



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

▶ **FILE #:** 7-G-17-SP

AGENDA ITEM #: 56

AGENDA DATE: 7/13/2017

▶ **APPLICANT:** BARRY BYRD
OWNER(S): CAP Northshore LLC

TAX ID NUMBER: 121 G C 02501 [View map on KGIS](#)

JURISDICTION: Council District 2

STREET ADDRESS: 600 S Northshore Dr

▶ **LOCATION:** East side S. Northshore Dr., south of Walden Dr.

▶ **APPX. SIZE OF TRACT:** 4.01 acres

SECTOR PLAN: West City

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

ACCESSIBILITY: Access is via S. Northshore Dr., a major arterial street with 58' of pavement width within 110' of right-of-way.

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

WATERSHED: Fourth Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** LDR (Low Density Residential), SLPA (Slope Protection) & STPA (Stream Protection) / O-3 (Office Park) & F-1 (Floodway)

▶ **PROPOSED PLAN DESIGNATION:** O (Office), SLPA (Slope Protection) & STPA (Stream Protection)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Any use permitted in the O-1 zone

EXTENSION OF PLAN DESIGNATION: No

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION:
North: Offices - MDR/O & STPA
South: Apartments - MDR & SLPA
East: Houses - LDR & SLPA
West: S. Northshore Dr., business - BP-1 & STPA

NEIGHBORHOOD CONTEXT This area is developed with businesses along S. Northshore Dr., zoned C-3, C-4 and C-6. Behind them are office and low to medium density residential uses, zoned O-1, O-3, R-1 and R-2.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION #7-G-17-SP, amending the West City Sector Plan to O (Office), STPA (Stream Protection) and SLPA (Slope Protection) 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 create an appropriate development pattern with a transition between

commercial uses along S. Northshore Dr. to residential uses to the east.

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 S. Northshore Dr., 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:

The current sector plan does not recognize the current O-3 zoning of the property. Approval of this plan amendment will bring the plan into consistency with zoning.

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 medium 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.

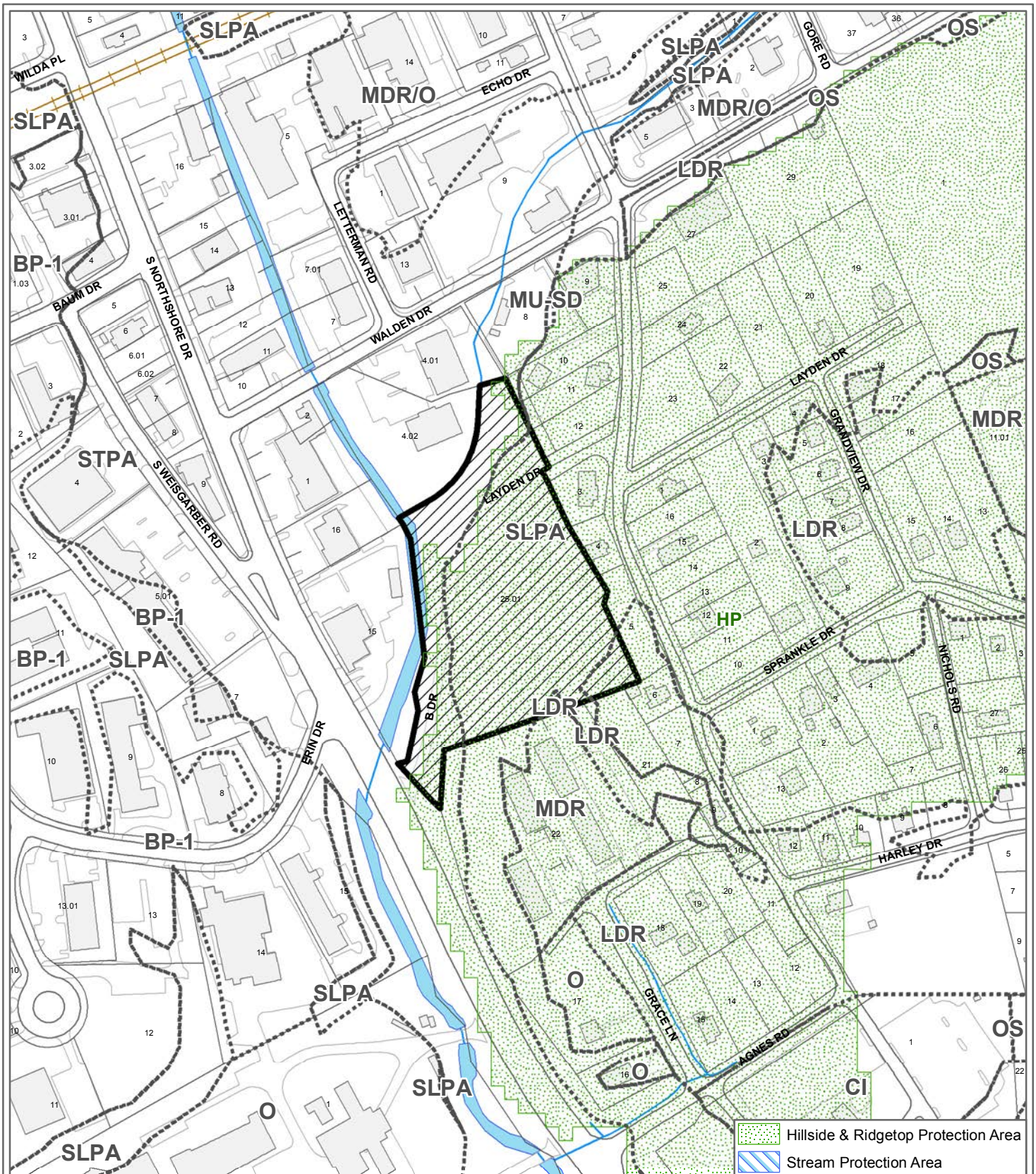
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

