



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

▶ **FILE #:** 10-F-16-SP

AGENDA ITEM #: 50

AGENDA DATE: 10/13/2016

▶ **APPLICANT:** JEFFREY J. ALLEN
OWNER(S): Jeffrey Allen

TAX ID NUMBER: 108 B D 006 [View map on KGIS](#)
 JURISDICTION: Council District 2
 STREET ADDRESS: 2733 Kingston Pike
 ▶ **LOCATION:** North side Kingston Pike, west side Lindsay Place
 ▶ **APPX. SIZE OF TRACT:** 0.6 acres
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ACCESSIBILITY: Access is via Lindsay Place, a local street with a 16' pavement width within a 50'-60' right-of-way.
 UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
 WATERSHED: Tennessee River

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

▶ **PROPOSED PLAN DESIGNATION:** MDR/O (Medium Density Residential and Office)

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Office

EXTENSION OF PLAN DESIGNATION: Yes, extension of MDR/O from the north and east

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION:
 North: Parking lot / MDR/O & HP
 South: Kingston Pike - Armstrong Lockett House / LDR & HP
 East: Dental office / MDR/O & HP
 West: House / LDR & HP

NEIGHBORHOOD CONTEXT This area is developed primarily with professional offices, apartments, and churches. Many of the residential houses have been converted to offices. The subject property is the eastern most boundary of the Kingston Pike (National Register) Historic District.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION #10-F-16-SP, amending the Central City Sector Plan from LDR (Low Density Residential) to MDR/O (Medium Density Residential/Office) and recommend that Knoxville City Council also adopt the sector plan amendment, to make it operative.**

The medium density residential / office (MDR/O) sector plan designation for the subject property is consistent with the surrounding development and zoning pattern, which includes apartments and professional offices in the O-1 zone. This is an extension of the existing MDR/O designation to the east and north. This property is a contributing structure within the Kingston Pike (National Register) Historic District and is across the street from the Armstrong-Lockett House, (AKA Crescent Bend) which is also designated locally with the Historic Overlay (H-1) district.

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:

1. Water and sewer utilities are available to this site.
2. There have been no road improvements in the area and there are none anticipated that will impact the property.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The subject property was designated LDR (low density residential) in 2014 Central City Sector Plan. This was consistent with the previous sector plan and the current R-1 zoning on the property.
2. To the east and north of the subject property are areas designated with the MDR/O sector plan classification. These properties are zoned O-1 and R-2, and have a mix of office and medium density residential uses.
3. If the MDR/O sector plan designation is approved as recommended, this will be an extension of an existing MDR/O designation.

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

1. The area between Kingston Pike, Concord Street and Third Creek Green is predominately designated with MDR/O and CI (civic institutional) land uses.
2. There are only three properties designated LDR, one of which is the subject property and the other two are immediately to the west. These three LDR properties are zoned R-1 and currently used for single family houses.
3. This area has been slowly converting to higher intensity uses and the subject site is a logical extension of these MDR & O uses.

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

1. With the mix of established and developing high-intensity uses in the area and the variety of transportation options available to serve the site, medium density residential and office uses are appropriate to be considered for the site.

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:

