



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

▶ **FILE #:** 10-A-17-SP

AGENDA ITEM #: 41

AGENDA DATE: 10/12/2017

▶ **APPLICANT:** DDC DOWELL SPRINGS, LLC

OWNER(S): DDC Dowell Springs, LLC

TAX ID NUMBER: 106 D A 00912

[View map on KGIS](#)

JURISDICTION: Council District 3

STREET ADDRESS:

▶ **LOCATION:** West side Dowell Springs Blvd., north side Middlebrook Pike

▶ **APPX. SIZE OF TRACT:** 4.59 acres

SECTOR PLAN: Northwest County

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

ACCESSIBILITY: Access is via Dowell Springs Blvd., a local street with two lanes and a center median within 100' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Fourth Creek

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

▶ **PROPOSED PLAN DESIGNATION:** GC (General Commercial)

▶ **EXISTING LAND USE:** Medical office

▶ **PROPOSED USE:** Medical facility

EXTENSION OF PLAN DESIGNATION: No

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE North: Office / O

AND PLAN DESIGNATION:

South: Middlebrook Pike, vacant land / O

East: Dowell Springs Blvd., vacant land / O

West: Dick Lonas Rd., vacant land / O

NEIGHBORHOOD CONTEXT This site is located at the front of the Dowell Springs Subdivision, which is developed with office uses under PC-1 and O-1 zoning.

STAFF RECOMMENDATION:

▶ **DENY GC (General Commercial) sector plan designation.**

No conditions have changed that warrant amendment of the sector plan map for this site. The current O-1 zoning is consistent with the sector plan and gives the applicant reasonable use of the property, which has already been developed with a large medical office building.

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 in the vicinity of this site. The zoning and development pattern for this is well established and appropriate as is.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The sector plan appropriately designates this site for office uses, consistent with the current O-1 zoning. Although the majority of the Dowell Springs Subdivision is zoned PC-1, all of the development that has occurred has been office uses, consistent with the sector plan. If commercial development were proposed in the PC-1 zone in Dowell Springs, plan amendments to commercial would be needed, which would not likely be supported by staff. The Northwest County Sector Plan was recently updated in 2016. City Council adopted the updated sector plan on August 30, 2016.

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

There has been no change in public/government policy at this time that warrants the requested amendment to the sector plan.

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

No trends in development, population or traffic have emerged that would reveal the need for a plan amendment at this particular location.

