



KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
PLAN AMENDMENT REPORT

FILE #: 1-A-17-SP

AGENDA ITEM #: 41

AGENDA DATE: 1/12/2017

APPLICANT: PRESBYTERIAN HOMES OF TENNESSEE, INC.

OWNER(S): Presbyterian Homes of Tennessee, Inc

TAX ID NUMBER: 106 O B 004 106OB00901(PART ZONED R-1) View map on KGIS

JURISDICTION: Council District 2

STREET ADDRESS: 7530 Middlebrook Pike

LOCATION: South side Middlebrook Pike, east side Connie Rd.

APPX. SIZE OF TRACT: 1.7 acres

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Middlebrook Pike, a major arterial street with 4 lanes and a center median within 110' of right-of-way, or Connie Rd., a local street with 24' of pavement width within 60' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Ten Mile Creek

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

PROPOSED PLAN DESIGNATION: MDR (Medium Density Residential)

EXISTING LAND USE: Vacant land

PROPOSED USE: Expansion of assisted living facility from the east

EXTENSION OF PLAN DESIGNATION: Yes, extension of MDR designation from the east

HISTORY OF REQUESTS: None noted for this site. Adjacent properties to east were rezoned R-2 in 2013 (7-O-13-RZ).

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Middlebrook Pike, vacant parcel / NC

South: Houses / LDR

East: Shannondale Assisted Living Facility / MDR

West: Vacant land, houses / LDR

NEIGHBORHOOD CONTEXT The south side of Middlebrook Pike is developed with low and medium density residential uses, under R-1, R-1A and R-2 zoning. There are some commercial uses to the east at Francis Rd. and to the north across Middlebrook Pike, zoned C-1.

STAFF RECOMMENDATION:

ADOPT RESOLUTION #1-A-17-SP, amending the Northwest City Sector Plan to MDR (Medium Density

Residential) and recommend that City Council also approve the sector plan amendment, to make it operative. (See resolution, Exhibit A.)

Medium density residential uses will be compatible with the scale and intensity of surrounding development and zoning. The proposal is an extension of MDR from the east and will allow the expansion of that facility onto the subject property.

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 along this section of Middlebrook Pike. Public water and sewer utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The Northwest City Sector Plan currently designates the large adjacent site for MDR (Medium Density Residential), consistent with its current R-2 zoning. This recommended amendment is a minor extension of that plan designation and zoning to the west.

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

The Shannondale assisted living and healthcare facility have long been established at the location to the east of the subject property. The proposal is a minor extension of that zoning to allow expansion of that facility.

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. However, the development and zoning pattern to the east has long been established in this area, and this is a minor expansion of that use. A trend was established in 2013 to allow minor expansions of the R-2 zoned area to accommodate expansion of the Shannondale facility.

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.

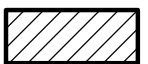
If approved, this item will be forwarded to Knoxville City Council for action on 2/14/2017 and 2/28/2017. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



 Hillside & Ridgetop Protection Area
 Stream Protection Area

1-A-17-SP
NORTHWEST CITY SECTOR PLAN AMENDMENT

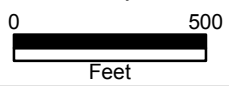
From: LDR (Low Density Residential)
 To: MDR (Medium Density Residential)



Petitioner: Presbyterian Homes of Tennessee, Inc.

Map No: 106
 Jurisdiction: City

Original Print Date: 12/20/2016 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, Presbyterian Homes of Tennessee, Inc., has submitted an application to amend the Sector Plan from Low Density Residential 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 January 12, 2017, 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 #1-A-17-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

N/W City Sector

REZONING

PLAN AMENDMENT

Name of Applicant: PRESBYTERIAN HOMES OF TN, INC.

Date Filed: 10/3/2016

Meeting Date: 1/12/2017

Application Accepted by: Marc Payne

Fee Amount: File Number: Rezoning

Fee Amount: File Number: Plan Amendment 1-A-17-SP



PROPERTY INFORMATION

Address: 7530 Middlebrook, 801 Vandydale
General Location: 3/2 Middlebrook E/S Connie Drive

Parcel ID Number(s): 1060388901 P/O 106038844

Tract Size: 1.7 ac +/-

Existing Land Use: Vacant/Assisted Living

Planning Sector: Northwest City

Growth Policy Plan: City

Census Tract: 45

Traffic Zone: 158
Jurisdiction: [X] City Council 2ND District [] County Commission District

Requested Change

REZONING

FROM: R-1

TO: R-2

PLAN AMENDMENT

[] One Year Plan [X] N/W City Sector Plan

FROM: LDR

TO: MDR

PROPOSED USE OF PROPERTY

Assisted Living

Density Proposed Units/Acre
Previous Rezoning Requests:

PROPERTY OWNER [X] OPTION HOLDER

PLEASE PRINT Name: William R. Thomas, Jr., Pres. & CEO
Company: Presbyterian Homes of TN, Inc.
Address: 801 VANDYDALE RD
City: Knoxville State: TN Zip: 37909
Telephone: 865-690-3411
Fax: 865-690-7492
E-mail: BTHOMAS@SHANNONDALETN.COM

APPLICATION CORRESPONDENCE

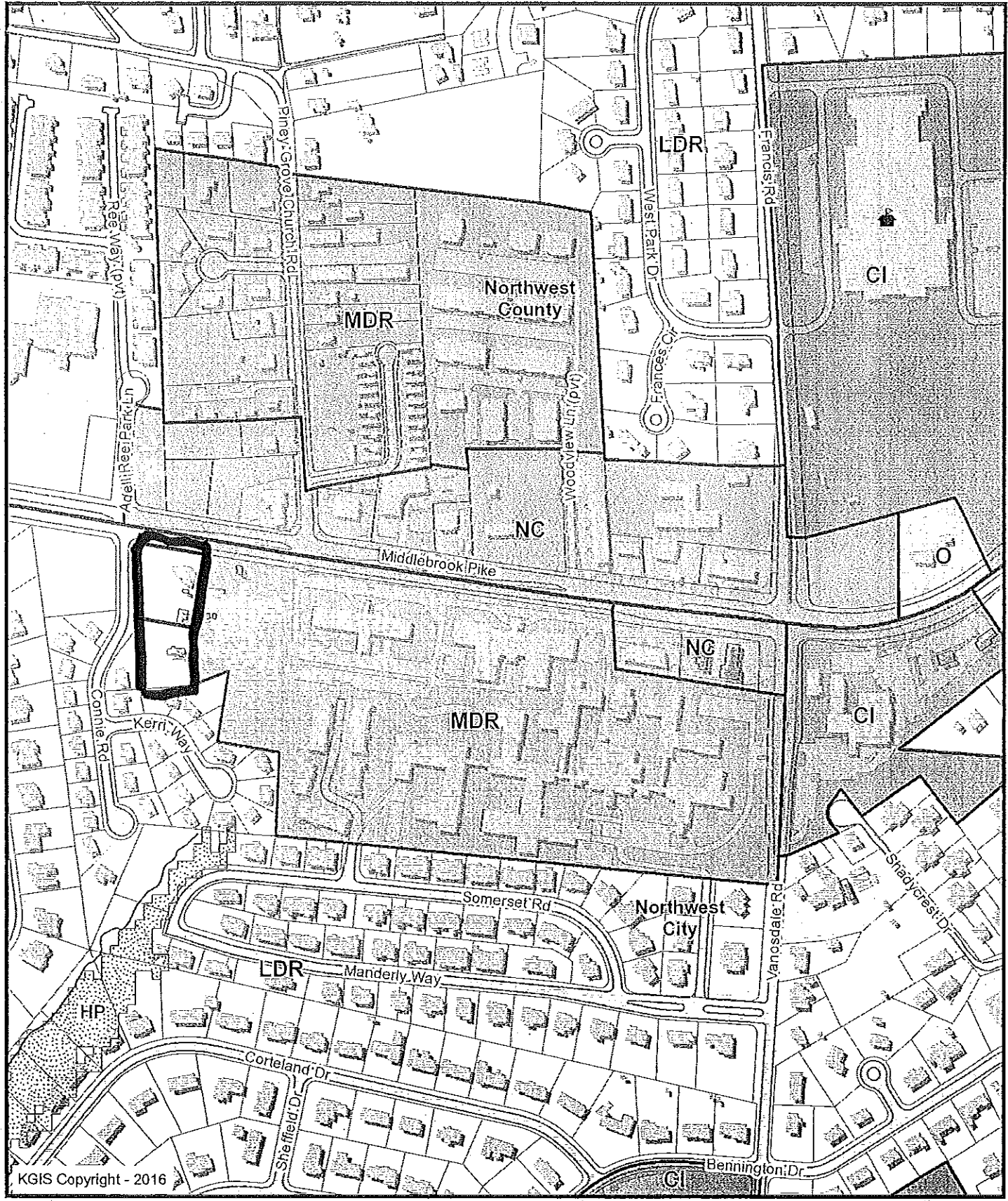
All correspondence relating to this application should be sent to:

PLEASE PRINT Name: J. Douglas Overbey
Company: ROBERTSON OVERBEY
Address: 900 S. GAY ST., Ste 800
City: Knoxville State: TN Zip: 37902
Telephone: 865-521-3015
Fax: 865-522-7929
E-mail: jdo@robertsonoverbey.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: (Same)
Company:
Address:
City: State: Zip:
Telephone:
E-mail:

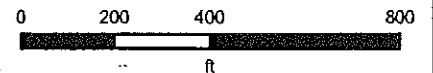


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Knoxville - Knox County - KUB Geographic Information System



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

▶ **FILE #:** 1-A-17-RZ
 1-A-17-PA

AGENDA ITEM #: 41
AGENDA DATE: 1/12/2017

▶ **APPLICANT:** PRESBYTERIAN HOMES OF TENNESSEE, INC.
 OWNER(S): Presbyterian Homes of Tennessee, Inc

TAX ID NUMBER: 106 O B 004 106OB00901 (PART ZONED R-1) [View map on KGIS](#)

JURISDICTION: Council District 2

STREET ADDRESS: 7530 Middlebrook Pike

▶ **LOCATION:** South side Middlebrook Pike, east side Connie Rd.

▶ **TRACT INFORMATION:** 1.7 acres.

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Middlebrook Pike, a major arterial street with 4 lanes and a center median within 110' of right-of-way, or Connie Rd., a local street with 24' of pavement width within 60' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Ten Mile Creek

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

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

▶ **EXISTING LAND USE:**

▶ **PROPOSED USE:** Expansion of assisted living facility from east

EXTENSION OF PLAN DESIGNATION/ZONING: Yes , extension of MDR plan designation and R-2 zoning from the east.

HISTORY OF ZONING REQUESTS: None noted for this site. Adjacent properties to east were rezoned R-2 in 2013 (7-O-13-RZ).

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

North: Middlebrook Pike, vacant parcel / NC / O-1 (Office, Medical & Related Services)

South: Houses / LDR / R-1 (Low Density Residential)

East: Shannondale Assisted Living Facility / MDR / R-2 (Low Density Residential)

West: Vacant land, houses / LDR / R-1A and R-1 (Low Density Residential)

NEIGHBORHOOD CONTEXT: The south side of Middlebrook Pike is developed with low and medium density residential uses, under R-1, R-1A and R-2 zoning. There are some commercial uses to the east at Francis Rd. and to the north across Middlebrook Pike, zoned C-1.

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 proposal is an extension of MDR from the east and will allow the expansion of that facility onto the subject property.

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

R-2 zoning is consistent with the scale and intensity of the surrounding development and zoning pattern and is a logical extension of R-2 from the east.