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 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-G-17-SP
WEST CITY SECTOR PLAN AMENDMENT**

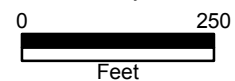
From: LDR (Low Density Residential), SLPA (Slope Protection) & STPA (Stream Protection)
 To: O (Office), SLPA (Slope Protection) & STPA (Stream Protection)



Petitioner: Byrd, Barry

Map No: 121

Jurisdiction: City



Original Print Date: 6/14/2017

Revised:

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

KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE WEST 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 West 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, Barry Byrd, has submitted an application to amend the Sector Plan from Low Density Residential, Stream Protection and Slope Protection to Office, Stream Protection and Slope Protection, for property described in the application; and

WHEREAS, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the West 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 West City Sector Plan, with its accompanying staff report and map, file #7-G-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

One Year + West City SP

REZONING PLAN AMENDMENT



Name of Applicant: Barry Byrd
Date Filed: 5/30/17 Meeting Date: July 13, 2017
Application Accepted by: Bousseau (7-6-17-SP)
Fee Amount: \$1000 File Number: Rezoning 7-K-17-RZ
Fee Amount: \$600 File Number: Plan Amendment 7-D-17-PA

PROPERTY INFORMATION

PROPERTY OWNER OPTION HOLDER

Address: 600 S. Northshore Dr.
General Location: E side S. Northshore Dr., S of Walden Dr.
Parcel ID Number(s): 1216C02501
Tract Size: 4.01 ac
Existing Land Use: Vacant land
Planning Sector: West City
Growth Policy Plan: Inside City
Census Tract: 44.04
Traffic Zone: 118
Jurisdiction: City Council 2nd District
 County Commission District

PLEASE PRINT
Name: CAP Northshore LLC
Company:
Address: 935 South Main
City: ~~Knoxville~~ Greenville, SC Zip: 29601
Telephone: 864-331-2964
Fax: 864-242-5498
E-mail: doug@capllc.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:
PLEASE PRINT
Name: Barry Byrd
Company: Barry Byrd Architecture
Address: P.O. Box 5482
City: Knoxville State: TN Zip: 37910
Telephone: 865-687-6500
Fax: 865-688-8036
E-mail: byrd@barrybyrdarchitecture.com

Requested Change

REZONING

FROM: O-3
TO: O-1

PLAN AMENDMENT

One Year Plan West City Sector Plan
FROM: LDR LDR+SLPA
TO: O O+SLPA
(portion)

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: Barry Byrd
Company: Barry Byrd Architecture
Address: See above
City: State: Zip:
Telephone:
E-mail:

PROPOSED USE OF PROPERTY

Any use permitted in O-1 zone
Density Proposed Units/Acre
Previous Rezoning Requests: None noted



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

FILE #: 7-K-17-RZ
7-D-17-PA

AGENDA ITEM #: 56
AGENDA DATE: 7/13/2017

APPLICANT: BARRY BYRD
OWNER(S): CAP Northshore LLC

TAX ID NUMBER: 121 G C 02501 PORTION DESIGNATED LDR ONLY [View map on KGIS](#)

JURISDICTION: Council District 2

STREET ADDRESS: 600 S Northshore Dr

LOCATION: East side S. Northshore Dr., south of Walden Dr.

TRACT INFORMATION: 4.01 acres.

SECTOR PLAN: West City

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

ACCESSIBILITY: Access is via S. Northshore Dr., a major arterial street with 58' of pavement width within 110' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Fourth Creek

PRESENT PLAN DESIGNATION/ZONING: LDR (Low Density Residential) / O-3 (Office Park) & F-1 (Floodway)

PROPOSED PLAN DESIGNATION/ZONING: O (Office) / O-1 (Office, Medical, and Related Services) & F-1 (Floodway)

EXISTING LAND USE: Vacant land

PROPOSED USE: Any use permitted in the O-1 zoning district

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

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Offices - MDR/O - C-3 (General Commercial)
South: Apartments - MDR - R-2 (General Residential)

East: Houses - LDR - R-1 (Low Density Residential)

West: S. Northshore Dr., business - BP-1 - C-4 (Highway & Arterial Commercial)

NEIGHBORHOOD CONTEXT: This area is developed with businesses along S. Northshore Dr., zoned C-3, C-4 and C-6. Behind them are office and low to medium density residential uses, zoned O-1, O-3, R-1 and R-2.

STAFF RECOMMENDATION:

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

Office uses at this location would create an appropriate development pattern with a transition between commercial uses along S. Northshore Dr. to residential uses to the east. The majority of the site is already designated office. Approval of this request would be a minor expansion of that designation to encompass the entire parcel.

► **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 west along S. Northshore Dr. and residential uses to the east. O-1 zoning is compatible with the scale and intensity of surrounding development and zoning pattern. The recommended amendments 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 O uses for most of the site, consistent with the current O-3 zoning on the entire site. The applicant is seeking a different office zone, O-1, which is consistent with the recommended One Year Plan amendment.
- 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 S. Northshore Dr., 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 medium 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.

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. The recommended amendments to the One Year Plan and sector plan both support office uses at this location.

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.