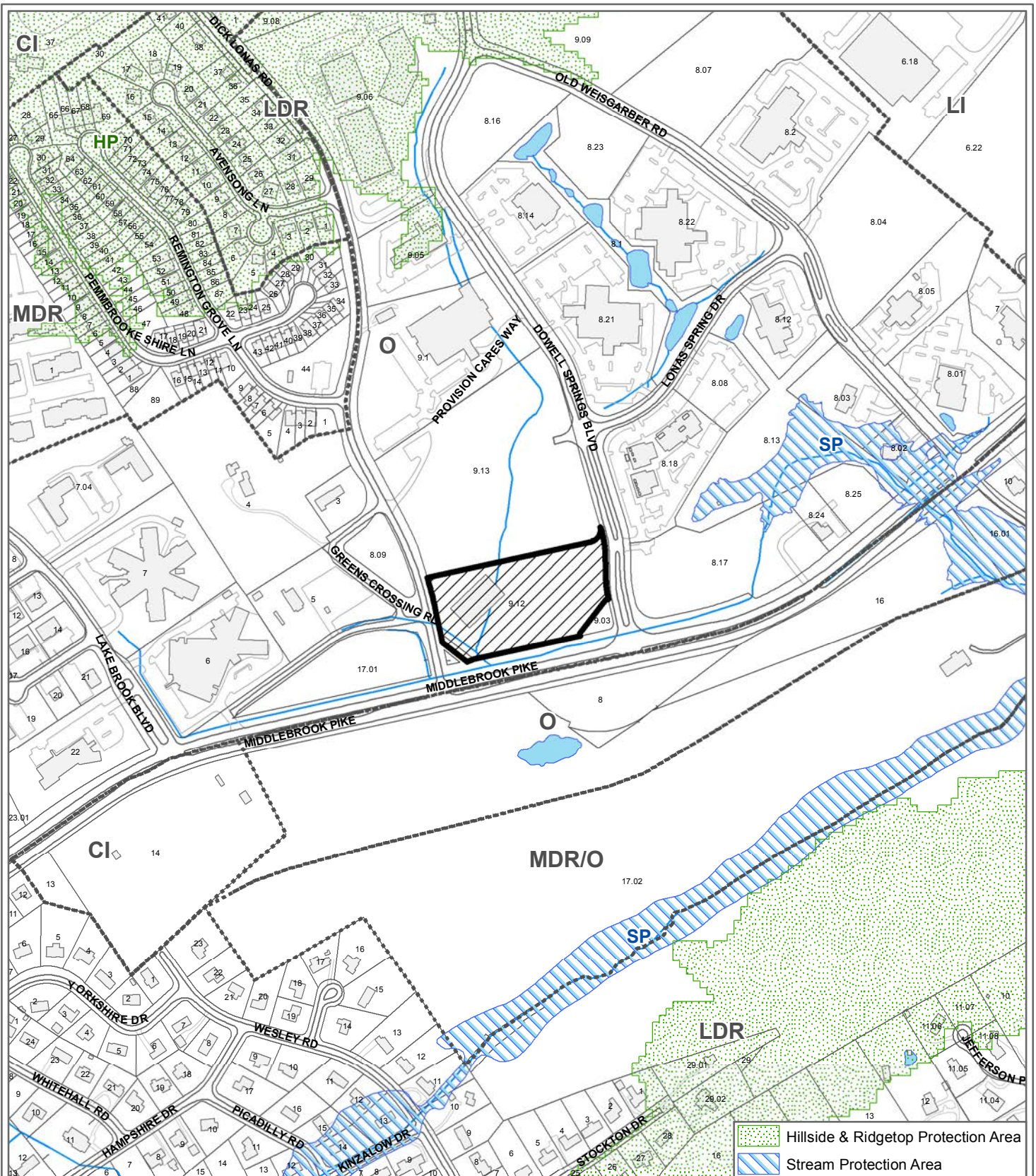
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

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 11/7/2017 and 11/21/2017. 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.



**10-A-17-SP
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

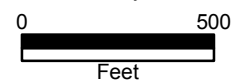
From: O (Office)
To: GC (General Commercial)



Original Print Date: 9/19/2017 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: DDC Dowell Springs, LLC

Map No: 106
Jurisdiction: City



REZONING

PLAN AMENDMENT

NW CO. Sector

Name of Applicant: DDC Dowell Springs LLC

Date Filed: 7/17/17 Meeting Date: 10/12/17

Application Accepted by: M. Payne

Fee Amount: File Number: Rezoning

Fee Amount: File Number: Plan Amendment 18-A-11-SP



PROPERTY INFORMATION

Address: 1311 Dowell Springs Blvd

General Location: 1/2 Middlebrook Pike 1/2 Dick Lomas Rd 1/2 Dowell Springs Blvd

Parcel ID Number(s): 186DA60912

Tract Size: 4.59 ac

Existing Land Use: Medical Office

Planning Sector: Northwest County

Growth Policy Plan: Urban

Census Tract: 16.15

Traffic Zone: 217.00

Jurisdiction: [X] City Council 3rd District [] County Commission District

Requested Change REZONING

FROM:

TO:

Sector PLAN AMENDMENT

[] One Year Plan [] NW County Sector Plan

FROM: 0

TO:

PROPOSED USE OF PROPERTY

Medical Facility

Density Proposed Units/Acre

Previous Rezoning Requests:

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT Name: DDC DOWELL SPRINGS LLC

Company:

Address: 2220 SOUTHERLAND AVE

City: KNOXVILLE State: TN Zip: 37909

Telephone:

Fax:

E-mail:

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT Name: ANTONIO G. SREYWOOD

Company: PRATZ, MONROE, SEXTON

Address: P.O. BOX 57

City: KNOXVILLE State: TN Zip: 37909

Telephone: 546-9328

Fax: 637-535249

E-mail: ASREYWOOD@PRASAP.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:

PLEASE PRINT Name: SAUL AS ARDUP

Company:

Address:

City: State: Zip:

Telephone:

E-mail:

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

▶ **FILE #:** 10-A-17-RZ
 10-A-17-PA

AGENDA ITEM #: 41
AGENDA DATE: 10/12/2017

▶ **APPLICANT:** DDC DOWELL SPRINGS, LLC
 OWNER(S): DDC Dowell Springs, LLC

TAX ID NUMBER: 106 D A 00912 [View map on KGIS](#)

JURISDICTION: Council District 3

STREET ADDRESS: 1311 Dowell Springs Blvd

▶ **LOCATION:** West side Dowell Springs Blvd., north side Middlebrook Pike

▶ **TRACT INFORMATION:** 4.59 acres.

SECTOR PLAN: Northwest County

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

ACCESSIBILITY: Access is via Dowell Springs Blvd., a local street with two lanes and a center median within 100' 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) / PC-1 (Retail and Office Park)

▶ **EXISTING LAND USE:** Medical office

▶ **PROPOSED USE:** Medical facility

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Office / O / PC-1 (Retail & Office Park)

South: Middlebrook Pike, vacant land / O / O-1 (Office, Medical & Related Services)

East: Dowell Springs Blvd., vacant land / O / PC-1 (Retail & Office Park)

West: Dick Lonas Rd., vacant land / O / A-1 (General Agricultural)

NEIGHBORHOOD CONTEXT: This site is located at the front of the Dowell Springs Subdivision, which is developed with office uses under PC-1 and O-1 zoning.

STAFF RECOMMENDATION:

▶ **DENY GC (General Commercial) One Year Plan designation for the site.**

No conditions have changed that warrant amendment of the One Year Plan map for this site. The current O-1 zoning is consistent with the sector plan and gives the applicant reasonable use of the property, which has already been developed with a large medical office building.

► **DENY the rezoning to PC-1 (Retail & Office Park), consistent with the denial recommendations for the associated plan amendments.**

The subject property is developed with a medical office building under O-1 zoning. Although adjacent properties are zoned PC-1, they are developed with office uses, consistent with the plan proposals for Dowell Springs and the surrounding area.

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 appropriately designates this site for office uses, consistent with the current O-1 zoning. Although the majority of the Dowell Springs Subdivision is zoned PC-1, all of the development that has occurred has been office uses, consistent with the sector plan. If commercial development were proposed in the PC-1 zone in Dowell Springs, plan amendments to commercial would be needed, which would not likely be supported by staff. The Northwest County Sector Plan was recently updated in 2016. City Council adopted the updated sector plan on August 30, 2016.

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 made in the vicinity of this site. The zoning and development pattern for this is well established and appropriate as is.

C. A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN - There has been no change in public policy that warrants the requested amendment to the One Year Plan.

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 that would reveal the need for a plan amendment at this particular location.

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. PC-1 zoning is not necessary as the property is already developed with a medical office building in O-1.
2. The Northwest County Sector Plan and the City of Knoxville One Year Plan both propose office uses for this site, consistent with the current O-1 zoning.
3. Because there is no justification to amend the sector plan or One Year Plan to GC, staff does not support rezoning to PC-1, which would require that the plans be amended to allow commercial zoning.

