

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

▶ **FILE #:** 5-D-17-RZ
 5-D-17-SP

AGENDA ITEM #: 42
AGENDA DATE: 5/11/2017

▶ **APPLICANT:** THOMAS BROOKS
 OWNER(S): Thomas C. Brooks

TAX ID NUMBER: 132 C A 017 [View map on KGIS](#)

JURISDICTION: Commission District 3

STREET ADDRESS: 209 S Peters Rd

▶ **LOCATION:** West side S. Peters Rd., south of Kingston Pike

▶ **TRACT INFORMATION:** 14284 square feet.

SECTOR PLAN: Southwest County

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

ACCESSIBILITY: Access is via S. Peters Rd., a minor arterial street with 4 lanes and a center turning lane within 80' of right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Ten Mile Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** O (Office) / OA (Office Park)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / RAE (Exclusive Residential)

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Residence

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of LDR from the west

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: House / O / OA (Office Park)

South: House / O / RAE (Exclusive Residential)

East: S. Peters Rd., office development / O / PC (Planned Commercial)

West: House / LDR / RAE (Exclusive Residential)

NEIGHBORHOOD CONTEXT: This area is developed with residences and offices along S. Peters Rd., zoned OA, PC and RAE.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION #5-D-17-SP, amending the Southwest County Sector Plan to LDR (Low Density Residential) and recommend that Knox County Commission also adopt the sector plan amendment. (See attached resolution, Exhibit A.)**

The subject property is current developed with a residence, consistent with the requested RAE zoning. Office or residential uses are appropriate at this location. Many of the OA zoned parcels in the area are currently used for residential purposes. The property to the south is zoned RAE, despite being designated for office uses.

► **RECOMMEND that County Commission APPROVE RAE (Exclusive Residential) zoning.**

RAE is an extension of zoning from the south and east and is consistent with the scale and intensity of the surrounding development and zoning pattern.

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 made recently to this section of N. Peters Rd., but the requested plan designation and zoning are less intense than the current ones, so no additional traffic will be generated. Utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan proposes office uses for the site, consistent with the current OA zoning. The request to allow low density residential uses is also appropriate for this property.

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

Properties all along S. Peters Rd. have been approved for either office or low density residential uses. This proposal continues that trend.

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

Office and low density residential uses have both been acceptable uses for this section of S. Peters Rd. This proposal is consistent with 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. The requested zoning for the subject property is a logical extension of adjacent zoning from the south
2. The recommended RAE zoning brings the current residential use of the property into compliance with zoning.
3. RAE zoning for this site is consistent with the scale and intensity of the surrounding development and zoning pattern.

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

1. The RAE zoning district provides only for residential areas with low population densities. These areas are intended to be defined and protected from the encroachment of uses not performing a function necessary for the low density residential environment.
2. Based on the above description, RAE zoning is appropriate for the subject property.

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. With the recommended sector plan amendment to LDR, the recommended RAE zoning is consistent with the sector plan.
2. RAE is a logical extension of zoning from the south and east.
3. RAE is a less intense zoning district than the current OA, so there will be no additional impact on surrounding properties due to this zoning change.

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 Southwest County Sector Plan map to LDR, within which the recommended zoning is compatible.
2. This proposal does not present any apparent conflicts with any other adopted plans.

