



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

▶ **FILE #:** 6-F-17-RZ
6-C-17-SP

AGENDA ITEM #: 40
AGENDA DATE: 6/8/2017

▶ **APPLICANT:** **DOMINION DEVELOPMENT GROUP**
OWNER(S): Dominion Development Group

TAX ID NUMBER: 121 A B 004, 006 & 007

[View map on KGIS](#)

JURISDICTION: Council District 2

STREET ADDRESS:

▶ **LOCATION:** **Southeast side Deane Hill Dr., south of Gerald R. Ford St.**

▶ **TRACT INFORMATION:** **2.86 acres.**

SECTOR PLAN: West City

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

ACCESSIBILITY: Access is via Deane Hill Dr., a major collector street with 24' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Fourth Creek

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

▶ **PROPOSED PLAN DESIGNATION/ZONING:** **GC (General Commercial) / C-3 (General Commercial)**

▶ **EXISTING LAND USE:** **Vacant land**

▶ **PROPOSED USE:** **Attached multi-dwelling residential**

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

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Young Williams Animal Village / GC / C-4 (Highway & Arterial Commercial)

South: Railroad R-O-W, business park / BP-1 / C-6 (General Commercial Park)

East: Office / O / O-1 (Office, Medical & Related Services)

West: Business / O / C-6 (General Commercial Park)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of light industrial, office and commercial uses under I-2, O-1, C-3, C-4 and C-6 zoning.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION #6-C-17-SP, amending the West City Sector Plan map to GC (General**

Commercial) sector plan designation, and recommend the Knoxville City Council also approve the sector plan amendment, to make it operative.

The Knoxville One Year Plan proposes general commercial uses for these properties. This sector plan amendment will bring the sector plan into consistency with the One Year Plan. Several properties in the area that are currently designated for office uses are actually zoned and developed with commercial uses. Commercial use of this site will be compatible with the surrounding development and zoning pattern.

► **RECOMMEND that City Council APPROVE C-3 (General Business) zoning.**

C-3 is a logical extension of commercial zoning from the north, south and west. C-3 zoning is consistent with the One Year Plan proposal and compatible with surrounding land uses and zoning.

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 along Deane Hill Dr. in this area., but it has about 24' of pavement width and is classified as a major collector street. The street is sufficient to handle the additional traffic that would be generated by general commercial development of the site. Utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan designates this site for office uses. However, the One Year Plan proposes general commercial. Additionally, several properties under the sector plan's office designation are currently zoned for commercial uses. The requested sector plan amendment will bring the plan designation into conformance with the One Year Plan designation and zoning in the area.

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

Several office-designated properties along this section of Deane Hill Dr. are currently zoned for commercial uses. Clearly, past policies and decisions do not reflect the current proposal of the sector plan.

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

Approval of GC for this site allows consideration of C-3 zoning. GC uses and C-3 zoning are prominent in the area. This recommended plan amendment recognizes that trend.

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. C-3 zoning is compatible with the surrounding development and zoning pattern.
2. With the recommended amendment of the sector plan to GC for this site, C-3 zoning will be consistent with the sector plan. The current One Year Plan proposes GC (General Commercial) uses for the site, consistent with C-3 zoning.
3. Several of the surrounding properties in the immediate area are zoned and developed with commercial uses. This proposal is a logical extension of that zoning pattern.

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

1. The C-3 zone, as described in the zoning ordinance, is for personal and business services and general retail businesses. This zoning category is intended to include areas where commercial development has displaced or is displacing residential development, or is moving in on vacant land. Further, the regulations are designed to guide future change so as to discourage formation of future commercial slums, to preserve the carrying capacity of the streets, and to provide for off-street parking and loading. It is not the intent of this district to encourage the extension of existing strip commercial areas, but rather to provide concentrations of general commercial activities.
2. Based on the above general intent, this site is appropriate to be rezoned to C-3.

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. Considering the type of commercial development and zoning in the surrounding area, rezoning this site to C-3 should not adversely affect surrounding properties or any other part of the County.
2. Utilities are in place to serve the site.
3. Deane Hill Dr. is classified as a major collector street, and has the capacity to support C-3 development of this site.

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. Staff is recommending approval of an amendment to the West City Sector Plan map to GC, within which C-3 zoning is appropriate.
2. The Knoxville One Year Plan proposes GC (General Commercial) for the site, consistent with the requested C-3 zoning.
3. Approval of this request could lead to future requests for plan amendments and C-3 zoning on other nearby properties that remain zoned O-1.
4. This proposal does not present any apparent conflicts with any other adopted plans.