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

1. The PC-1 district is established to provide for the unified development of uses ranging from retail stores and services such as are found in neighborhood and community shopping centers to business and professional offices. In the interest of promoting orderly design and development, the district regulations emphasize rational placement of activities, traffic and pedestrian circulation, access and parking, loading, landscaping and the mitigation of adverse offsite impacts.
2. The property is not necessarily inappropriate for PC-1 zoning. However, there is no justification to amend the applicable future land use plans to GC in order to consider the requested PC-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 applicant has reasonable use of the property under the current O-1 zoning. The site is already developed with a large medical office building.
2. It is staff's understanding that a variance request to allow larger signs was denied by the Knoxville Board of

Zoning Appeals. The request for PC-1 zoning, if approved, would allow larger signs because it is a commercial zone rather than office. Staff is of the opinion that the current sign could be redesigned and/or relocated to provide better visibility to patients visiting the medical office.

3. Public water and sewer utilities are available to serve the 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. With approval of the requested One Year Plan amendment to GC, the requested PC-1 zoning would be consistent with the plan.

2. With approval of the associated Northwest County Sector Plan amendment to GC (10-A-17-SP), the requested PC-1 zoning would be consistent with the sector plan.

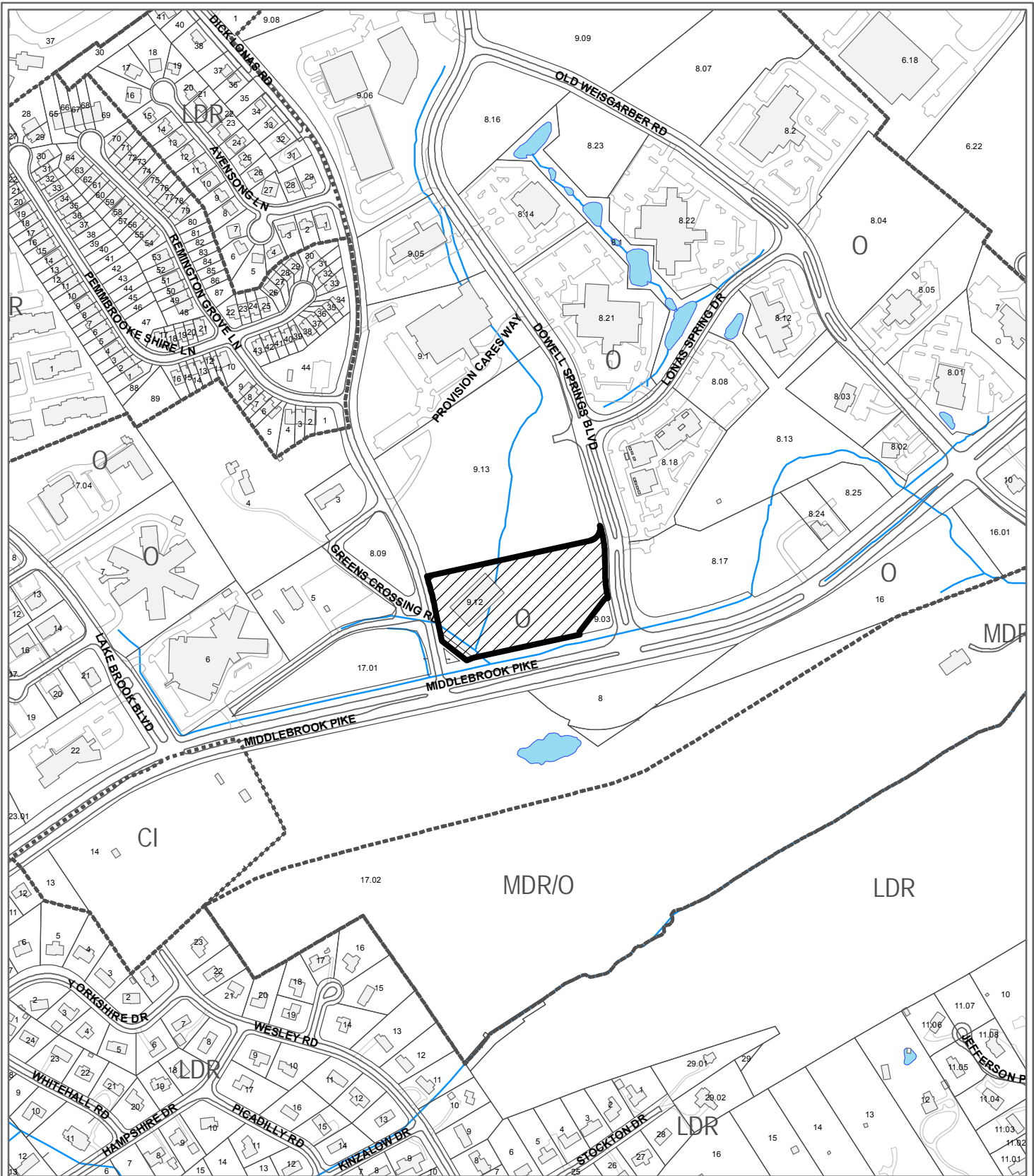
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.