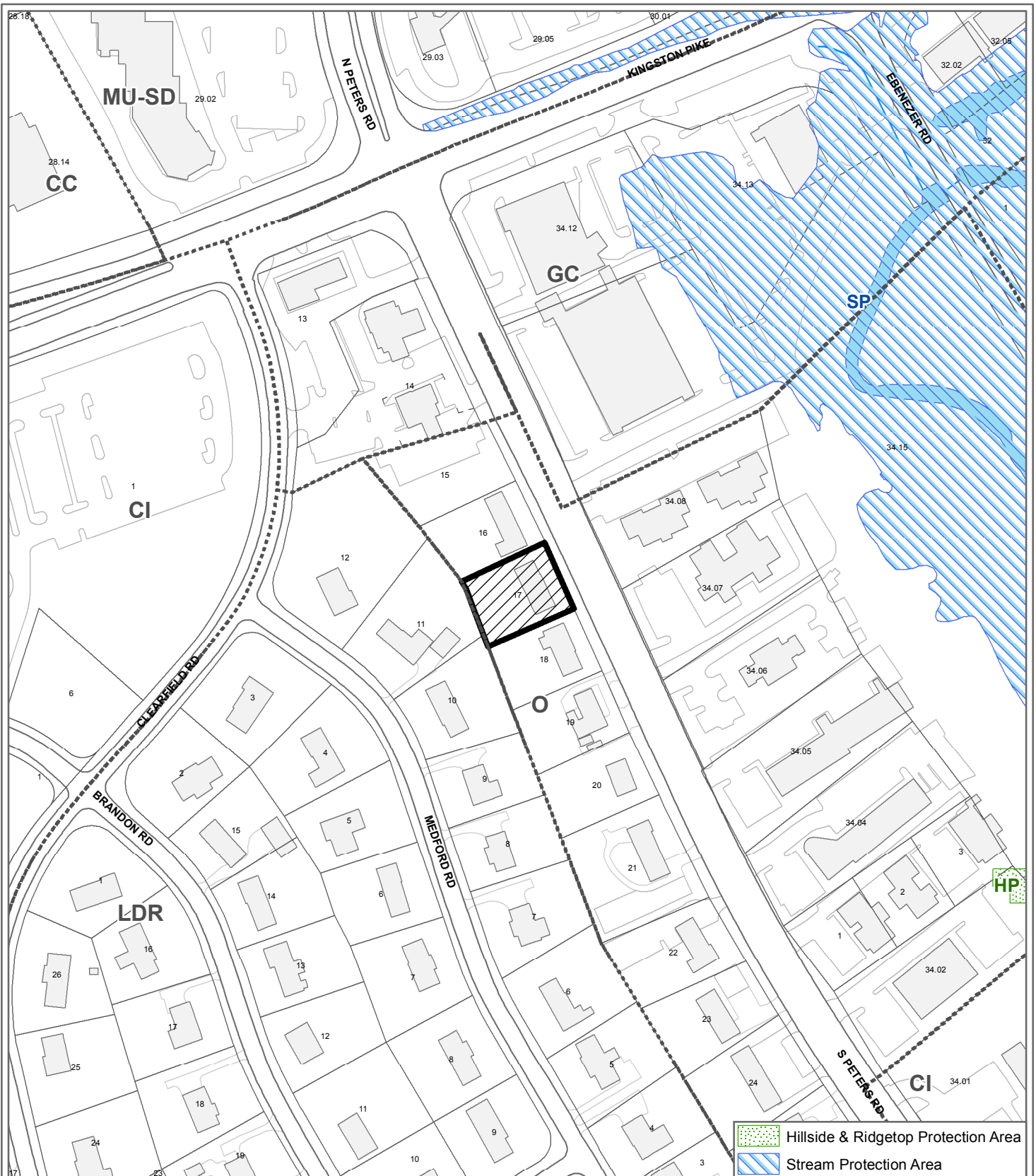
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law provides for two methods to amend the plan at TCA 13-3-304:

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 Knox County Commission for action on 6/26/2017. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**5-D-17-SP
SOUTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: O (Office)



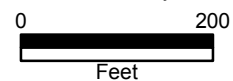
To: LDR (Low Density Residential)

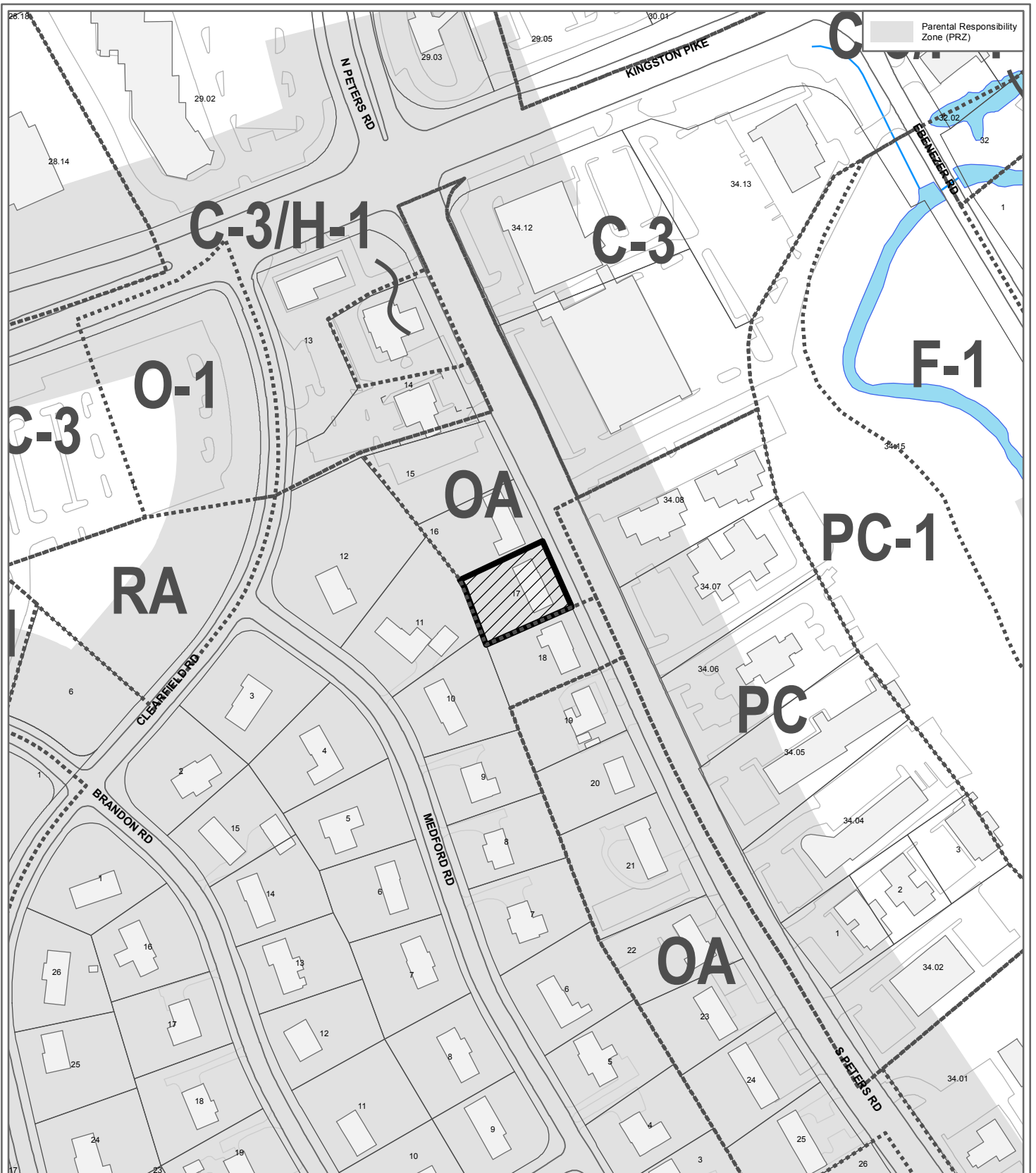
Original Print Date: 4/18/2017 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Brooks, Thomas

Map No: 132

Jurisdiction: County





**5-D-17-RZ
REZONING**

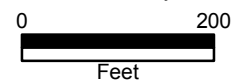
From: OA (Office Park)
To: RAE (Exclusive Residential)



Petitioner: Brooks, Thomas

Map No: 132

Jurisdiction: County



Original Print Date: 4/18/2017 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE SOUTHWEST COUNTY 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 Southwest County 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**, Thomas Brooks, has submitted an application to amend the Sector Plan from Office to Low Density Residential, for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Southwest County 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 May 11, 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 Southwest County Sector Plan, with its accompanying staff report and map, file #5-D-17-SP.

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that The Knox County Commission likewise consider this revised amendment to the General Plan 2033.

Date

Chairman

Secretary

REZONING PLAN AMENDMENT

Name of Applicant: Thomas Brooks Date Filed: 3/24/2017 Meeting Date: 5/11/2017 Application Accepted by: M. Payne Fee Amount: \$500.00 File Number: Rezoning 5-D-17-RZ Fee Amount: \$600.00 File Number: Plan Amendment 5-D-17-5P



PROPERTY INFORMATION

Address: 209 S Peters Rd General Location: 1/3 S Peters Rd s. of Kingston Pike Parcel ID Number(s): 132CA017 Tract Size: 14,284 sq Ft Existing Land Use: Residence Planning Sector: Southwest County Growth Policy Plan: Urban Census Tract: 57.06 Traffic Zone: 171 Jurisdiction: [x] County Commission 3rd District

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT Name: Thomas C. Brooks Company: Address: 209 S Peters Rd City: Knoxville State: TN Zip: 37923 Telephone: 865-951-8463 Fax: E-mail: tombrooks@appfas.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to: PLEASE PRINT Name: Same as Above Company: Address: City: State: Zip: Telephone: Fax: E-mail:

Requested Change

REZONING

FROM: OA TO: RAE

PLAN AMENDMENT

[x] One Year Plan [x] Southwest County Sector Plan FROM: A TO: LDR

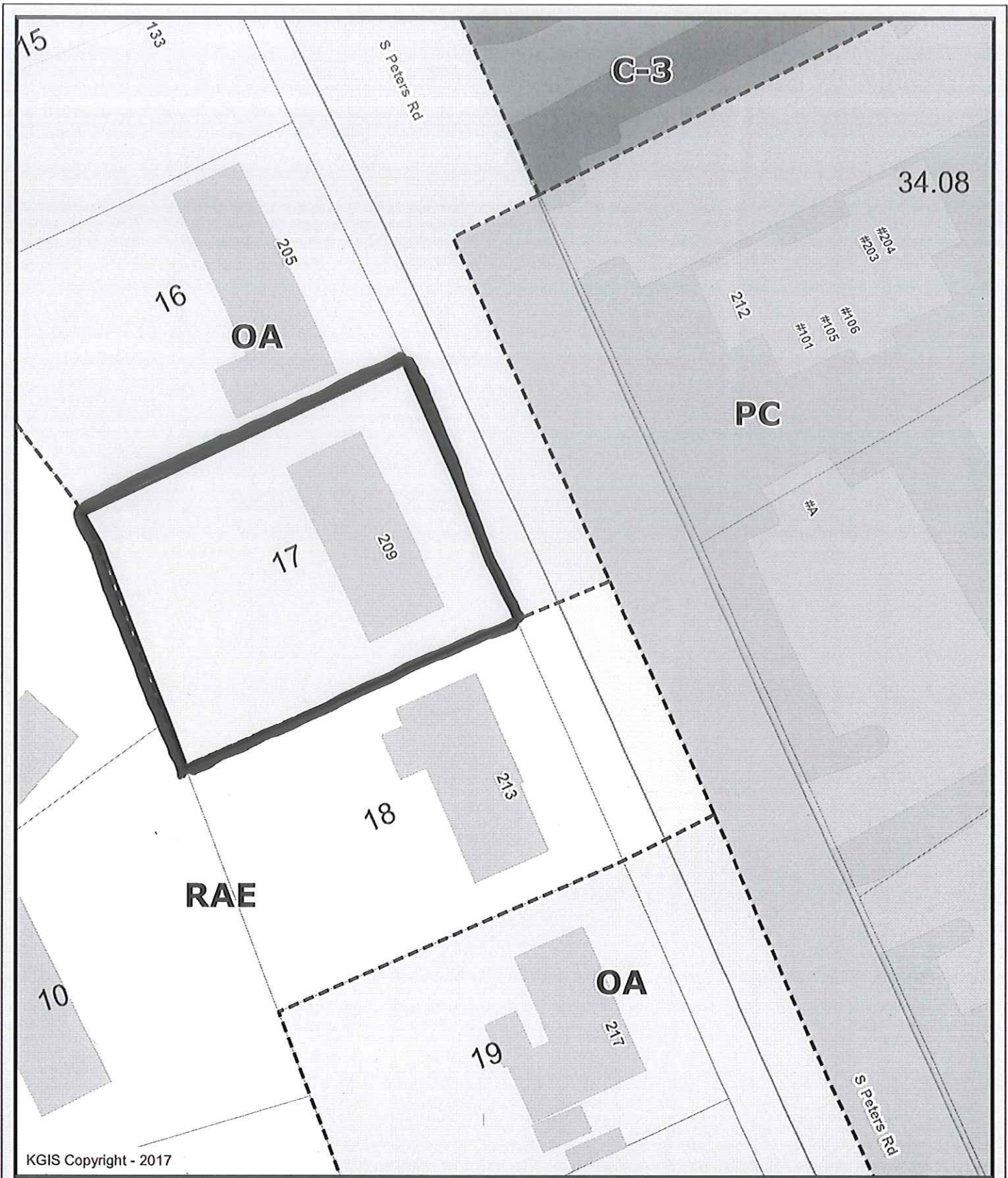
APPLICATION AUTHORIZATION

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 as Above Company: Address: City: State: Zip: Telephone: E-mail:

PROPOSED USE OF PROPERTY

Residence

Density Proposed 1 Units/Acre Previous Rezoning Requests: 9-G-99-RZ - OA, RAE to CA 9-G-96-RZ - RAE to OA

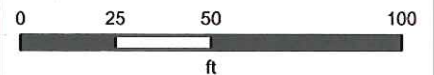


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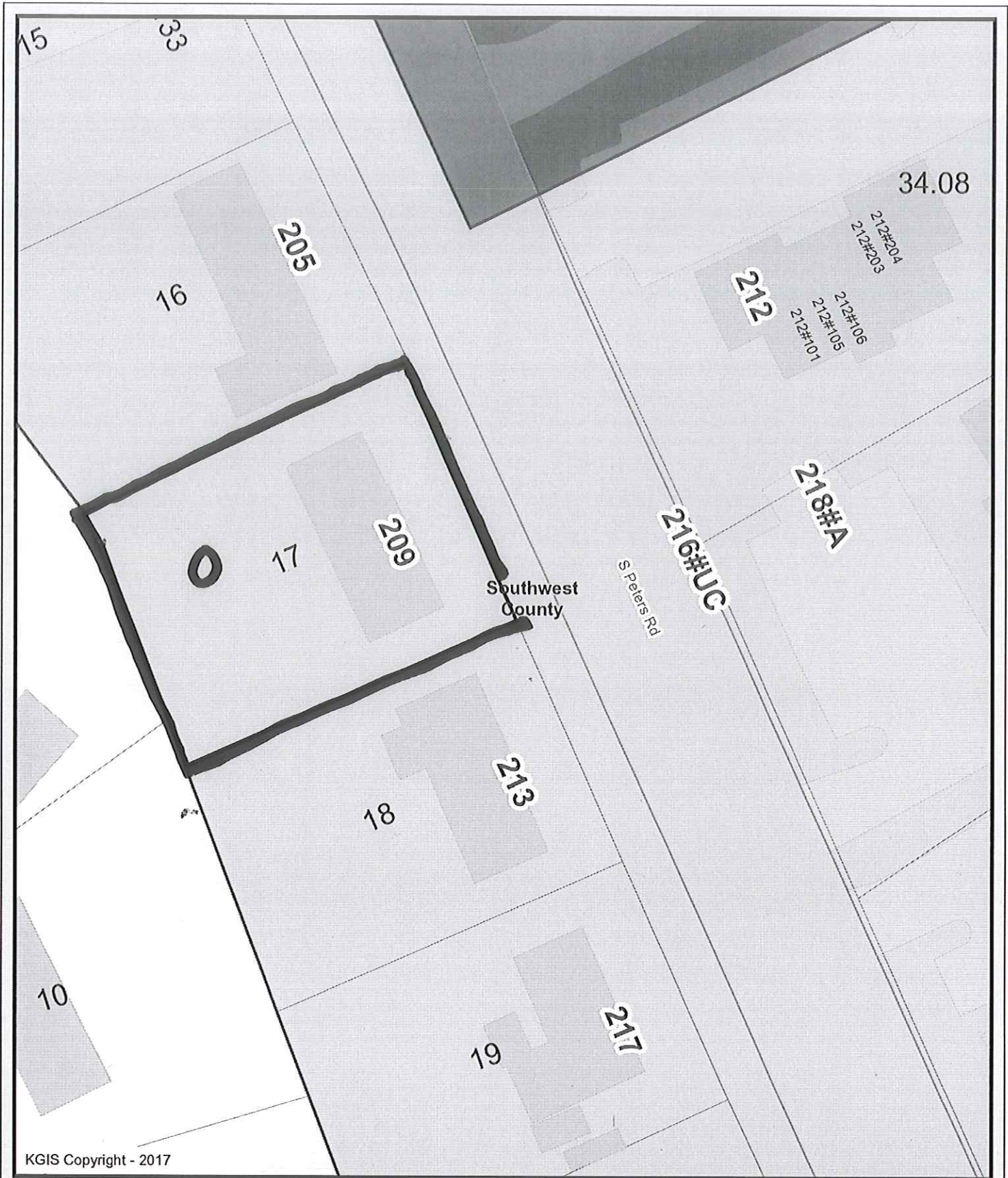
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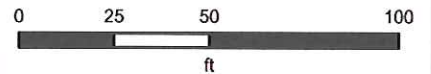


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