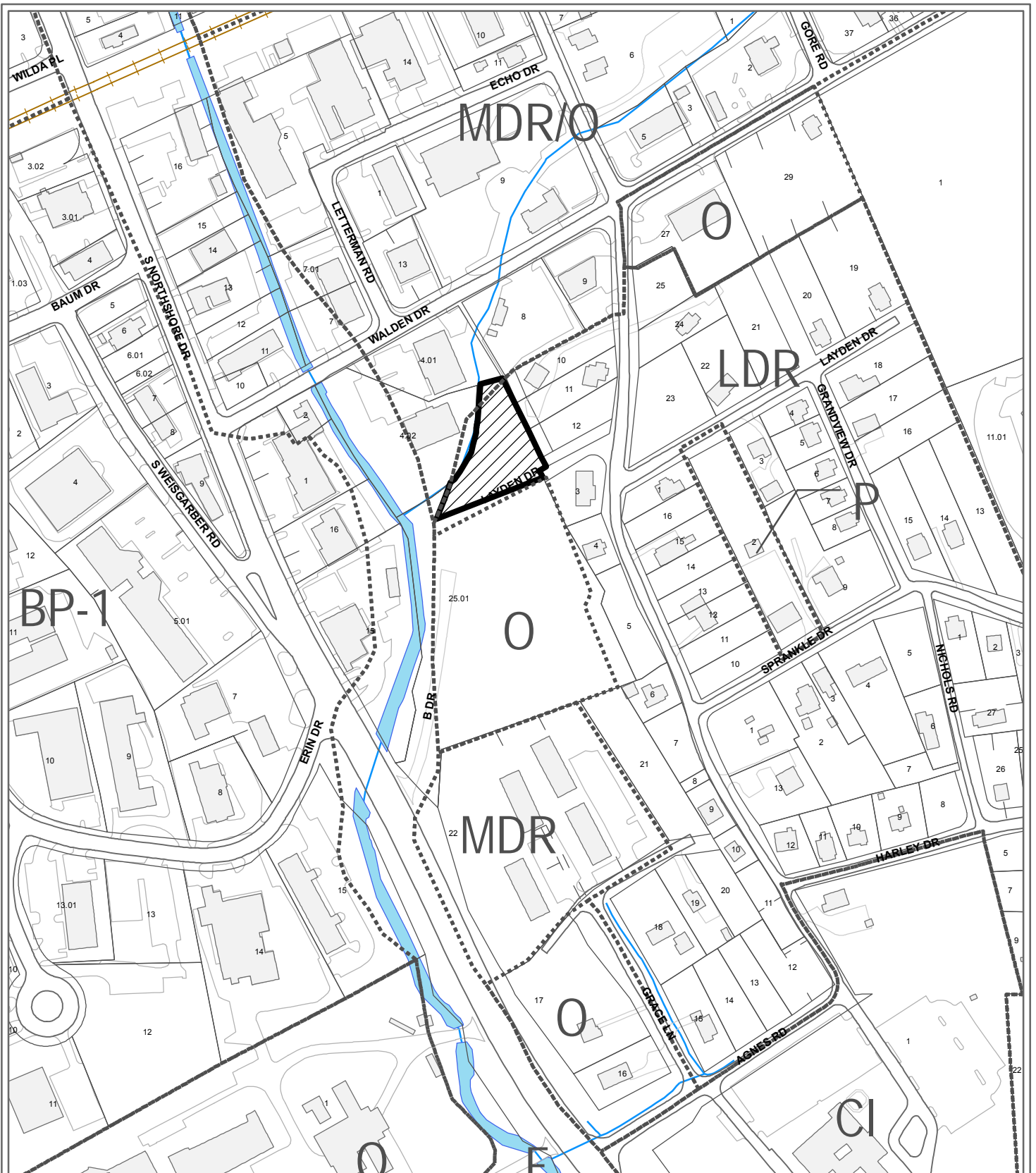
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. With the recommended amendment to the City of Knoxville One Year Plan to office on the accompanying application (7-D-17-PA), O-1 zoning would be consistent with the plan.
2. With the recommended amendment to the West City Sector Plan to office on the accompanying application (7-G-17-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 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-D-17-PA / 7-K-17-RZ
PLAN AMENDMENT**

Petitioner: Byrd, Barry



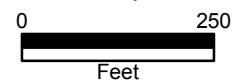
From: LDR (Low Density Residential)

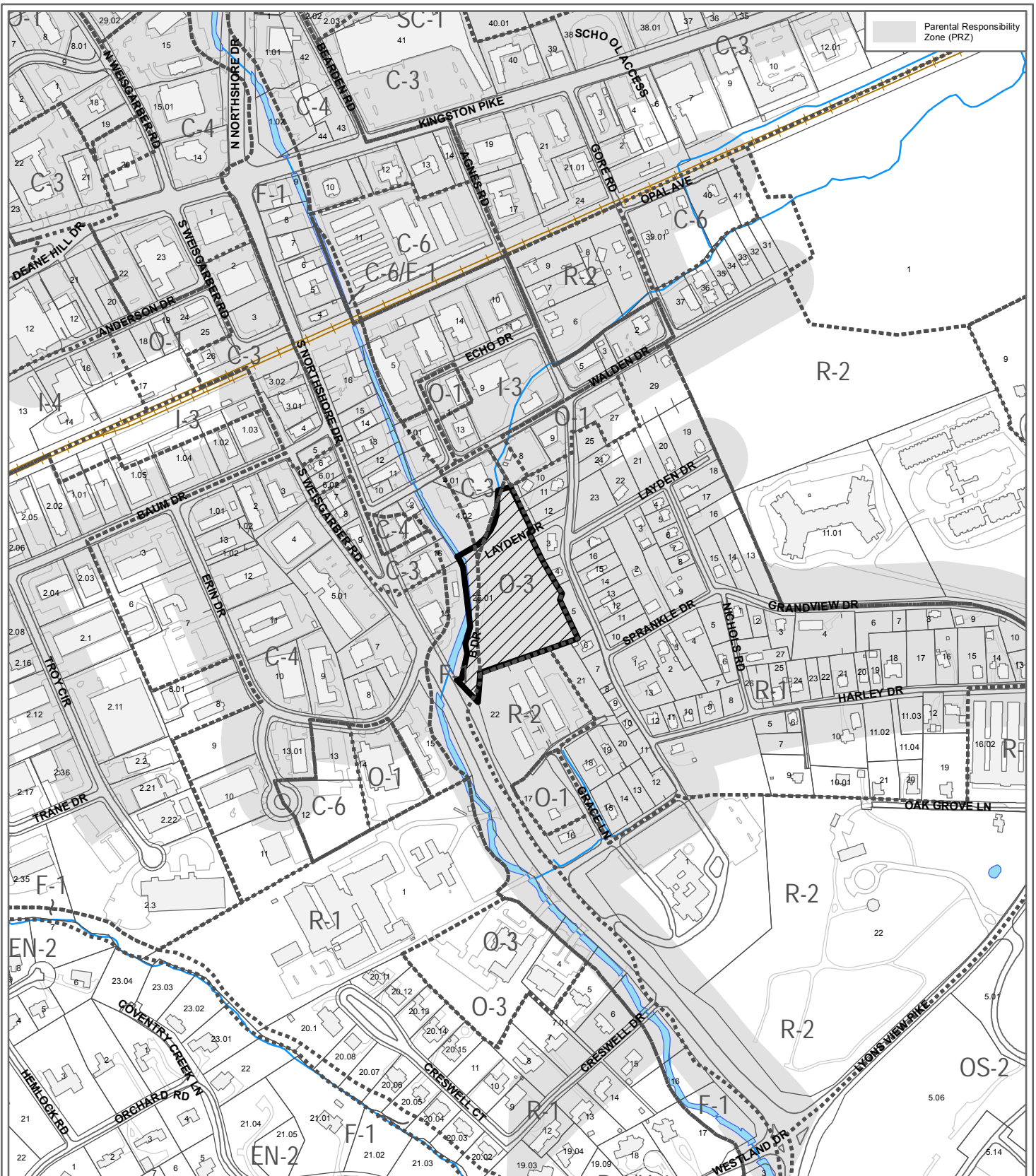
To: O (Office)