4. This current zoning does not present any apparent conflicts with any adopted plans, and should be maintained.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

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**10-A-17-PA / 10-A-17-RZ
PLAN AMENDMENT**

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

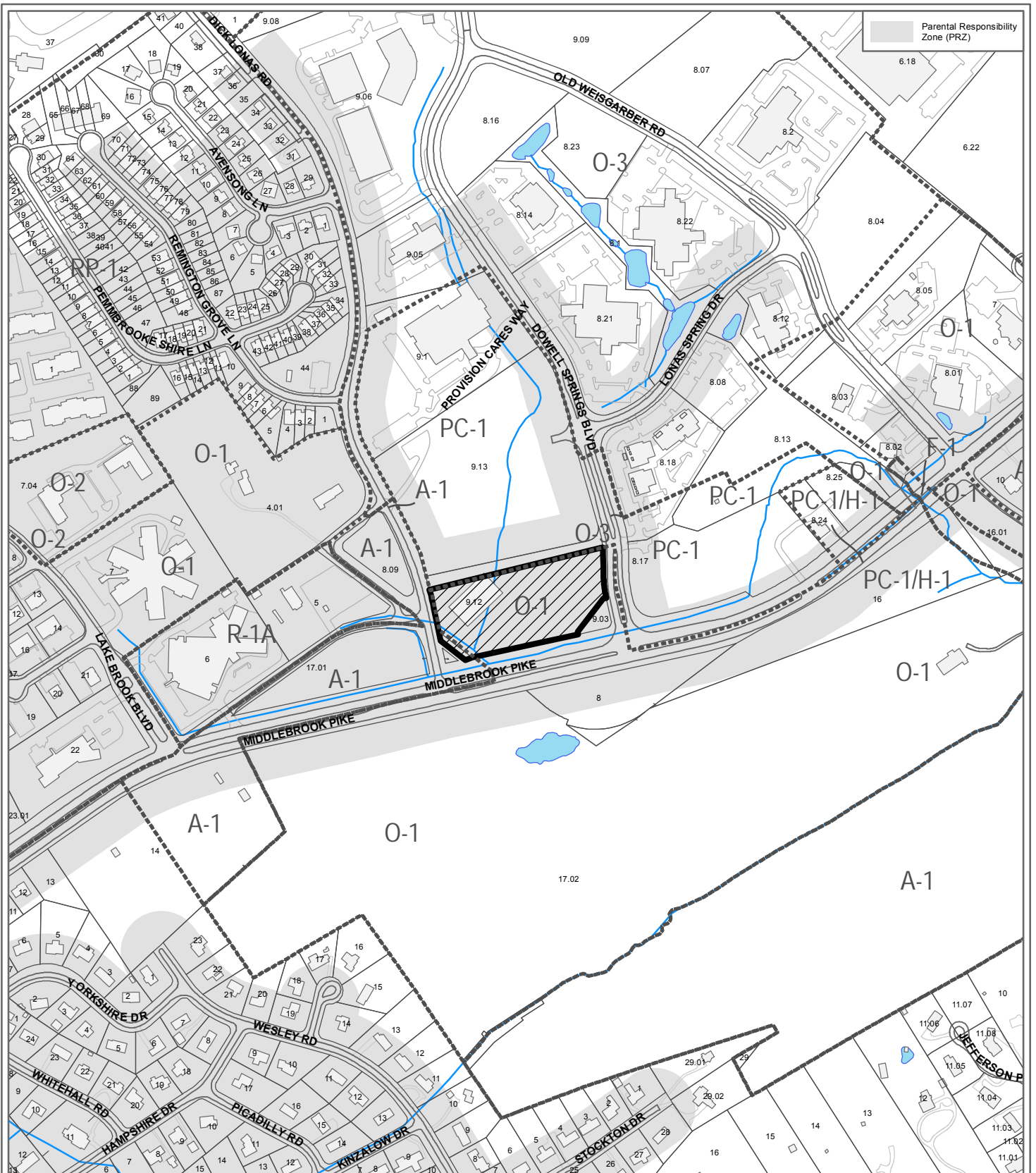


Petitioner: DDC Dowell Springs, LLC

Map No: 106
Jurisdiction: City

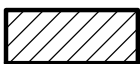


Original Print Date: 9/19/2017
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



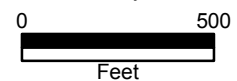
**10-A-17-RZ
REZONING**

From: O-1 (Office, Medical, and Related Services)
To: PC-1 (Retail and Office Park)



Petitioner: DDC Dowell Springs, LLC

Map No: 106
Jurisdiction: City



Original Print Date: 9/19/2017 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

REZONING

PLAN AMENDMENT

Name of Applicant: DDC Dowell SPRINGS LLC

Date Filed: 7/17/17 Meeting Date: 9/14/17

Application Accepted by: M. Payne

Fee Amount: 600.00 File Number: Rezoning 10-A-17-RZ

Fee Amount: 600.00 File Number: Plan Amendment 10-A-17-PA



PROPERTY INFORMATION

