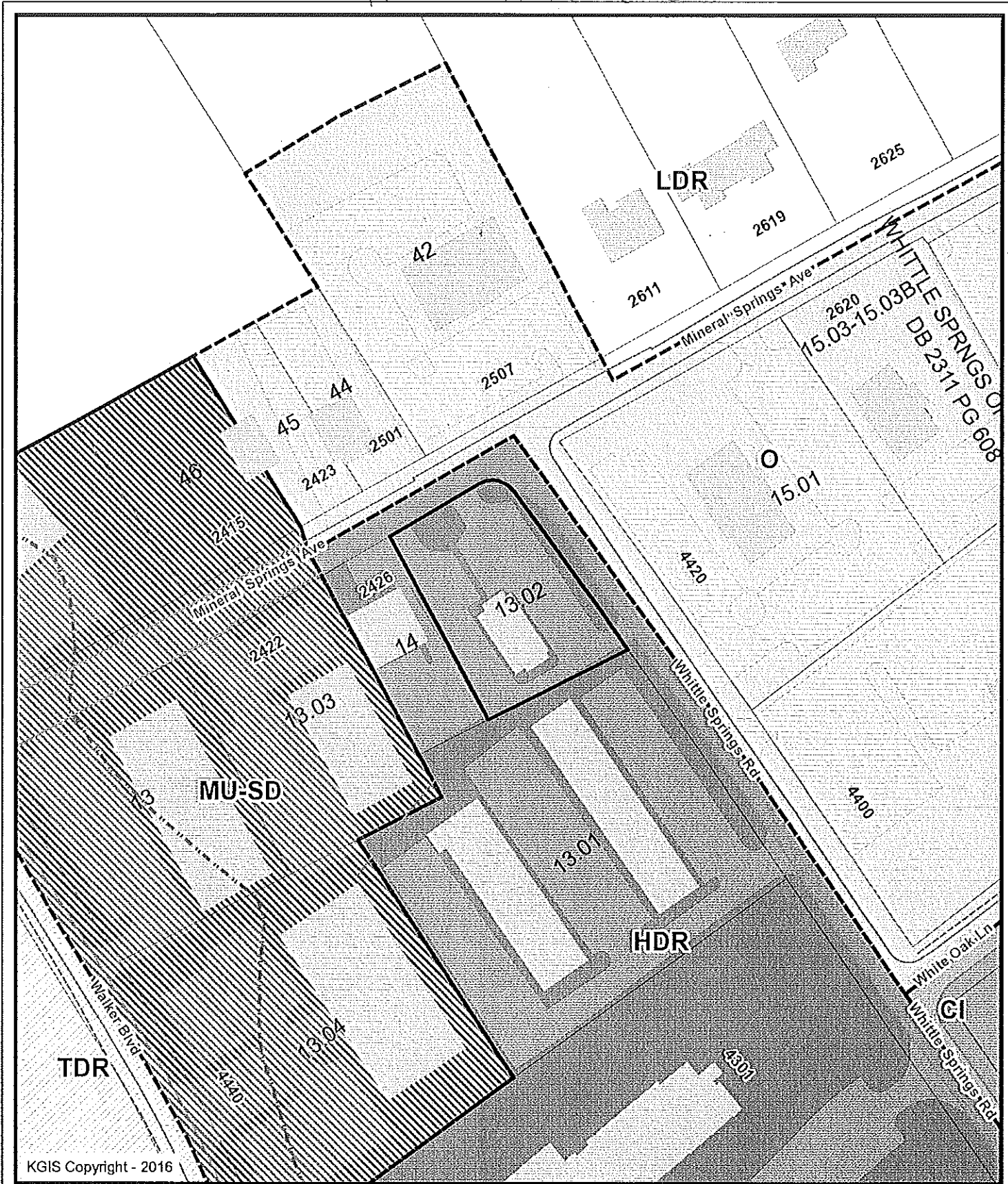
City: State: Zip:

Telephone:

Fax:

E-mail:

