

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

▶ **FILE #:** 7-I-17-SP

AGENDA ITEM #: 59

AGENDA DATE: 7/13/2017

▶ **APPLICANT:** NORWOOD HOMEOWNERS ASSOCIATION

OWNER(S):

TAX ID NUMBER: 80 D B 501,6,801,802,12 & 13

[View map on KGIS](#)

JURISDICTION: Council District 5

STREET ADDRESS:

▶ **LOCATION:** North side Tillery Rd., south of Clinton Hwy., west of Wilson Rd.

▶ **APPX. SIZE OF TRACT:** 6.5 acres

SECTOR PLAN: Northwest City

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

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

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** LDR (Low Density Residential) and GC (General Commercial) / C-4 (Highway and Arterial Commercial) and R-1 (Low Density Residential)

▶ **PROPOSED PLAN DESIGNATION:** GC (General Commercial) and LDR (Low Density Residential)

▶ **EXISTING LAND USE:** Commercial and residential

▶ **PROPOSED USE:** No proposed change

EXTENSION OF PLAN DESIGNATION: No

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION:
 North: Commercial along Clinton Highway and GC (General Commercial)
 South: Residential along Tillery Road and LDR (Low Density Residential) / MDR (Medium Density Residential)
 East: Commercial along Tillery Road and GC (General Commercial)
 West: Single Family Residential along Allen Drive and LDR (Low Density Residential)

NEIGHBORHOOD CONTEXT This property is located between commercial businesses to the north along Clinton Highway and residential development to the south along Tillery Road.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE GC (General Commercial) Sector Plan designation on the north side and LDR (Low Density Residential) Sector Plan designation on the south side.**

This tract is 6.5 acres and is located on the north side of Tillery Road, south of Clinton Highway and west of

Wilson Road. The land use designation was changed as a result of the 2015 Northwest City Sector Plan update from LDR (Low Density Residential) to MDR (Medium Density Residential).

In developing the sector plan, staff followed parcel lines and tried not to split parcels. The change in the proposed land use pattern pertaining to this area resulted from following parcel lines and not splitting parcels. There is currently a natural tree lined buffer along the rear of (Parcels 080DB00501 and 080DB006) that abut LDR (Low Density Residential) along Harmony Lane. By amending the rear portion of the proposed land use to LDR (Low Density Residential) these properties will maintain their buffer.

The north side of Parcel 080DB012 is used commercially by Clayton Motors and Fenton Nissan. This parcel is currently designated as GC (General Commercial) towards Clinton Highway) and LDR (Low Density Residential) towards Tillery Road. Due to its size (10.1 acres), the adjacent existing land uses change from commercial along Clinton Highway to single-family residential along Tillery Road. As a result, the mapping of this parcel were in error and should have been split to include all existing commercial uses within the GC (General Commercial) designation and the vacant undeveloped portions of the parcel (towards Tillery Road) to LDR (Low Density Residential). This will maintain the buffer between the commercial uses and adjacent neighborhood.

The parcels to the east, closest to Wilson Road (080DB013 and 080DB01901) have commercial frontage on Clinton Highway and do not have any commercial use or access along Tillery Road. As a result, the mapping should have split these parcels, so LDR (Low Density Residential) would be along Tillery Road.

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 Chapman Highway or Tillery Road.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

There was an error in the mapping of the plan. The Northwest City Sector Plan did not take into full account the size of the parcels in question and how the existing land use pattern changes as the parcels span from the commercial land use pattern along Clinton Highway to the low density commercial pattern along Tillery Road.

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

No change in public policy directly impacts this plan amendment.

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.