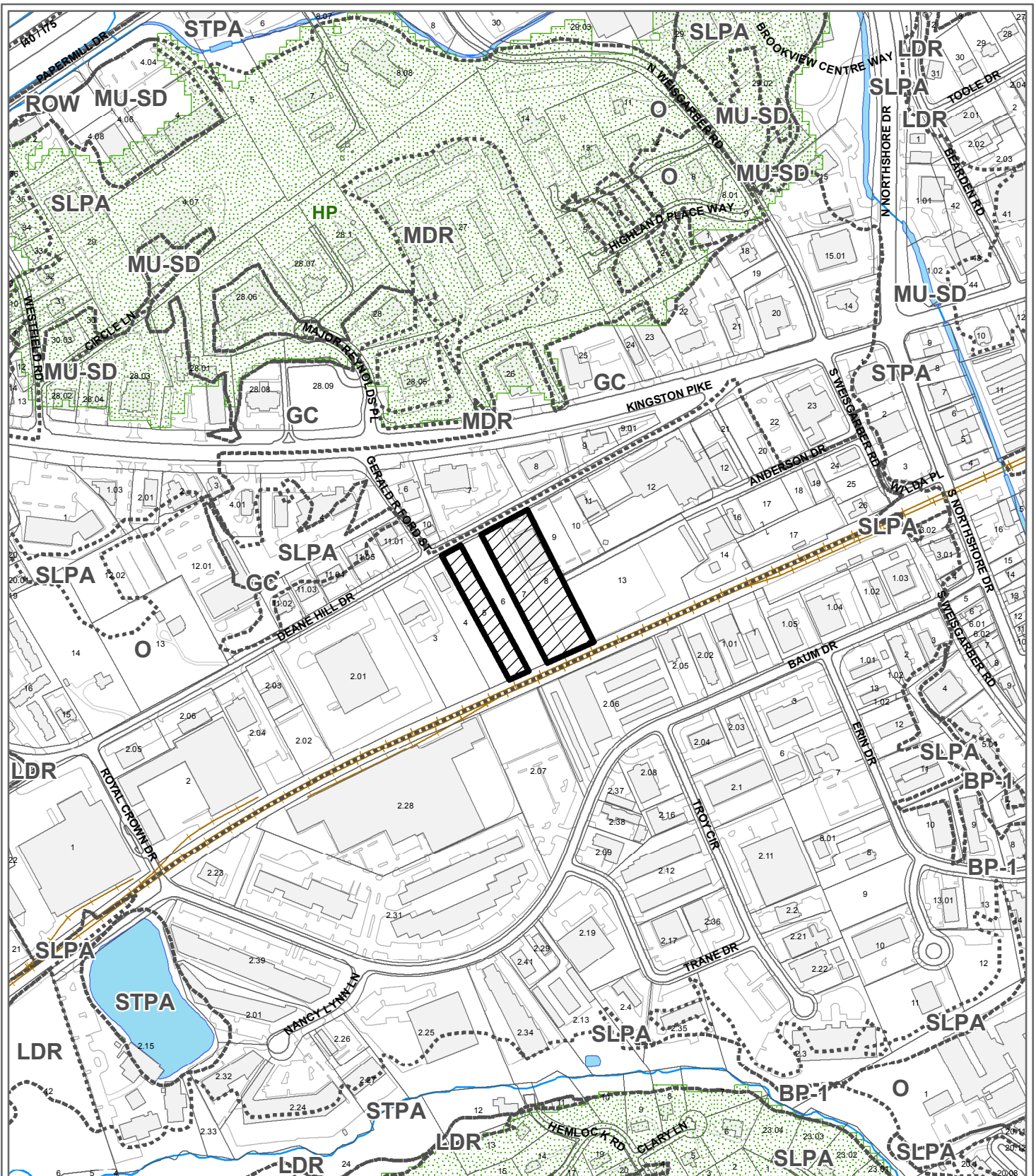
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law provides for two methods to amend the plan at TCA 13-3-304:

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 7/6/2017 and 7/18/2017. 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.



**6-C-17-SP / 6-F-17-RZ
WEST CITY SECTOR PLAN AMENDMENT**

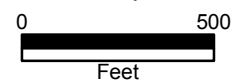
From: O (Office)
To: GC (General Commercial)



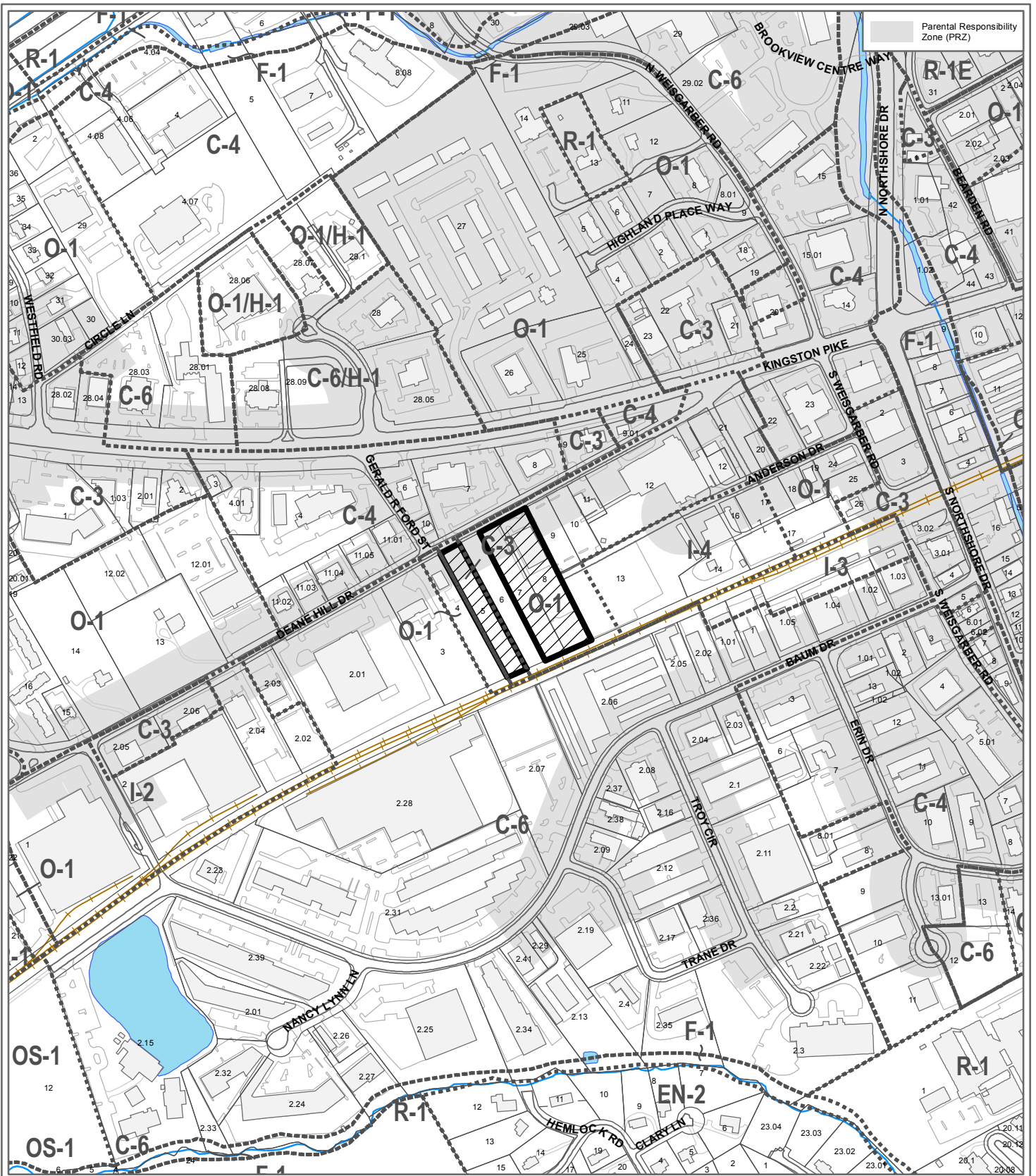
Petitioner: Dominion Development Group

Map No: 121

Jurisdiction: City



Original Print Date: 5/17/2017 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**6-F-17-RZ
REZONING**

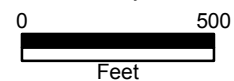
From: O-1 (Office, Medical, and Related Services)
To: C-3 (General Commercial)



Petitioner: Dominion Development Group

Map No: 121
Jurisdiction: City

Original Print Date: 5/17/2017
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, Dominion Development Group, has submitted an application to amend the Sector Plan from Office to General Commercial, 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 June 8, 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 #6-C-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

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|---------|--|-------|--|---------------|--|----------|--|-------------|--|----------|---|
| Concept | | Final | | Use On Review | | Variance | | Exempt Plat | | Rezoning | x |
|---------|--|-------|--|---------------|--|----------|--|-------------|--|----------|---|

Addressing Street/ Road and Subdivision Name Review

Subdivision names and all street names must conform to the Knoxville/Knox County Street Naming, Addressing Ordinance and Subdivision Regulations and the Administrative Rules of the Planning Commission.