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 One Year Plan currently designates the large adjacent site for MDR (Medium Density Residential), consistent with its current R-2 zoning. This recommended amendment is a minor extension of that plan designation and zoning to the west.
- 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 along this section of Middlebrook Pike. Public water and sewer utilities are available to serve the site.
- C. A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN - The Shannondale assisted living and healthcare facility have long been established at the location to the east of the subject property. The proposal is a minor extension of that zoning to allow expansion of that facility.
- 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. However, the development and zoning pattern to the east has long been established in this area, and this is a minor expansion of that use.

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. R-2 zoning for the subject property is a logical, minor extension of zoning from the east.
- 2. R-2 uses are compatible with the surrounding land use and zoning pattern.
- 3. The site is located adjacent to a long established assisted living and healthcare facility, zoned R-2.

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. The proposal is compatible with the surrounding land uses and zoning pattern.
- 2. The proposal will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.
- 3. R-2 zoning allows medical facilities, with development plan approval by MPC as a use on review.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE

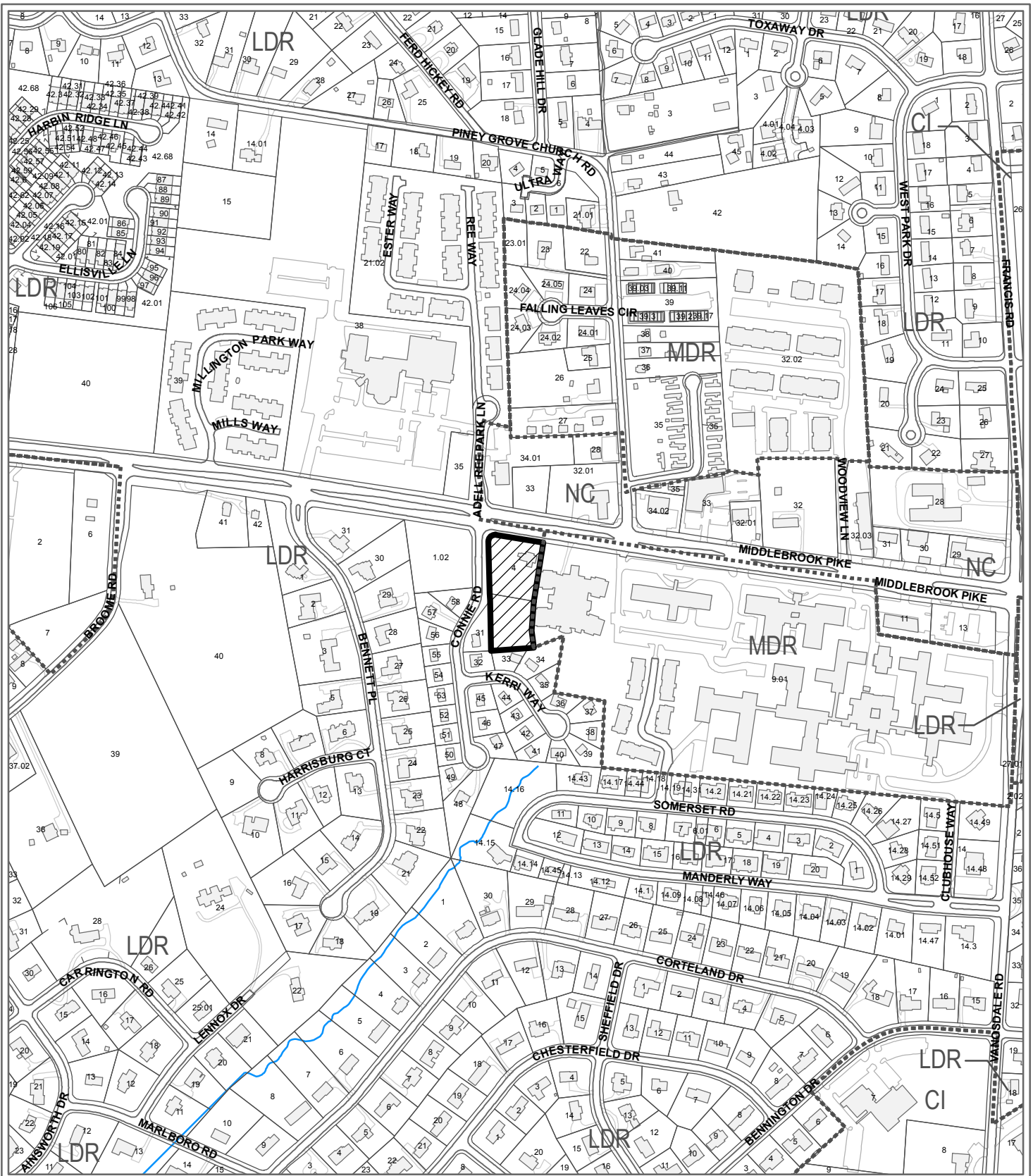
GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. With the recommended amendment to the Northwest City Sector Plan to medium density residential (1-A-17-SP), R-2 zoning would be consistent with the plan.
2. With the recommended amendment of the City of Knoxville One Year Plan to MDR, the proposed R-2 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 2/14/2017 and 2/28/2017. 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.