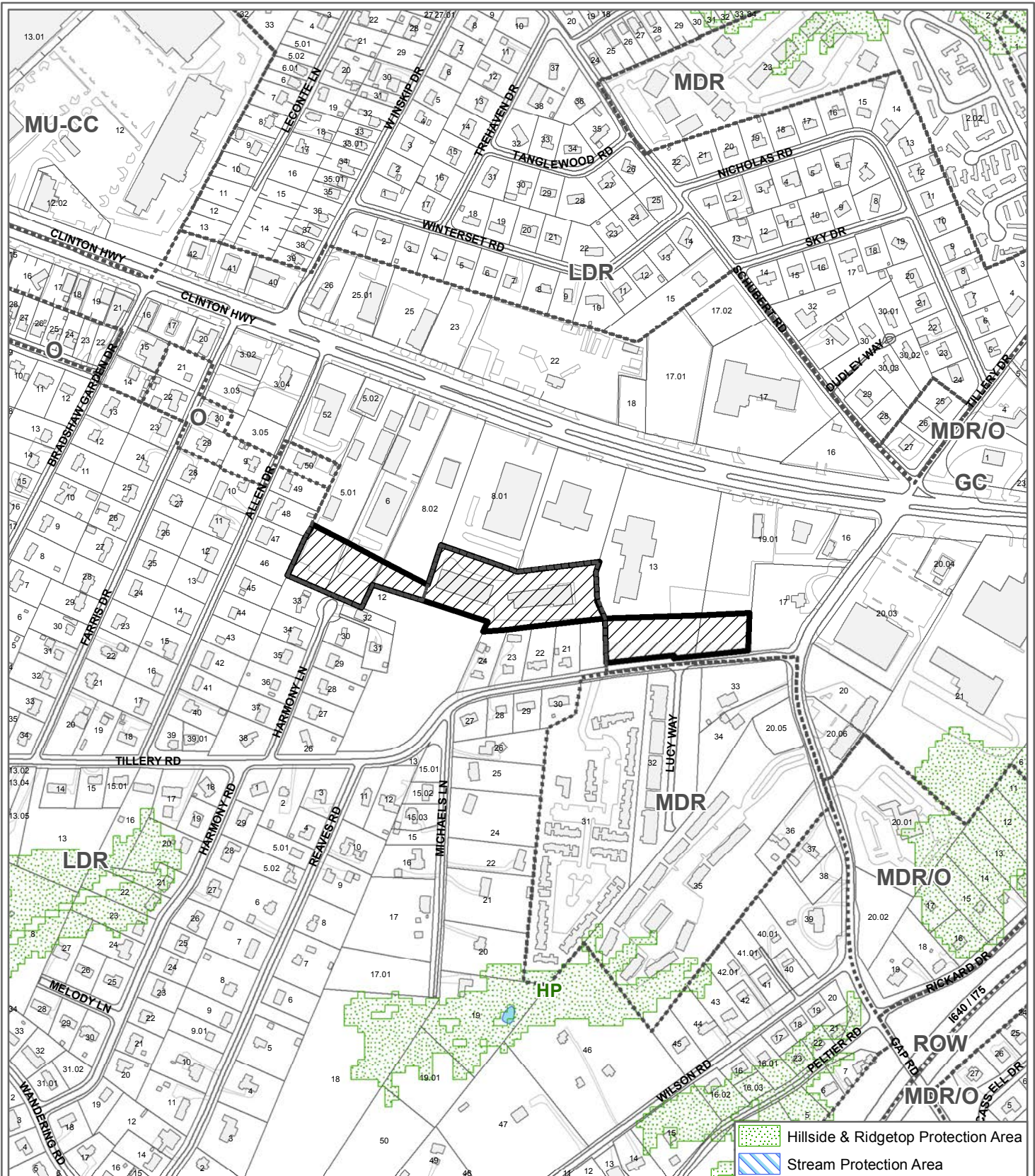
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law provides for two methods to amend the plan at TCA 13-3-304:

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 Knoxville City Council for action on 8/15/2017 and 8/29/2017. 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.



**7-I-17-SP
NORTHWEST CITY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential) and GC (General Commercial)
 To: GC (General Commercial) and LDR (Low Density Residential)

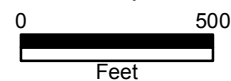


Original Print Date: 6/15/2017
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Norwood Homeowners Association

Map No: 80
 Jurisdiction: City



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, Norwood Homeowners Association, has submitted an application to amend the Sector Plan from Low Density Residential and General Commercial to General Commercial and Low 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 13, 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 #7-I-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

PLAN AMENDMENT

Date Filed: 5/30/2017

Name of Applicant: NORWOOD HOMEOWNERS ASSOCIATION

Meeting Date: 7/13/2017

Application Accepted By: Michael Brusseau

Rezoning File Number:

Plan Amendment File Number: 7-I-17-SP

PROPERTY INFORMATION

Street Address:

General Location:

North side Tillery Rd., south of Clinton Hwy., west of Wilson Rd.

Tract Size: 6.5 acres

Parcel ID: 80 D B 501,6,801,802,12 & 13

Existing Land Use:

Commercial and residential

Planning Sector: Northwest City

Growth Plan: Urban Growth Area (Inside City Limits)

Census Tract(s): 39.02

Traffic Zone(s): 148

Jurisdiction: City Council District 5

PROPERTY OWNER/OPTION HOLDER

Norwood Homeowners Association

5246 Oakhill Dr

Knoxville, TN 37912

Telephone: 865-688-3136 Fax:

Email: lredmon865@gmail.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

Norwood Homeowners Association

5246 Oakhill Dr

Knoxville, TN 37912

Telephone: 865-688-3136 Fax:

Email: lredmon865@gmail.com

APPROVAL REQUESTED

Rezoning

Plan Amendment

Type: Northwest City Sector Plan Amendment

FROM:

LDR (Low Density Residential) and GC (General Commercial)

TO:

GC (General Commercial) and LDR (Low Density Residential)

PROPOSED USE OF PROPERTY

No proposed change

Density Proposed:

Previous Rezoning Requests:

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: _____

Norwood Homeowners Association

5246 Oakhill Dr

Knoxville, TN 37912

Telephone: 865-688-3136 Fax:

Email: lredmon865@gmail.com



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

▶ **FILE #:** 7-E-17-PA

AGENDA ITEM #: 59

AGENDA DATE: 7/13/2017

▶ **APPLICANT:** NORWOOD HOMEOWNERS ASSOCIATION

OWNER(S): Norwood Homeowners Association

TAX ID NUMBER: 80 D B 501,6,801,802,12 & 13

[View map on KGIS](#)

JURISDICTION: Council District 5

STREET ADDRESS:

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SECTOR PLAN: Northwest City

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

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UTILITIES: Water Source: Knoxville Utilities Board

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▶ **PRESENT PLAN AND ZONING DESIGNATION:** LDR (Low Density Residential) and GC (General Commercial) / C-4 (Highway and Arterial Commercial) & R-1 (Low Density Residential)

▶ **PROPOSED PLAN DESIGNATION:** GC (General Commercial) and LDR (Low Density Residential)

▶ **EXISTING LAND USE:** Commercial and residential

▶ **PROPOSED USE:** No proposed change

EXTENSION OF PLAN DESIGNATION: No

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Commercial along Clinton Highway and GC (General Commercial)

South: Residential along Tillery Road and LDR (Low Density Residential) / MDR Medium Density Residential)

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NEIGHBORHOOD CONTEXT This property is located between commercial businesses to the north along Clinton Highway and residential development to the south along Tillery Road.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE GC (General Commercial) One Year Plan designation on the north side and LDR (Low Density Residential) One Year Plan designation on the south side.**

This tract is 6.5 acres and is located on the north side of Tillery Road, south of Clinton Highway and west of

Wilson Road. The land use designation was changed as a result of the 2015 Northwest City Sector Plan update from LDR (Low Density Residential) to MDR (Medium Density Residential). The sector plan's proposed land use was replicated in the One Year Plan update of 2016.

In developing the sector plan, staff followed parcel lines and tried not to split parcels. The change in the proposed land use pattern pertaining to this area resulted from following parcel lines and not splitting parcels. There is currently a natural tree lined buffer along the rear of (Parcels 080DB00501 and 080DB006) that abut LDR (Low Density Residential) along Harmony Lane. By amending the rear portion of the proposed land use to LDR (Low Density Residential) these properties will maintain their buffer.

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COMMENTS:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these):

AN ERROR IN THE PLAN: There was an error in the mapping of the plan. The Northwest City One-Year Plan did not take into full account the size of the parcels in question and how the existing land use pattern changes as the parcels span from the commercial land use pattern along Clinton Highway to the low density commercial pattern along Tillery Road.

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 - There was no significant change in development pattern and there was no change in public improvements to this area.

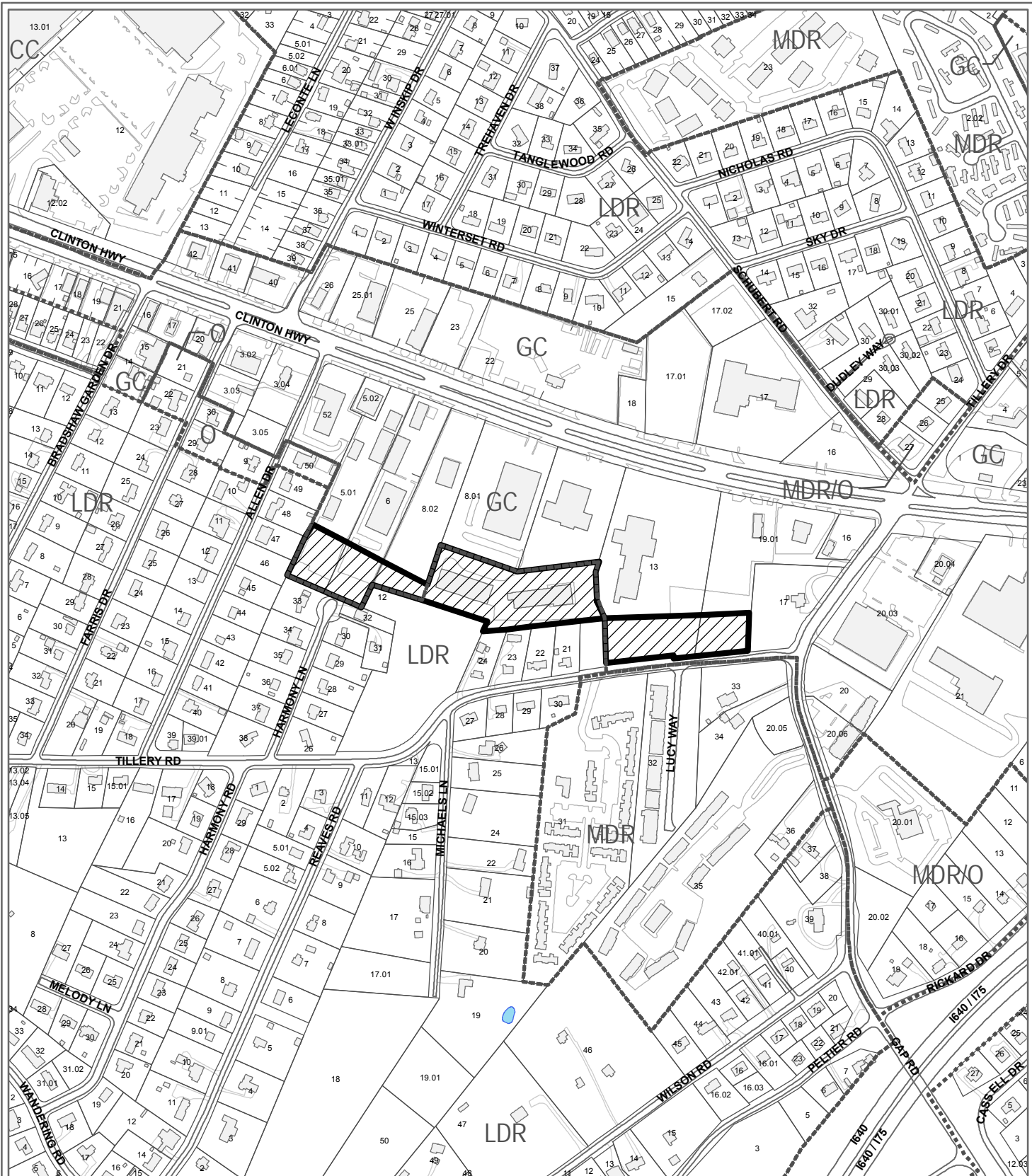
A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN - No change in public policy directly impacts this plan amendment.