Map No: 121

Jurisdiction: City

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





**7-K-17-RZ
REZONING**

From: O-3 (Office Park) & F-1 (Floodway)

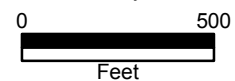
To: O-1 (Office, Medical, and Related Services) & F-1 (Floodway)



Petitioner: Byrd, Barry

Map No: 121

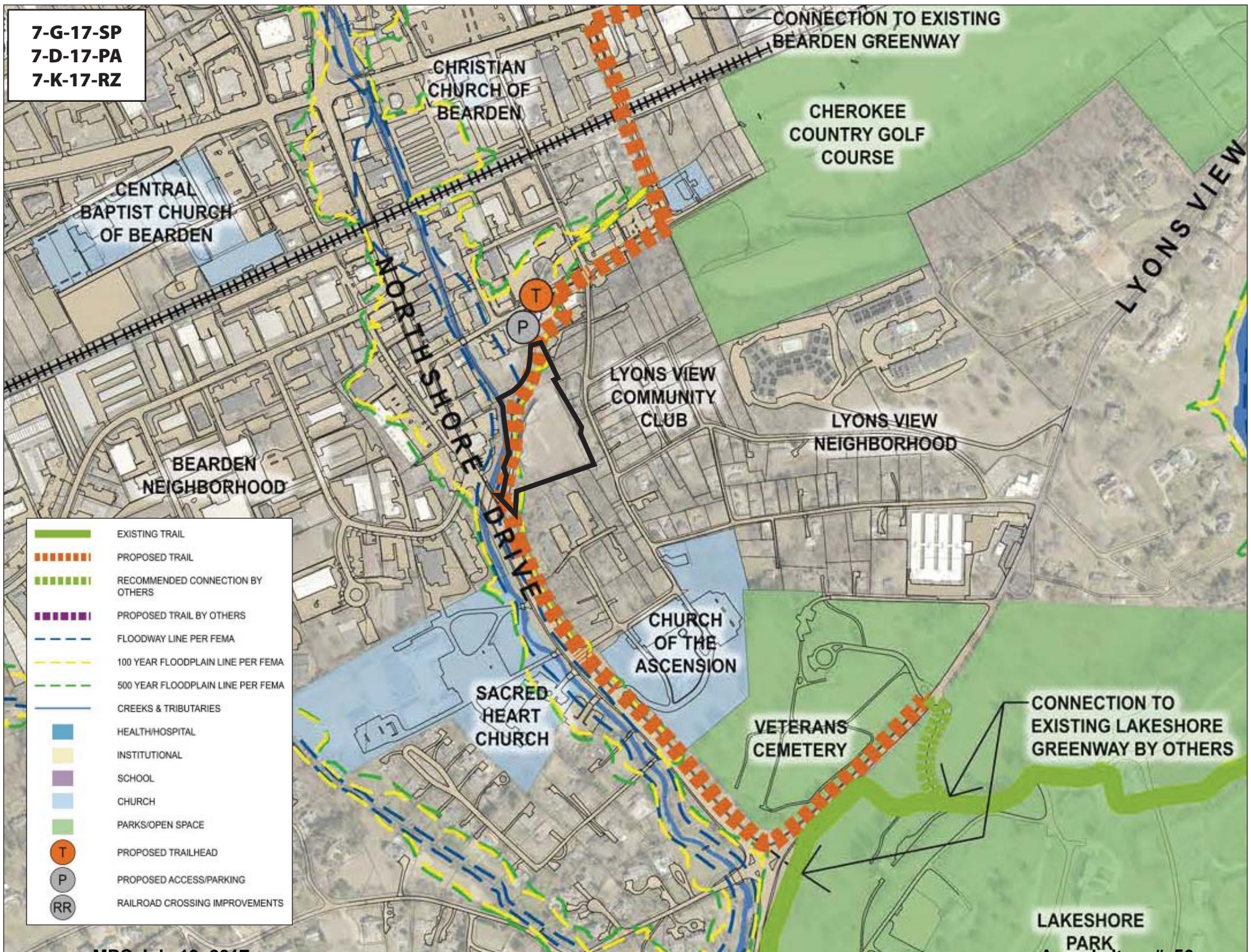
Jurisdiction: City



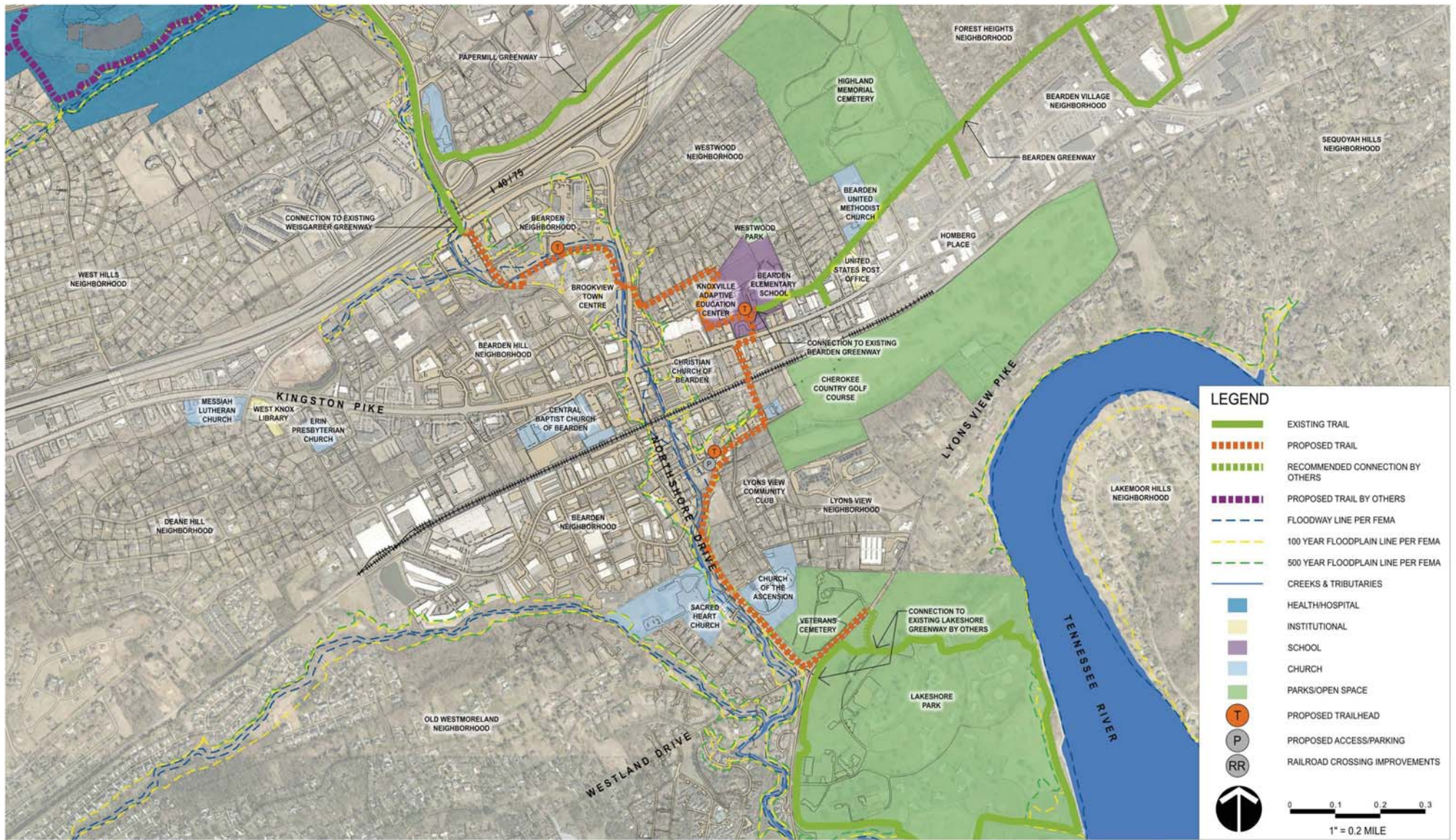
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Revised:
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7-G-17-SP
7-D-17-PA
7-K-17-RZ



- EXISTING TRAIL
- PROPOSED TRAIL
- RECOMMENDED CONNECTION BY OTHERS
- PROPOSED TRAIL BY OTHERS
- FLOODWAY LINE PER FEMA
- 100 YEAR FLOODPLAIN LINE PER FEMA
- 500 YEAR FLOODPLAIN LINE PER FEMA
- CREEKS & TRIBUTARIES
- HEALTH/HOSPITAL
- INSTITUTIONAL
- SCHOOL
- CHURCH
- PARKS/OPEN SPACE
- T PROPOSED TRAILHEAD
- P PROPOSED ACCESS/PARKING
- RR RAILROAD CROSSING IMPROVEMENTS



04/29/2016



CORRIDOR CONCEPT - CORRIDOR C
 WEISGARBER GREENWAY AND BEARDEN GREENWAY TO LAKESHORE GREENWAY
 CITY OF KNOXVILLE

ROSS/FOWLER
 CANNON & CANNON INC
 S&ME



C1.0
 CORRIDOR
 CONCEPT

One Year + West City SP

REZONING PLAN AMENDMENT



Name of Applicant: Barry Byrd
Date Filed: 5/30/17 Meeting Date: July 13, 2017
Application Accepted by: Bousseau (7-G-17-ST)
Fee Amount: \$1000 File Number: Rezoning 7-K-17-RZ
Fee Amount: \$600 File Number: Plan Amendment 7-D-17-PA

PROPERTY INFORMATION

PROPERTY OWNER OPTION HOLDER

Address: 600 S. Northshore Dr.
General Location: E side S. Northshore Dr., S of Walden Dr.
Parcel ID Number(s): 1216C02501
Tract Size: 4.01 ac
Existing Land Use: Vacant land
Planning Sector: West City
Growth Policy Plan: Inside City
Census Tract: 44.04
Traffic Zone: 118
Jurisdiction: City Council 2nd District
 County Commission District

PLEASE PRINT
Name: CAP Northshore LLC
Company:
Address: 935 South Main
City: ~~Knoxville~~ Greenville, SC Zip: 29601
Telephone: 864-331-2964
Fax: 864-242-5498
E-mail: doug@capllc.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:
PLEASE PRINT
Name: Barry Byrd
Company: Barry Byrd Architecture
Address: P.O. Box 5482
City: Knoxville State: TN Zip: 37910
Telephone: 865-687-6500
Fax: 865-688-8036
E-mail: byrd@barrybyrdarchitecture.com

Requested Change

REZONING

FROM: O-3
TO: O-1

PLAN AMENDMENT

One Year Plan West City Sector Plan
FROM: LDR LDR + SLPA
TO: O O + SLPA
(portion)

PROPOSED USE OF PROPERTY

Any use permitted in O-1 zone
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 signatures are included on the back of this form.
Signature: [Signature]
PLEASE PRINT
Name: Barry Byrd
Company: Barry Byrd Architecture
Address: See above
City: _____ State: _____ Zip: _____
Telephone: _____
E-mail: _____