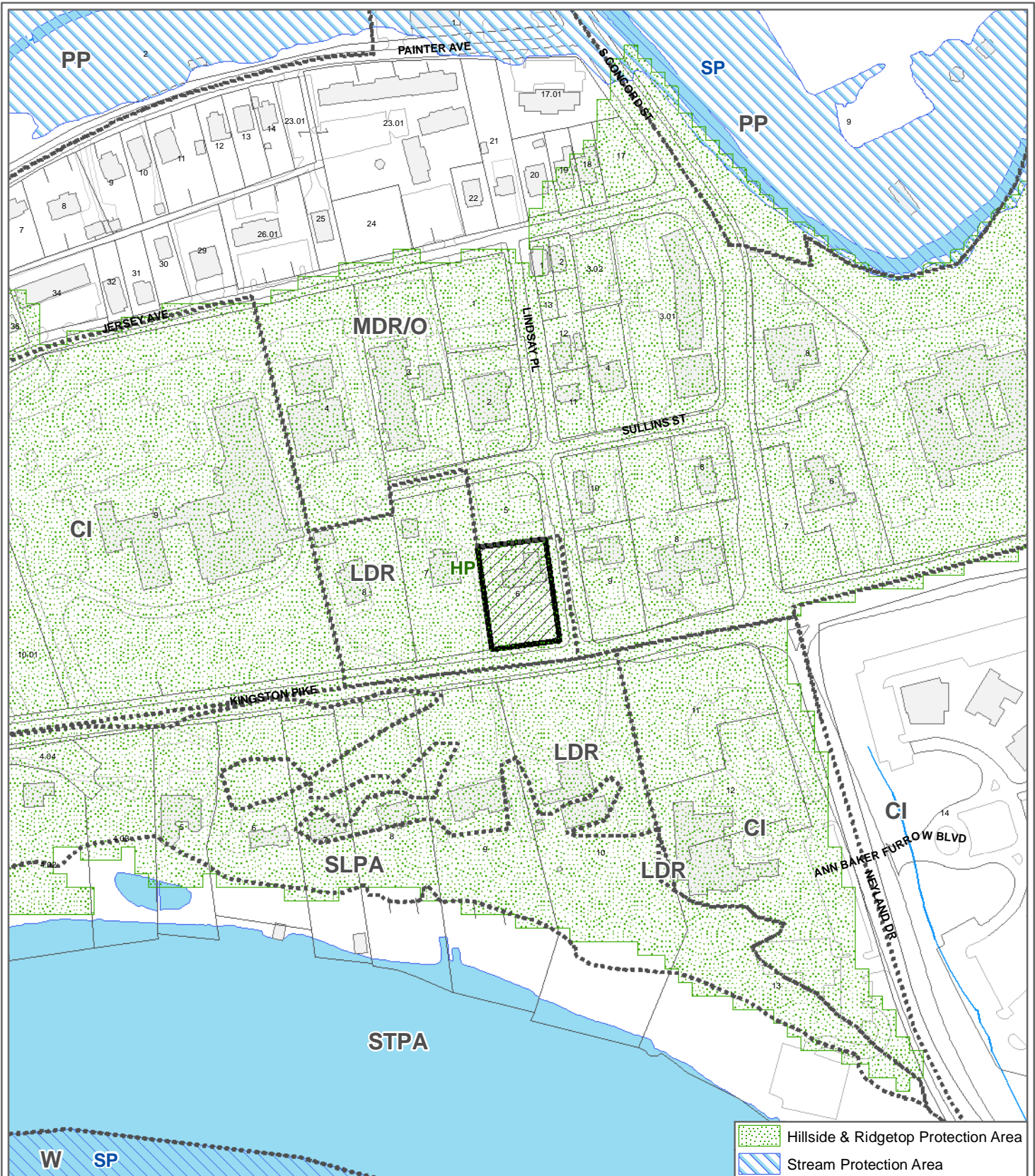
1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to 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: 123 (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.

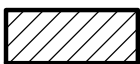
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 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.



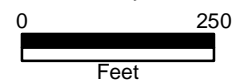
**10-F-16-SP
CENTRAL CITY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)
To: MDR/O (Medium Density Residential and Office)



Petitioner: Jeffrey J. Allen

Map No: 108
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 CENTRAL 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 Central 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, Jeffrey J. Allen, has submitted an application to amend the Sector Plan from Low Density Residential (LDR) to MDR/O (Medium Density Residential/Office), for property described in the application; and

WHEREAS, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Central 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 Central City Sector Plan, with its accompanying staff report and map, file #10-F-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

REZONING

PLAN AMENDMENT

Name of Applicant: Jeffrey J. Allen

Date Filed: 8/29/2016

Meeting Date: 10/13/2016

Application Accepted by: Mike Reynolds

Fee Amount: \$1000 File Number: Rezoning

Fee Amount: \$600 File Number: Plan Amendment 10-F-16-SP



PROPERTY INFORMATION

Address: 2733 Kingston Pike

General Location: at the corner of Lindsay Pl and Kingston Pike

Parcel ID Number(s): 108BD0016

Tract Size: 125' x 205' x IRR

Existing Land Use: Residential

Planning Sector: City Central

Growth Policy Plan:

Census Tract: 26

Traffic Zone: 105

Jurisdiction: [X] City Council 2 District [X] County Commission 4 District

Requested Change REZONING

FROM: R-1

TO: O-1

PLAN AMENDMENT

[] One Year Plan [X] Central City Sector Plan

FROM: LDR

TO: MDR/O

PROPOSED USE OF PROPERTY

Office

Density Proposed Units/Acre

Previous Rezoning Requests: None

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT

Name: Jeffrey J. Allen

Company: Law Offices of Jeffrey J. Allen

Address: 438 1st Street, 4th Floor

City: Santa Rosa State: CA Zip: 95401

Telephone: 707-545-9600

Fax: 707-545-9601

E-mail: jjalaw@aol.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: Annie Turner

Company: Coldwell Banker Wallace & Wallace

Address: 140 Major Reynolds Place

City: Knoxville State: TN Zip: 37919

Telephone: 865-567-9188

Fax:

E-mail: annie.turner@coldwellbanker.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: [Signature]

PLEASE PRINT

Name: Matthew D. Turner

Company:

Address: 2011 River Sound Drive

City: Knoxville State: TN Zip: 37922

Telephone: 865-310-8745

E-mail: mturner@graystancr.com

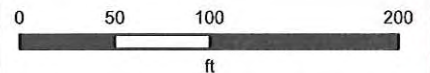


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**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 10-J-16-RZ
10-E-16-PA

AGENDA ITEM #: 50
AGENDA DATE: 10/13/2016

▶ **APPLICANT:** JEFFREY J. ALLEN
OWNER(S): Jeffrey Allen

TAX ID NUMBER: 108 B D 006 [View map on KGIS](#)

JURISDICTION: Council District 2

STREET ADDRESS: 2733 Kingston Pike

▶ **LOCATION:** North side Kingston Pike, west side Lindsay Place

▶ **TRACT INFORMATION:** 0.6 acres.

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Lindsay Place, a local street with a 16' pavement width within a 50'-60' right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Tennessee River

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

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

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Office

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of MDR/O from the north and east

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

North: Parking lot / MDR/O / O-1 (Office, Medical, and Related Services)
 South: Kingston Pike - Armstrong Lockett House / LDR / R-1 (Low Density Residential)
 East: Dental office / MDR/O / O-1 (Office, Medical, and Related Services)
 West: House / LDR / R-1 (Low Density Residential)

NEIGHBORHOOD CONTEXT: This area is developed primarily with professional offices, apartments, and churches. Many of the residential houses have been converted to offices. The subject property is the eastern most boundary of the Kingston Pike (National Register) Historic District.

STAFF RECOMMENDATION:

► **RECOMMEND that City Council APPROVE MDR/O (Medium Density Residential / Office) One Year Plan designation.**

The medium density residential / office (MDR/O) sector plan designation for the subject property is consistent with the surrounding development and zoning pattern, which includes apartments and professional offices in the O-1 zone. This is an extension of the existing MDR/O designation to the east and north. This property is a contributing structure within the Kingston Pike (National Register) Historic District and is across the street from the Armstrong-Lockett House, (AKA Crescent Bend) which is also designated locally with the Historic Overlay (H-1) district.

► **RECOMMEND that City Council APPROVE O-1 (Office, Medical and Related Services) zoning as requested, subject to 3 conditions.**

- 1) No vehicular parking or drive aisles shall be allowed within the front setback along Kingston Pike.
- 2) All parking areas shall be screened from adjoining residential zone districts with an evergreen landscape screen.
- 3) No vehicular access shall be provided from the Kingston Pike road frontage.

The recommended zoning is consistent with surrounding development and zoning in the area. With the recommended approval of the corresponding plan amendments, the proposed zoning is consistent with the sector plan and One Year Plan proposals for the area.

COMMENTS:

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 was designated LDR (low density residential) in 2014 Central City Sector Plan. This was consistent with the previous sector plan and the current R-1 zoning on the property. To the east and north of the subject property are areas designated with the MDR/O sector plan classification. These properties are zoned O-1 and R-2, and have a mix of office and medium density residential uses. If the MDR/O sector plan designation is approved as recommended, this will be an extension of an existing MDR/O land use designation.