NEW INFORMATION BECOMING AVAILABLE (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.

ESTIMATED TRAFFIC IMPACT: Not required.

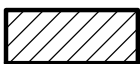
ESTIMATED STUDENT YIELD: Not applicable.

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**7-E-17-PA
KNOXVILLE ONE YEAR PLAN AMENDMENT**

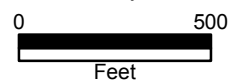
From: LDR (Low Density Residential) and GC (General Commercial)
 To: GC (General Commercial) and LDR (Low Density Residential)



Original Print Date: 6/14/2017 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Norwood Homeowners Association

Map No: 80
 Jurisdiction: City



One Year

PLAN AMENDMENT

Date Filed: 5/30/2017

Name of Applicant: NORWOOD HOMEOWNERS ASSOCIATION

Meeting Date: 7/13/2017

Application Accepted By: Michael Brusseau

Rezoning File Number:

Plan Amendment File Number: 7-E-17-PA

PROPERTY INFORMATION

Street Address:

General Location:
North side Tillery Rd., south of Clinton Hwy., west of Wilson Rd.

Tract Size: 6.5 acres

Parcel ID: 80 D B 501,6,801,802,12 & 13

Existing Land Use:
Commercial and residential

Planning Sector: Northwest City

Growth Plan: Urban Growth Area (Inside City Limits)

Census Tract(s): 39.02

Traffic Zone(s): 148

Jurisdiction: City Council District 5

PROPERTY OWNER/OPTION HOLDER

Norwood Homeowners Association

5246 Oakhill Dr
Knoxville, TN 37912

Telephone: 865-688-3136 Fax:

Email: lredmon865@gmail.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

Norwood Homeowners Association

5246 Oakhill Dr
Knoxville, TN 37912

Telephone: 865-688-3136 Fax:

Email: lredmon865@gmail.com

APPROVAL REQUESTED

Rezoning

— **Plan Amendment**

Type: One Year Plan Amendment

FROM:
LDR (Low Density Residential) and GC (General Commercial)

TO:
GC (General Commercial) and LDR (Low Density Residential)

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: _____

Norwood Homeowners Association

5246 Oakhill Dr
Knoxville, TN 37912

Telephone: 865-688-3136 Fax:

Email: lredmon865@gmail.com

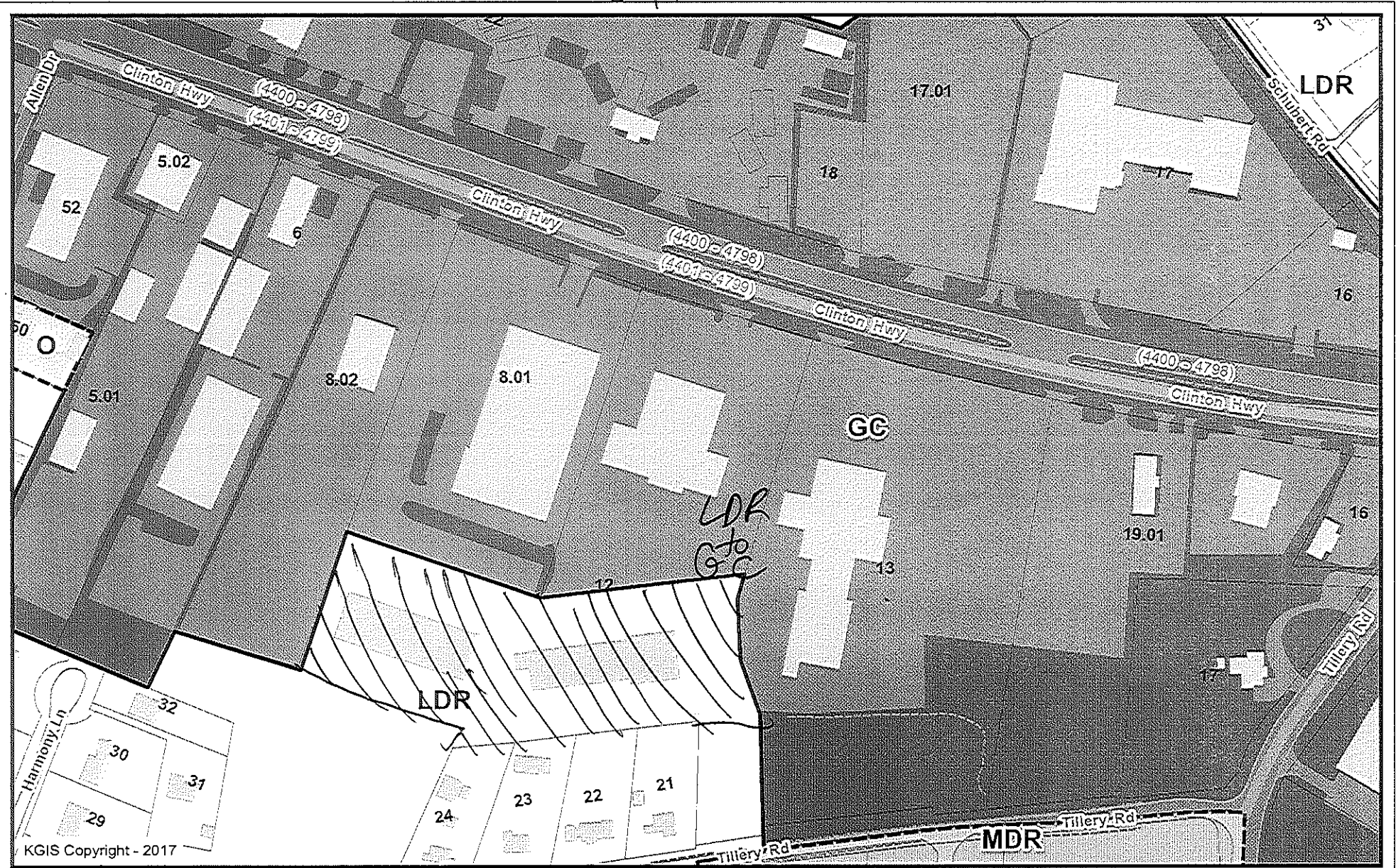
PROPOSED USE OF PROPERTY

No proposed change

Density Proposed:

Previous Rezoning Requests:

OVP



KGIS Copyright - 2017

Letter Landscape

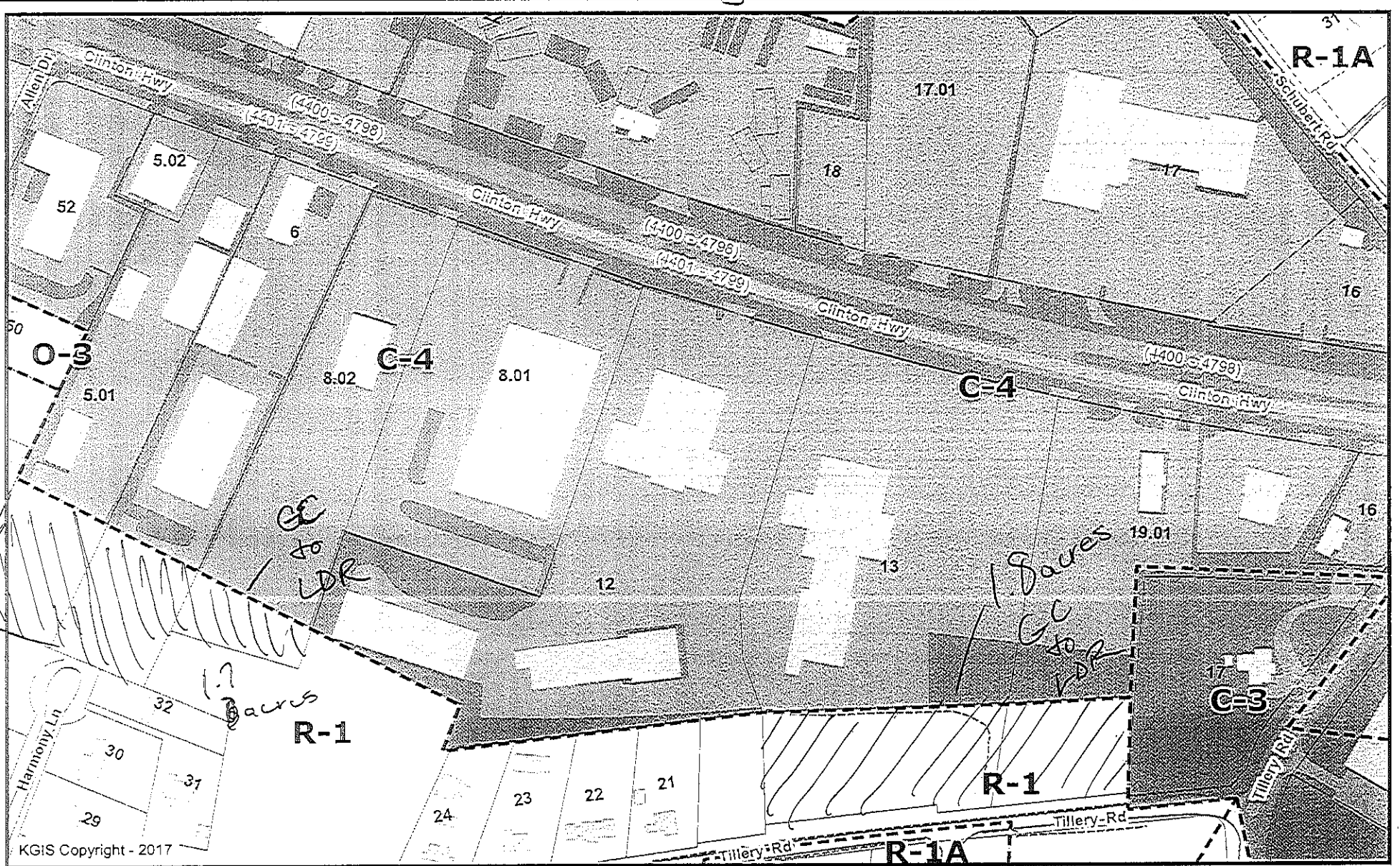
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Knoxville - Knox County - KUB Geographic Information System



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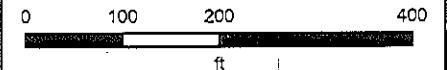
Zoning



Letter Landscape

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REZONING PLAN AMENDMENT

Name of Applicant: NORWOOD HOMEOWNERS ASSOC.

Date Filed: MAY 30, 2017 Meeting Date: JULY 13, 2017

Application Accepted by: _____

Fee Amount: _____ File Number: ^{SP amendment} Rezoning 7-I-17-SP

Fee Amount: _____ File Number: ^{One Year} Plan Amendment 7-E-17-PA

PROPERTY INFORMATION

Address: _____

General Location: VARIOUS PARCELS ON TILLERY ROAD
SEE MAP

Parcel ID Number(s): _____

Tract Size: _____

Existing Land Use: _____

Planning Sector: _____

Growth Policy Plan: _____

Census Tract: _____

Traffic Zone: _____

Jurisdiction: City Council _____ District
 County Commission _____ District

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT

Name: _____

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

Fax: _____

E-mail: _____

Requested Change

REZONING

FROM: _____

TO: _____

PLAN AMENDMENT

One Year Plan City NW Sector Plan

FROM: CURRENT 1-YEAR-PLAN

TO: FORMER 2015 1-YEAR-PLAN

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: LYNN REDMON

Company: NORWOOD HOMEOWNERS ASSOCI

Address: 5246 OAKHILL DRIVE

City: KNOXVILLE State: TN Zip: 37912

Telephone: 865-688-3136

Fax: _____

E-mail: LREDMON865@GMAIL.COM

PROPOSED USE OF PROPERTY

Density Proposed _____ Units/Acre

Previous Rezoning Requests: _____

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: _____

PLEASE PRINT

Name: see Attachment

Company: _____

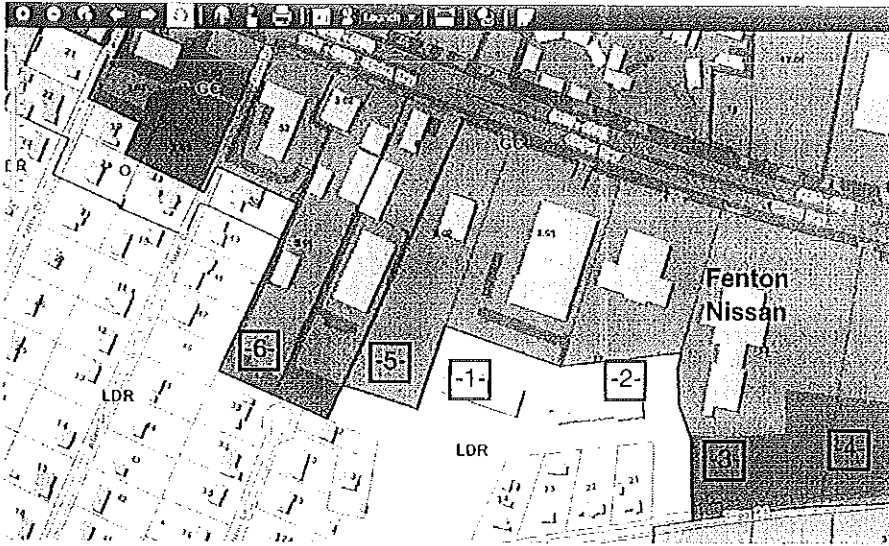
Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

E-mail: _____

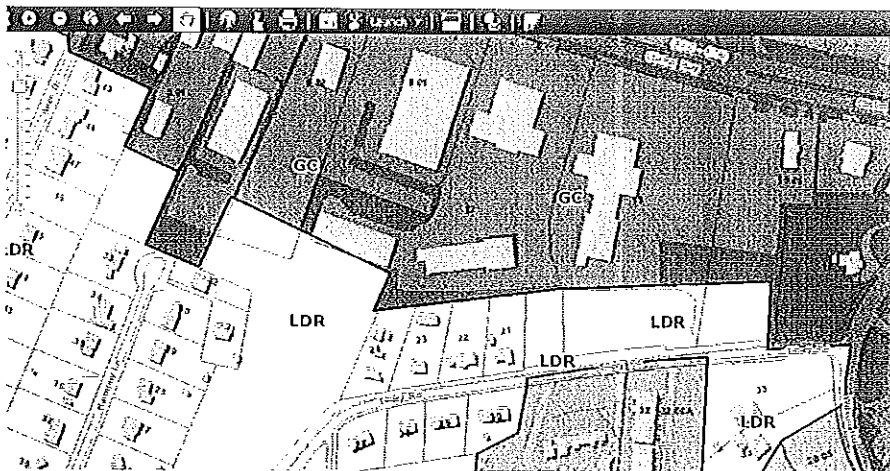
Requested change #2 - Change Parcels on Tillery Road back to the 2015 One-Year-Plan classifications.



Current ONE-YEAR-Plan Classifications

Parcels 1 & 2 - These are zoned C-4 as they should be. A possible mapping error should be corrected by changing from LDR to GC.

Parcels 3, 4, 5 & 6 - These change from residential to General commercial - they should remain residential to protect the current zoning buffer



Former O-Y-P classification

The 2015 1-Year-Plan leaves the Clayton & Fenton Property General Commercial as it should be

The 2015 1-Year-Plan protects the neighborhood by leaving the residential zoning in place by classifying property bordering Tillery Road LDR

Change the new One-Year-Plan back to the status of the old 2015 One-Year Plan

1. **The new changes contain possible map errors.** Parcels 1 & 2 should remain General Commercial - The Clayton Motors office and Fenton repair garage have been General Commercial for many years and are zoned C-4 - there is no reason to change them
2. **The new changes also eliminate the residential buffer.**
3. **There has been no change in the neighborhood requiring these changes.**

In 2016 Fenton Nissan requested a change in the One-year-Plan from residential to General Commercial.

MPC denied the request voting 14-1.

Upon appeal to city Council, the request was turned down by a vote of 6-3.

Several MPC Commissioners and members of City Council at the time pointed out that this one parcel change would lead to future requests and harm the residential buffer.

Sincerely,
Lynn Redmon