**1-A-17-PA / 1-A-17-RZ
PLAN AMENDMENT**

From: LDR (Low Density Residential)

To: MDR (Medium Density Residential)

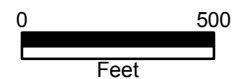


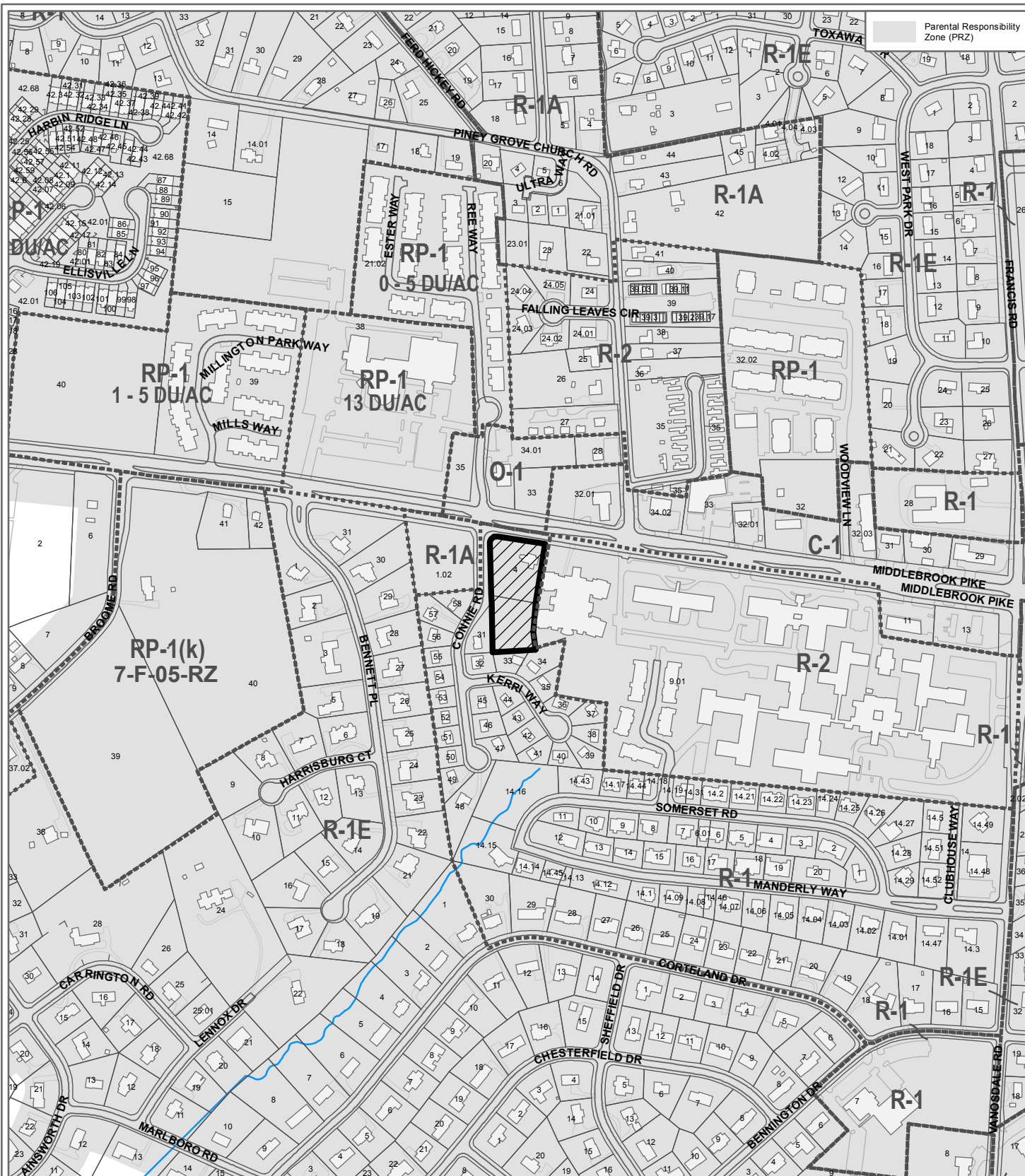
Petitioner: Presbyterian Homes of Tennessee, Inc.

Map No: 106

Jurisdiction: City

Original Print Date: 12/20/2016 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

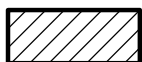




**1-A-17-RZ
REZONING**

From: R-1 (Low Density Residential)

To: R-2 (General Residential)

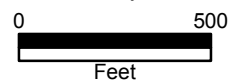


Original Print Date: 12/20/2016 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Presbyterian Homes of Tennessee, Inc.

Map No: 106

Jurisdiction: City



REZONING

PLAN AMENDMENT

OYP

Name of Applicant: PRESBYTERIAN HOMES OF TN, INC.

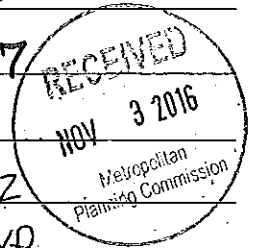
Date Filed: 11/3/2016

Meeting Date: 11/2/2017

Application Accepted by: Marc Payne

Fee Amount: 500.00 File Number: Rezoning 1-A-17-RZ

Fee Amount: 600.00 File Number: Plan Amendment 1-A-17-OYP



PROPERTY INFORMATION

Address: 7530 Middlebrook; 801 Vanosdale
General Location: 3/5 Middlebrook Pike
E/S Connie Dr

Parcel ID Number(s): 1060800901
P/O 10608004

Tract Size: Area of R2/SP/OYP 1.7ac ±
Existing Land Use: Vacant / Assisted Living
Planning Sector: Northwest City
Growth Policy Plan: City
Census Tract: 45

Traffic Zone: 158
Jurisdiction: City Council 2nd District
 County Commission District

Requested Change

REZONING

FROM: R-1

TO: R-2

PLAN AMENDMENT

One Year Plan Sector Plan

FROM: LDR

TO: MDR

PROPOSED USE OF PROPERTY

Assisted Living

Density Proposed Units/Acre

Previous Rezoning Requests:

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT

Name: William R. Thomas, Jr, Pres & CEO

Company: PRESBYTERIAN HOMES OF TN, INC.

Address: 801 VANOSDALE RD

City: Knoxville State: TN Zip: 37909

Telephone: 865-690-3411

Fax: 865-690-7492

E-mail: BTHOMAS@SHANNONDRLETN.COM

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: J. DOUGLAS OVERBEY

Company: ROBERTSON OVERBEY

Address: 900 S. GAY ST., STE 800

City: Knoxville State: TN Zip: 37902

Telephone: 865-521-3015

Fax: 865-522-7929

E-mail: jdo@robertsonoverbey.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: J Douglas Overbey

PLEASE PRINT

Name: (SAME AS ABOVE)

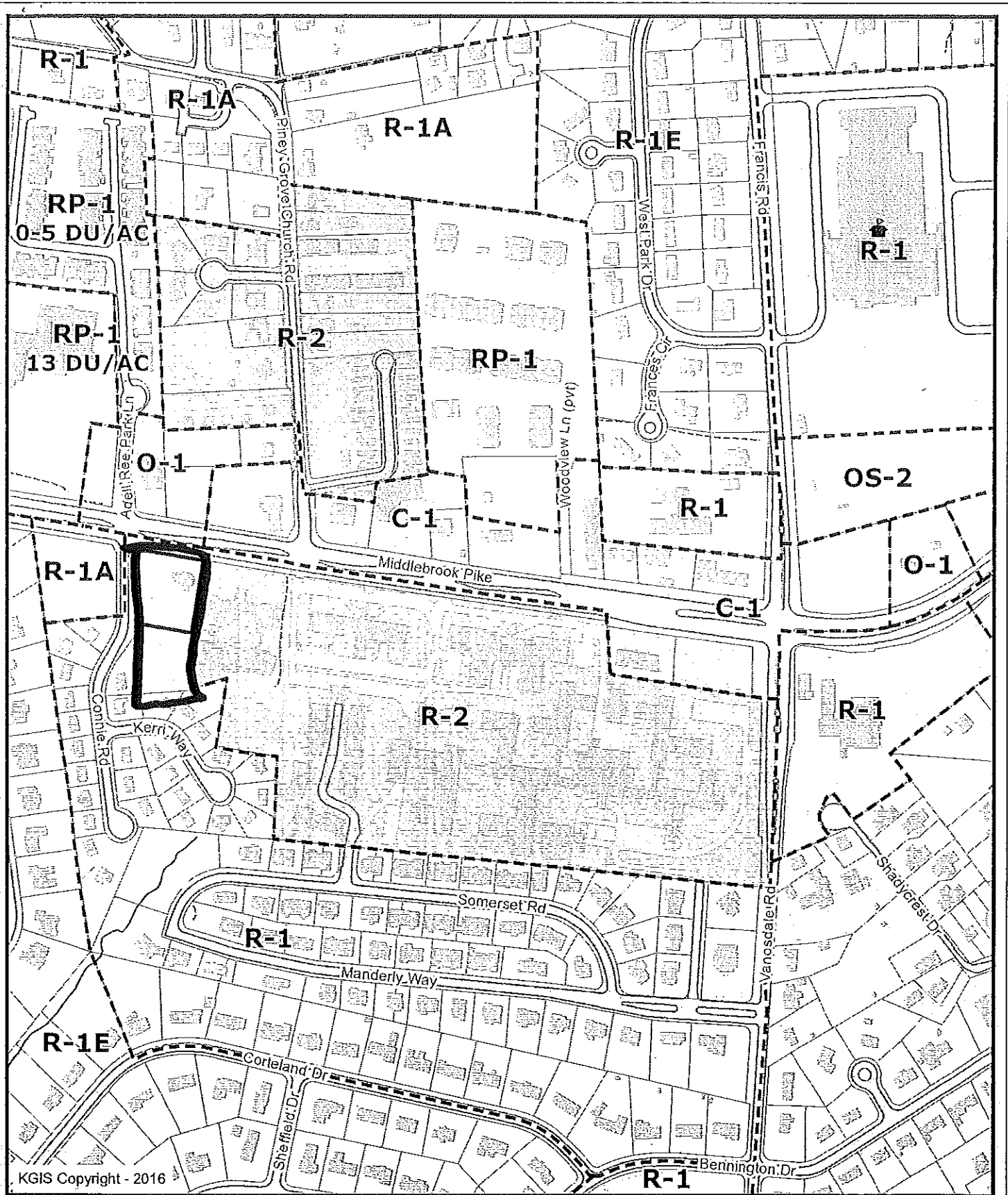
Company:

Address:

City: State: Zip:

Telephone:

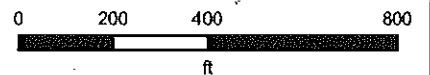
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