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 road or utility improvements have been made recently in the area, but the existing roads are adequate to handle the additional traffic that would be generated by this project.

C. A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN - The area between Kingston Pike, Concord Street and Third Creek Green is predominately designated with MDR/O and CI (civic institutional) land uses. There are only three properties designated LDR in this area, one of which is the subject property and the other two are immediately to the west. These three LDR properties are zoned R-1 and currently used for single family houses. This area has been slowly converting to higher intensity uses and the subject site is a logical extension of these MDR & O uses.

D. NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT - With the mix of established and developing high-intensity uses in the area and the variety of transportation options available to serve the site, medium density residential and office uses are appropriate to be considered for the site.

The subject property and house are the eastern most boundary of the Kingston Pike (National Register) Historic District. The house is a contributing structure within this historic district and in order to protect its historic integrity and to retain the residential character, all vehicular parking should be to the side or rear of the house, however, this may not be possible because of the limited space in the side or rear yards. Parking in the front yard should be limited to minimum needed, however, no parking or drive aisles should be within the 25' front yard setback along Kingston Pike. The parking areas should also have a landscape screening to the neighboring house to the west. The property has frontage along Kingston Pike but does not currently have a driveway from Kingston Pike, all access is provided on the side street Lindsay Place. No vehicular access should be allowed to Kingston Pike from this property.

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 will allow the existing structure to either continue to be used as a residence or be converted to an office use.
2. Properties to the east and north are currently zoned O-1 and R-2, and are used for office and medium density residential uses.

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

1. O-1 zone is intended to provide areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas. The intent herein is to provide centralized, compact locations for business offices, clinics, medical and dental offices, as well as suburban locations near residential neighborhoods.
2. Staff maintains that O-1 zoning is appropriate for this location.

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. This change of zoning would not adversely impact traffic flow in the area, which already includes office and apartment traffic.
2. O-1 zoning of this site is a continuation of the established trend of conversion and redevelopment in this area.
3. ----- Recommended conditions -----

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:

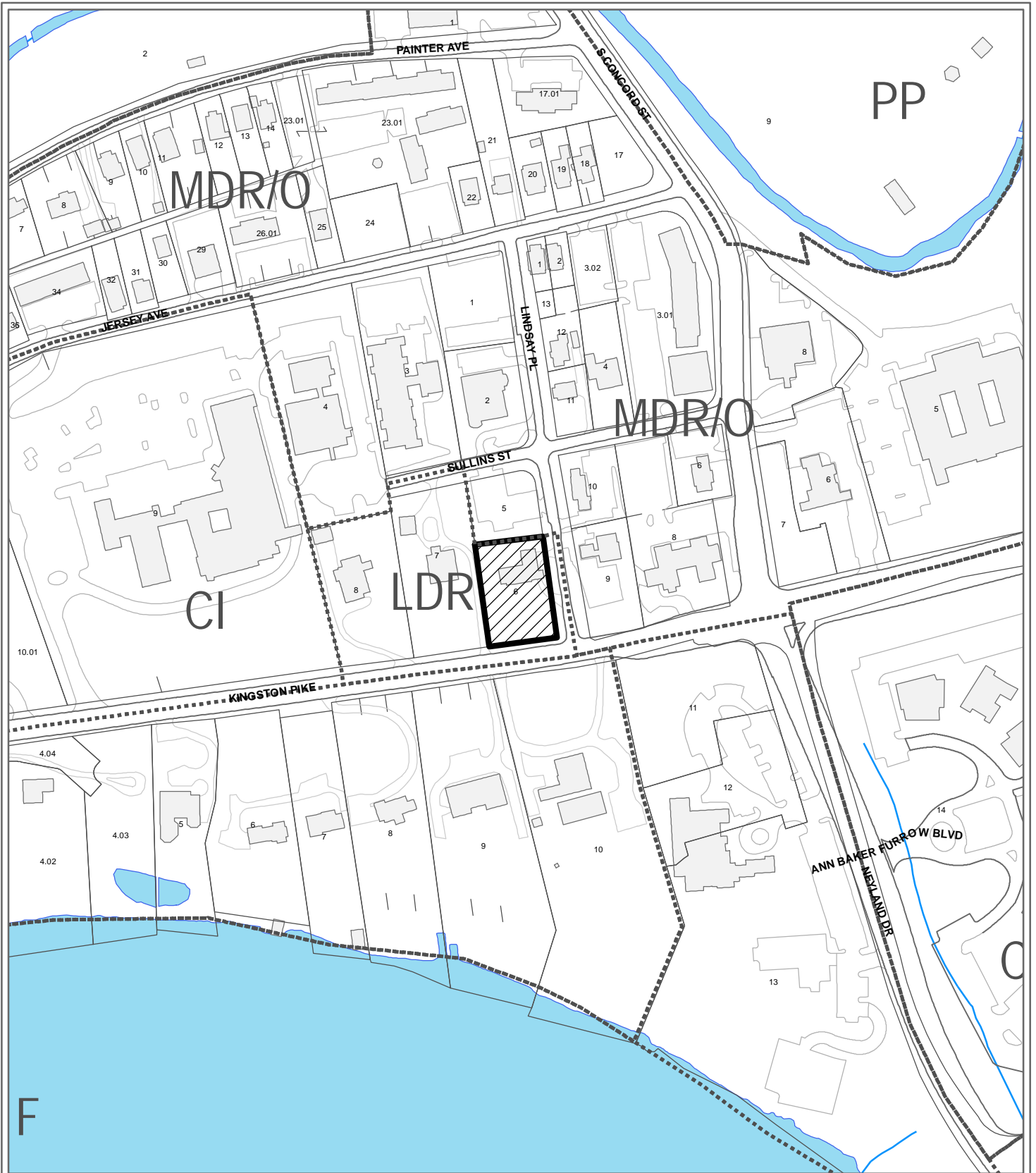
1. With the recommended plan amendment to MDR/O, O-1 zoning would be consistent with the Central City Sector Plan.
2. With the recommended plan amendment to MDR/O, O-1 zoning would be consistent with the City of Knoxville One Year Plan.
3. The site is located within the City Limits of Knoxville on the 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: 123 (average daily vehicle trips)

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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.



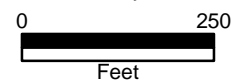
**10-E-16-PA / 10-J-16-RZ
PLAN AMENDMENT**

From: LDR (Low Density Residential)
To: MDR/O (Medium Density Residential and Office)