Address: 1311 Dowell Springs Blvd

General Location: 1/2 Middlebrook Pike, 95 Dickhorns Rd, 1/2 Dowell Springs Blvd.

Parcel ID Number(s): 106 DA00912

Tract Size: 4.59 ac.

Existing Land Use: Medical office

Planning Sector: Northwest County

Growth Policy Plan: Urban

Census Tract: 46.15

Traffic Zone: 217.00

Jurisdiction: City Council 3rd District

PROPERTY OWNER OPTION HOLDER

Name: DDC DOWELL SPRINGS, LLC

Company:

Address: 2220 SUTHERLAND DR

City: KNOXVILLE State: TN Zip: 37919

Telephone:

Fax:

E-mail:

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

Name: ARTHUR G. SIKYDORAK

Company: FRANK MCCONNELL - SIKYDORAK

Address: P.O. BOX 37

City: KNOXVILLE State: TN Zip: 37909

Telephone: 546-9321

Fax: 637-5249

E-mail: ASIKYDORAK@FRANKLLP.COM

Requested Change

REZONING

FROM: O-1

TO: PC-1

PLAN AMENDMENT

One Year Plan Northwest Sector Plan

FROM: O / O

TO: GC / GC

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]

Name: SAME AS ABOVE

Company:

Address:

City: State: Zip:

Telephone:

E-mail:

PROPOSED USE OF PROPERTY

Medical Facility

Density Proposed Units/Acre

Previous Rezoning Requests: