

▶ **FILE #:** 7-F-05-RZ

**AGENDA ITEM #:** 64

**AGENDA DATE:** 9/13/2007

▶ **APPLICANT:** WANDA MOODY (FORMERLY SHREWALKER PLACE, LLC)

OWNER(S): WANDA MOODY

TAX ID NUMBER: 106 O A 039,040,041,042

JURISDICTION: City Council District 2

▶ **LOCATION:** South side Middlebrook Pike, southeast side Broome Rd.

▶ **APPX. SIZE OF TRACT:** 20.3 acres

SECTOR PLAN: Northwest County

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

ACCESSIBILITY: Access is via Middlebrook Pike, a four lane median divided minor arterial street, and Broom Rd., a major collector street with 20' of pavement within a 40' right-of-way.

UTILITIES: Water Source: KUB

Sewer Source: KUB

WATERSHED: Ten Mile Creek

▶ **PRESENT ZONING:** R-1 (Low Density Residential)

▶ **ZONING REQUESTED:** RP-1 (Planned Residential)

▶ **EXISTING LAND USE:** Residences and vacant land

▶ **PROPOSED USE:** Assisted living facility and individual senior housing

**DENSITY PROPOSED:** 5.99 du/ac.

EXTENSION OF ZONE: Yes

HISTORY OF ZONING: In 1996 part of this site was denied commercial designation and rezoning..

SURROUNDING LAND USE AND ZONING: North: Condominiums / RP-1 Residential

South: Residences / R-1E Residential

East: Residences / R-1E Residential

West: Residence / R-1 Residential

NEIGHBORHOOD CONTEXT: This site is on the edge of an established single family neighborhood that has developed under R-1 and R-1E zones.

**STAFF RECOMMENDATION:**

▶ **APPROVE RP-1 (Planned Residential) zoning**

**APPROVE the site for senior citizen housing with up to 68 villas and an assisted living facility for up to 80 individuals. (See attached Memorandum of Agreement dated August 30, 2007.)**

RP-1 zoning will permit the proposed senior citizen housing development and would be a compatible zone to surrounding property zoning and development that includes housing and institutional uses. (See attached letter from the applicant.) The sector plan and One Year plan propose low density residential and slope protection for the site

**COMMENTS:**

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. Other properties in the immediate area are developed with residential, institutional and commercial uses under R-1E, R-1, R-2, RP-1, C-1 and O-1 zoning.
2. RP-1 zoning up to 5.99 du/ac. Is compatible with the scale and intensity of the surrounding development and zoning pattern and the site's location adjacent to Middlebrook Pike, a major arterial street.
3. RP-1 zoning will require MPC use on review approval of site plans for any development of the property. During this review, potential issues such as traffic, drainage, access, topography, lot layout and other development concerns can be addressed.

#### THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available in the area to serve the site.
2. Any proposed RP-1 zoning development plan is limited to senior citizen development that can include a 80 patient assisted living facility and up to 68 villas for senior citizens. A use-on-review development plan proposal on the subject property will be subject to MPC approval.
3. The RP-1 zoning is compatible with the surrounding zoning, and the impact of any multi-family or non-residential use on adjacent properties can be minimized during the use on review process. Review of the proposed development plan by MPC will take into consideration the site plan and design elements as outlined in the attached Memorandum of Agreement, dated August 30, 2007.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

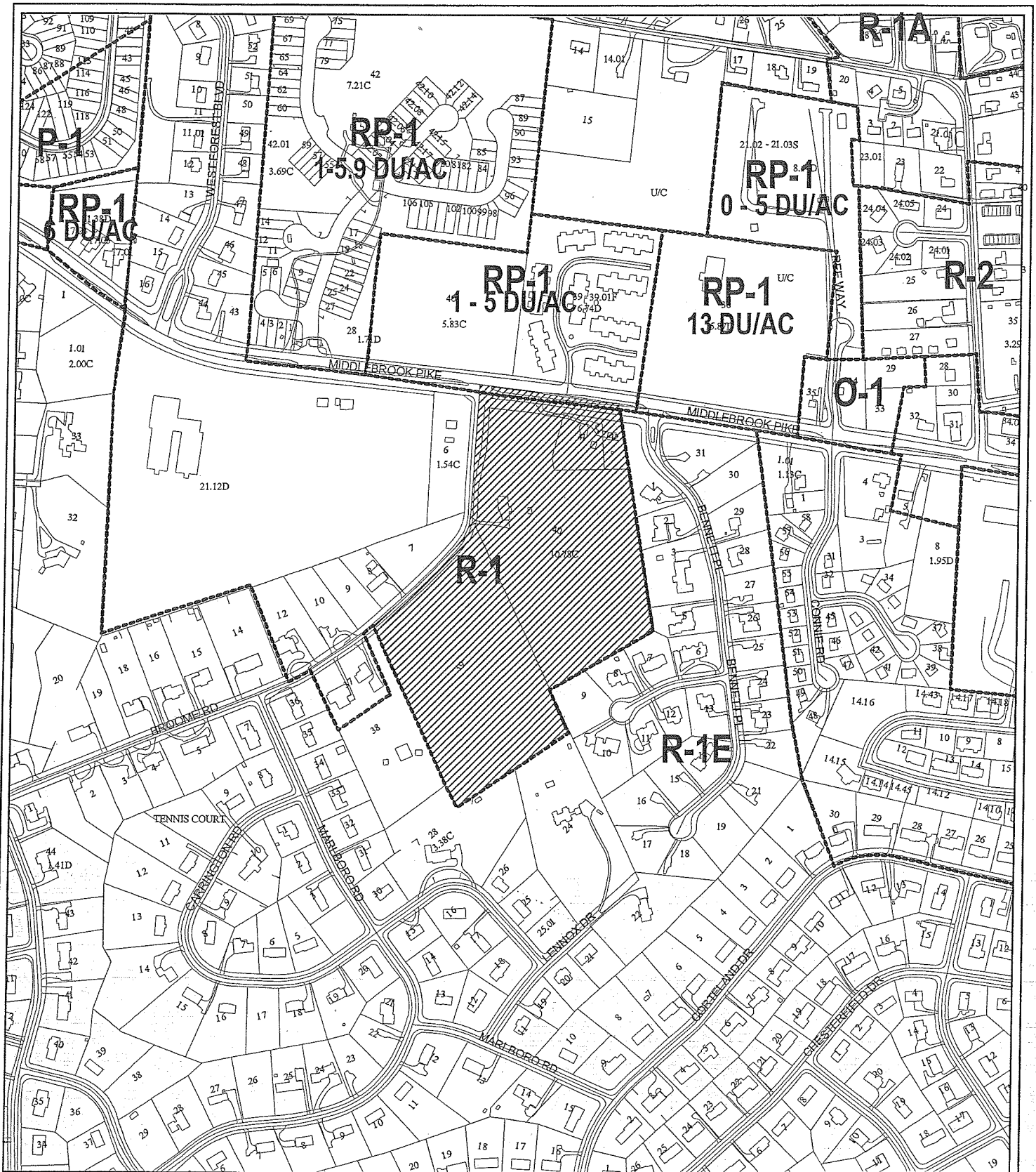
1. The Northwest County Sector Plan and One Year Plan propose low density residential uses and slope protection for the site, consistent with this rezoning.
2. The site is located within the Urban Growth Area (inside the city) on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This request may generate similar requests for RP-1 or other residential zoning in this area in the future on properties which are proposed for low density residential uses by the sector plan and One Year Plan.

#### ESTIMATED TRAFFIC IMPACT 675 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 10/9/2007 and 10/23/2007. 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-F-05-RZ  
REZONING**



From: R-1 (Single Family Residential)  
To: RP-1 (Planned Residential)

Original Print Date: 06/22/05    Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Wanda Moody

Map No: 106

Jurisdiction: City



**Wanda Moody**  
705 Broome Road  
Knoxville, Tennessee 37909  
Telephone 865 690-2766  
Fax 865 470-2731



**To: Mark Donaldson, Executive Director  
Metropolitan Planning Commission**

**From: Wanda Moody**

**Subject: Agenda Item September 13 Meeting  
7-F-05-RZ Shorewalker Place LLC**

**Date: August 20, 2007**

**As you recall this item was removed from the table by the Planning Commission at its meeting on August 9 and is scheduled to be heard at the meeting on September 13. In this request I also asked that it be listed in my name as the property owner and known as Park at West Hills.**

**The request is to re-zone the 20.5 acre tract on the Southeast corner of Middlebrook Pike and Broome Road from R-1 to RP-1 Planned Residential. Plans are for the 5acre tract fronting on Middlebrook Pike to include an Assisted Living Facility that would accommodate 60-80 individuals. On the 15.5-acre tract fronting Broome Road up to 68 villas for senior citizens would be constructed with a price range of \$210,000 to \$330,000.**

**The developers and I have worked closely with the West Hills Home Owners Association in the development of the plans for the project, which should maintain the prevalent character of the neighborhood. A final copy of these agreements will be made available prior to the planning commission meeting.**

**Signed,**

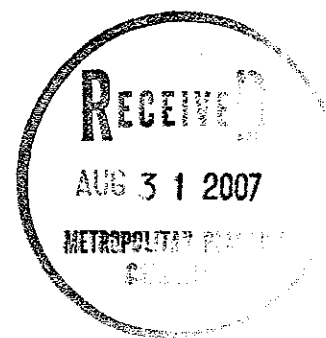
A handwritten signature in cursive script that reads "Wanda Moody". The signature is written in black ink and is positioned above the printed name.

**Wanda Moody**

**CC: Kenneth Pruitt**

**MEMORANDUM  
OF  
AGREEMENT**

**West Hills Community Association  
and  
Park at West Hills  
and  
Wanda Moody**



(7-F-05-RZ)

**WHEREAS**, The West Hills community is willing to accept re-zoning of the "Moody" property from R-1 to RP-1. The community's acceptance is founded on a concept plan presented by developers, which describes a community development for senior citizens, and includes an assisted living center, and

**WHEREAS**, the community, the property owner and the developer further requests consideration of the following provisos, which will hopefully maintain the prevalent character of the neighborhood, to wit:

1. The development should be clearly- identified, so far as allowed by law, as intended for senior citizens, including an assisted living facility. Assisted living should be defined as serving the needs of the elderly, and should not in any sense be construed to include rehabilitative services for treating people with addictive behaviors.
2. Density of dwellings should be no more than 68 condos or villas on the approximately 20 acres, with inclusion of an assisted living facility of adequate size to accommodate up to 80 residents.
3. The facility and condos/villas should be of such architectural design as to be compatible with adjacent homes, should be one story and should be at least partially brick, stone, or similar material.
4. Parking areas should be screened from adjacent homes and roads by berms, walls or landscaping where possible.
5. Property perimeters on roads should ideally include landscaping, and if dwellings do not face the road, a blend of fencing and landscaping should be utilized to enhance aesthetics for both residents and passers-by.
6. Interior perimeters should similarly be fenced, bermed and/or landscaped to provide privacy for residents and adjacent homeowners.
7. Lighting, on interior drives and parking areas should be subdued, and not of telephone pole height. Spotlights or other accent lighting, if necessary should be directed so as to contain the direct line of lighting within the perimeter of the property.

- 8. Storage of refuse collectors should be screened, and should be located in such a place as to have minimal impact, by noise, odor, or other on neighboring property or even on residents of the development.
- 9. A covenant should be in place, which defines character and activities associated with an upscale development.
- 10. A covenant is also required that the development be managed by an on-site entity in order to ensure maintenance of the development, and in particular any retention basins.
- 11. Density takes into account the ability of Broome Road to absorb additional traffic. It is also thought that if other than a seniors' development were considered than the density should be decreased because of traffic impact, and should not exceed 68 units on the total 20 acres
- 12. A traffic pattern should be established to minimize traffic on Broome Road, especially that portion of Broome Road that lies south of the development. The developer agrees to build, if feasible from an engineering standpoint, a road for the construction of the projects that will spill out onto Middlebrook Pike as much as possible. Naturally, any such road must be approved. The developer also will instruct delivery trucks for large building materials, such as concrete trucks, lumber trucks, block and brick trucks, to access and exit the building site, whenever possible, by way of Middlebrook Pike. Eventually, it will be necessary to close off the construction road over the assisted living site once the parking lot is constructed and the facility nears opening. At this point, access to and exit from the villa site will necessarily be from and onto Broome Road, but with specific instructions to the suppliers to use Middlebrook Pike to gain entrance and prohibit, whenever possible, the use of Broome Road for access to or exit from the property on that portion of Broome Road that lies south of the project.

Agreed this 30th day of August, 2007.

West Hills Community Representative

Joseph E. ... W.H.C.A.

Park at West Hills Representative

Richard E. Rudewil  
Wanda Moody Owner

Wanda Moody, Owner