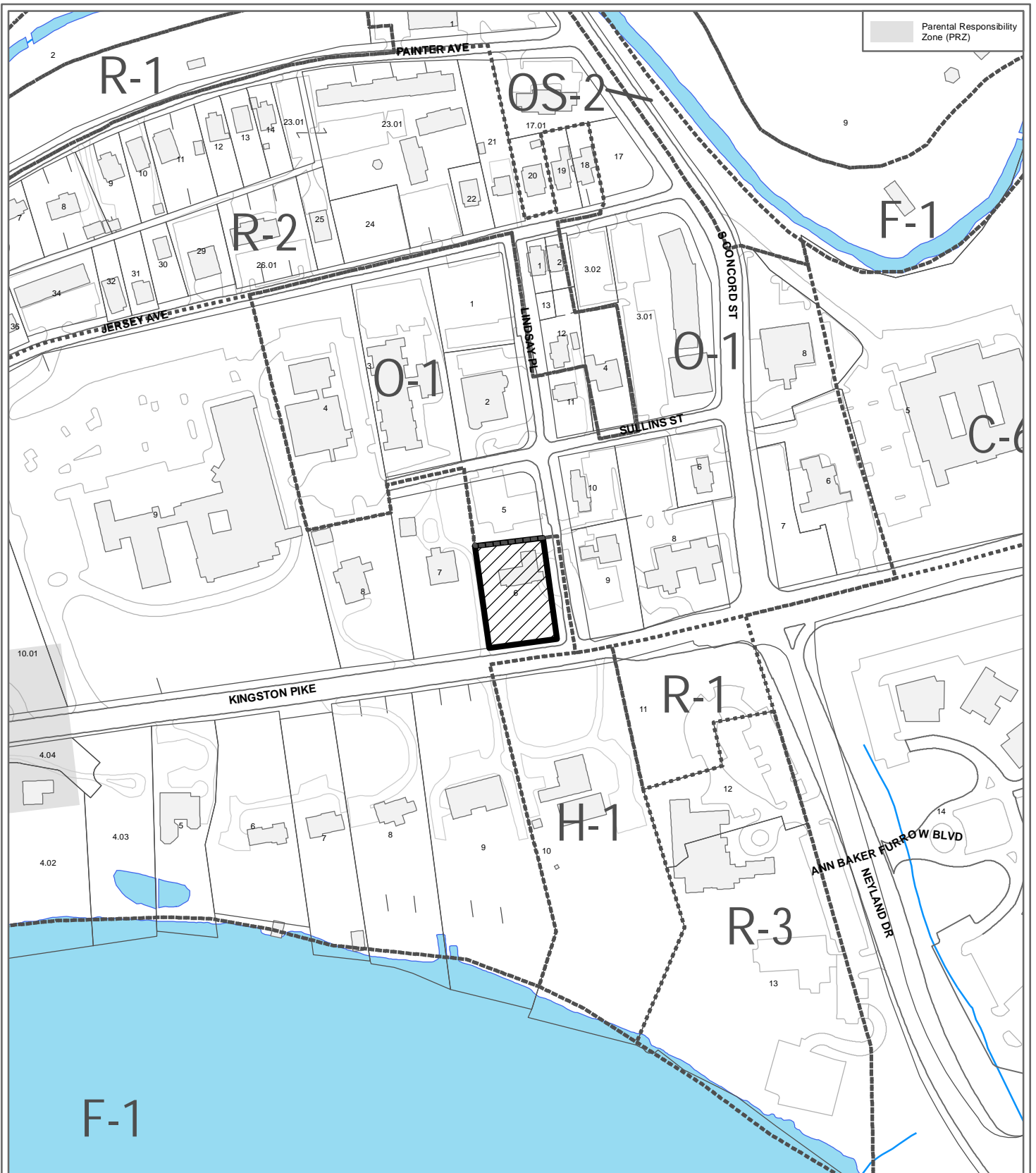


Petitioner: Allen, Jeffrey J.

Map No: 108
Jurisdiction: City

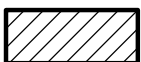


Original Print Date: 9/22/2016
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



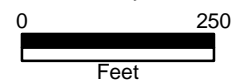
**10-J-16-RZ
REZONING**

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



Petitioner: Allen, Jeffrey J.

Map No: 108
Jurisdiction: City



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

REZONING

PLAN AMENDMENT

Name of Applicant: Jeffrey J. Allen

Date Filed: 8/29/2016 Meeting Date: 10/13/2016

Application Accepted by: Mike Reynolds

Fee Amount: \$1000 File Number: Rezoning 10-5-16-RZ

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



PROPERTY INFORMATION

Address: 2733 Kingston Pike

General Location: at the corner of Lindsay Pl and Kingston Pike.

Parcel ID Number(s): 108BD006

Tract Size: 125 x 200 x TRP

Existing Land Use: Residential

Planning Sector: City Central

Growth Policy Plan: UGB (inside city)

Census Tract: 26

Traffic Zone: 105

Jurisdiction: City Council 2 District County Commission 4 District

Requested Change REZONING

FROM: R-1

TO: O-1

PLAN AMENDMENT

One Year Plan Central City Sector Plan

FROM: LDR

TO: MDR/O

PROPOSED USE OF PROPERTY

Office

Density Proposed Units/Acre

Previous Rezoning Requests: none

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT Name: Jeffrey Allen

Company: Law Offices of Jeffrey J. Allen

Address: 438 1st Street, 4th Floor

City: Santa Rosa State: CA Zip: 95401

Telephone: 707-545-9600

Fax: 707-545-9601

E-mail: sjjalaw@aol.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT Name: Annie Turner

Company: Coldwell Banker Wallace+Wallace

Address: 140 Major Reynolds Place

City: Knoxville State: TN Zip: 37919

Telephone: 865-567-9188

Fax:

E-mail: annie.turner@coldwellbanker.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: Annie Turner

PLEASE PRINT Name: Annie Turner

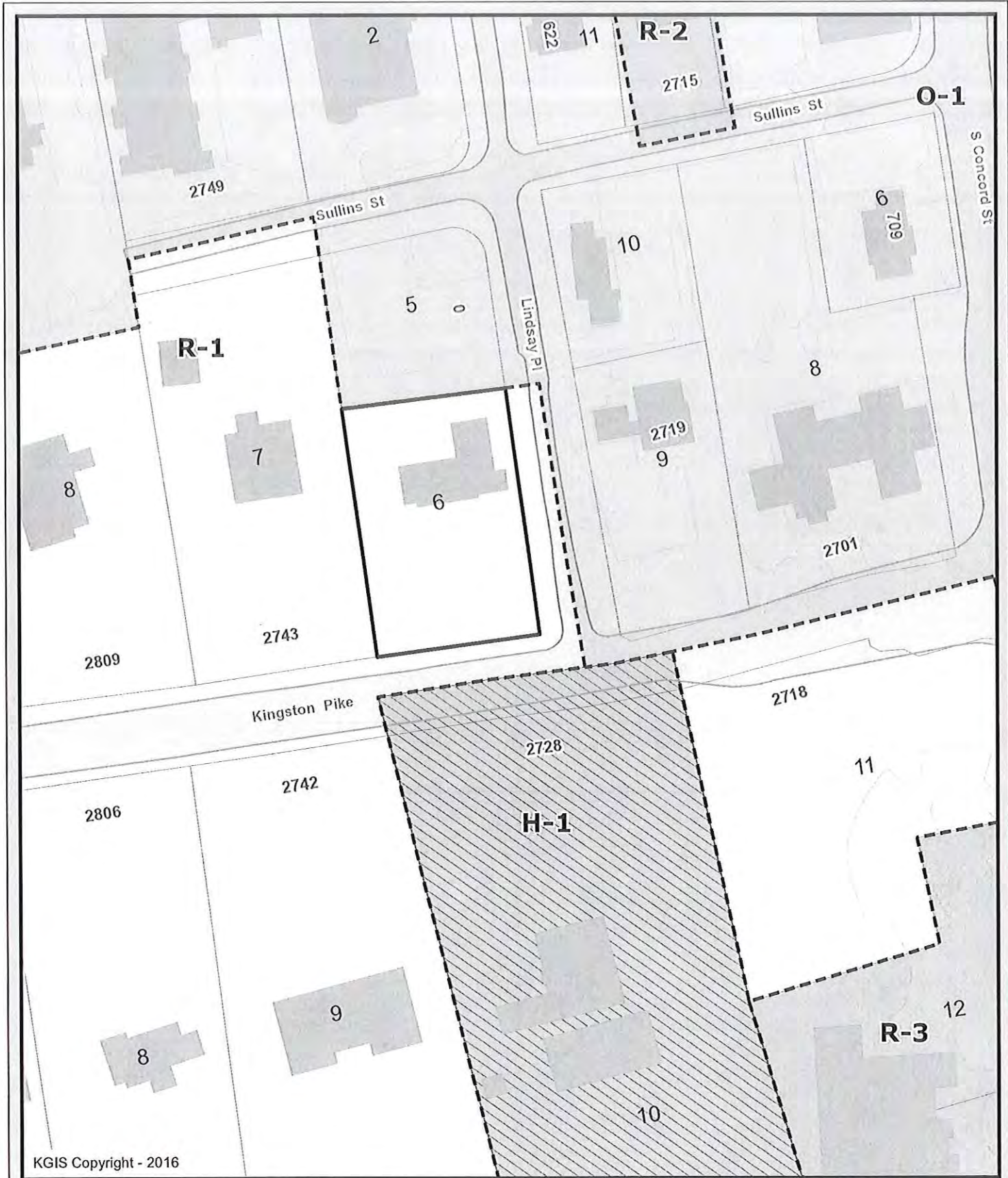
Company: Coldwell Banker Wallace+Wallace