OYP: HDR 460



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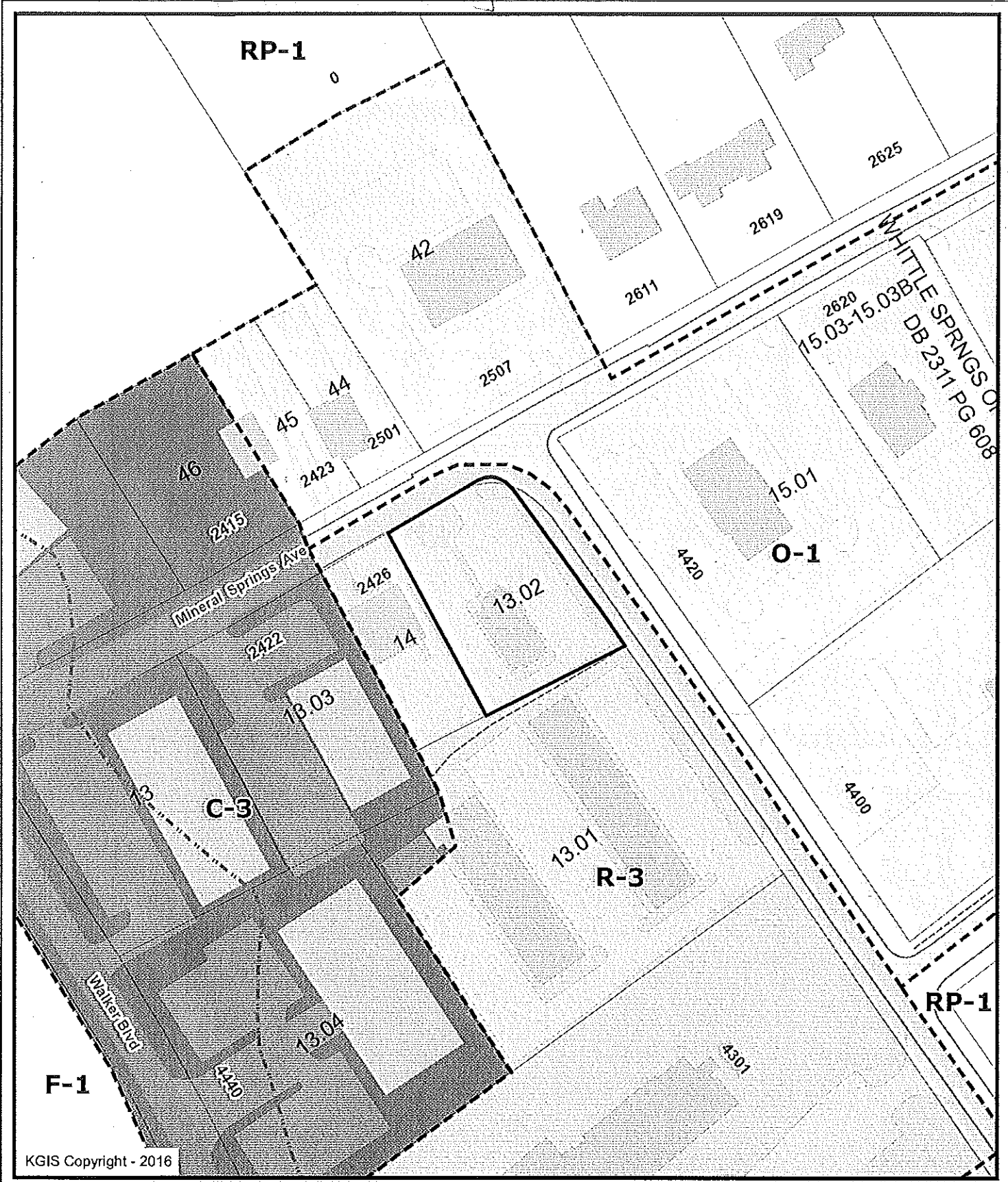
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Zoning - R-3 to O-1

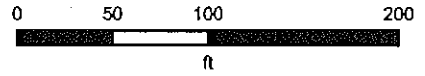


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