These corrections **MUST** be made before the addressing staff, can sign-off on the S/D plat.

Plats **MUST** be signed before plat is certified for recording. The Addressing Department will sign-off before or after the MPC Meeting.

Web Site: www.knoxmpc.org has list of existing street names and list of available street names.

| | | | | | | | |
|---|-----------|---------------------------|----------------------------|---------------------------------------|------------|-----------|--------------------------------------|
| Date Submitted To Addressing for Review | 24Apr17 | Owner Developer Applicant | Dominion Development Group | Surveyor Architect Engineer Applicant | Pater Hall | Phone | 865.207.1480 |
| | | | | | | Fax email | 865.381.0601 peter@dominiondg.com |
| Subdivision Name | 6-F-17-RZ | | | Unit or Phase | | Tax ID | 121AB004 |

| Street / Road Name | 1. Duplication / Phonetic 2. Existing Road 3. Needs Correction 4. Does not conform to Addressing Regulations | Results of Review | Date Added to Reserve File | Approved Denied Pending correction |
|-----------------------|---|---|----------------------------|------------------------------------|
| Proposed Multi Family | | Submit names in writing for review | | Pending |
| | | If approved we will need a detailed site and | | |
| | | Matrix plan for addressing | | |
| | Interior road naming 6 or more addresses it must be named | Call the Addressing Dept. if you have questions | | |
| | | 25 or more addresses \$150.00 fee | | |
| | | | | |
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*MPC does reserve the right to modify these comments as new information comes to our attention from field review and/or requirements from other government review agencies.

| | | | | | | | | |
|--|--|--|----------------|--|-------------|------------------------|----------------|---------|
| | | | Date Completed | | Reviewed by | Donna Hill 215 3872 | Date Completed | 05May17 |
|--|--|--|----------------|--|-------------|------------------------|----------------|---------|

addressing@knoxmpc.org / donna.hill@knoxmpc.org fax 215 2237

Metropolitan Planning Commission

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: Dominion Development Group Date Filed: 4-24-17 Meeting Date: 6-8-17 Application Accepted by: Sherry Mickel Application Fee Amount: \$1000.00 File Number: Rezoning 6-F-17-RZ Fee Amount: \$600.00 File Number: Plan Amendment 6-C-17-SP



PROPERTY INFORMATION Address: 6404, 6406, 6410 Deane Hill Dr General Location: Close to intersection of Deane Hill and Kingston Pike Parcel ID Number(s): 121AB007, 121AB006, 121AB004 Tract Size: .94, .95, .93 Existing Land Use: Vac, Vac, P-QP Planning Sector: 0 Growth Policy Plan: Census Tract: 44.04 Traffic Zone: Jurisdiction: [X] City Council 2 District [] County Commission District

Requested Change REZONING FROM: O-1 TO: C-3 PLAN AMENDMENT [] One Year Plan [] Sector Plan FROM: TO:

PROPOSED USE OF PROPERTY Multi-Family Density Proposed 30 Units/Acre Previous Rezoning Requests:

PROPERTY OWNER OPTION HOLDER PLEASE PRINT Name: Dominion Development Group Company: Address: 5107 Hamburg Drive City: Knoxville State: TN Zip: 37919 Telephone: 865-207-1480 Fax: 865-381-0601 E-mail: peter.h@dominiondg.com

APPLICATION CORRESPONDENCE All correspondence relating to this application should be sent to: PLEASE PRINT Name: Peter Hall Company: Dominion Development Group Address: 5107 Hamburg Drive City: Knoxville State: TN Zip: 37919 Telephone: 865-207-1480 Fax: 865-381-0601 E-mail: peter.h@dominiondg.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: Peter Hall Company: Dominion Development Group Address: 5107 Hamburg Drive City: Knoxville State: TN Zip: 37919 Telephone: 865-207-1480 E-mail: peter.h@dominiondg.com