Address: 140 Major Reynolds Place

City: Knoxville State: TN Zip: 37919

Telephone: 865-567-9188

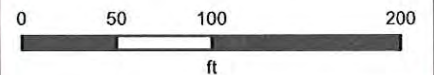
E-mail: annie.turner@coldwellbanker.com



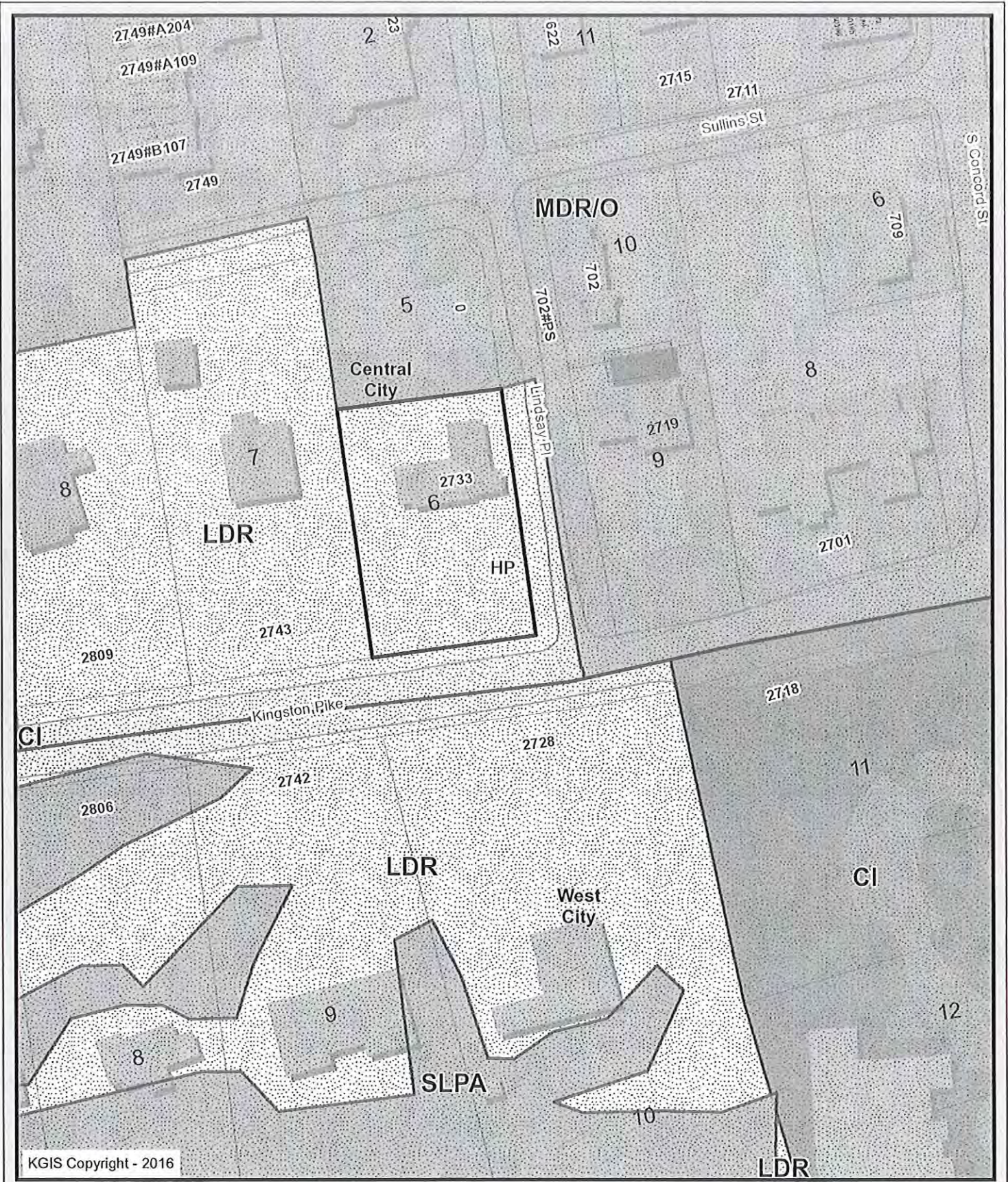
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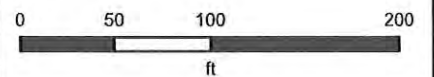
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