



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

FILE #: 10-E-08-RZ **AGENDA ITEM #:** 58
 10-E-08-PA **AGENDA DATE:** 11/13/2008

POSTPONEMENT(S): 10/9/08

APPLICANT: KENT AND STEVE COPELAND
OWNER(S): KENT COPELAND

TAX ID NUMBER: 95 O D 021 & 022
 JURISDICTION: Council District 1

LOCATION: Northwest side Hillwood Dr., north of Dexter Ln.

TRACT INFORMATION: 5.68 acres.

SECTOR PLAN: South City

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

ACCESSIBILITY: Access is via Hillwood Dr., a two lane minor collector street with 26' of pavement within a 100' right-of-way in this section.

UTILITIES: Water Source: KUB
 Sewer Source: KUB

WATERSHED: Tennessee River

PRESENT PLAN DESIGNATION/ZONING: MDR (Medium Density Residential), SWMUD-2 (South Waterfront Mixed Use District 2) & SLPA (Slope Protection Area) / C-3 (General Commercial)

PROPOSED PLAN DESIGNATION/ZONING: HDR (High Density Residential) & SLPA (Slope Protection Area) / R-3 (High Density Residential)

EXISTING LAND USE: Vacant land

PROPOSED USE: Apartments

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

North:	Vacant land and railroad right-of-way /FD/SW-2 South Waterfront zoning
South:	Hillwood Dr., apartments and residences / SW MUD-2/ R-2 Residential
East:	Vacant land / SW MUD-2/FD SW-2 Form based zone
West:	Vacant land / SW MUD-2/ R-2 Residential

NEIGHBORHOOD CONTEXT: This site is located in a residential area of both single family and apartment uses, as well as a nursing facility, developed under R-2 and R-3 zones.

STAFF RECOMMENDATION:

► **DENY the One Year Plan amendment for HDR (High Density Residential) designation**

A One Year Plan amendment is not required for approval of the recommended RP-3 (Planned Residential) zoning. The Sector Plan proposes MDR and SLPA for this site.

► **RECOMMEND that City Council APPROVE RP-3 (Planned Residential) zoning. The applicant requested R-3 (High Density Residential) zoning.**

The staff recommendation of RP-3 zoning does not require a One Year Plan amendment since the plan allows consideration of planned zones in this area. However, approval of the requested R-3 zone would require a plan amendment to HDR (High Density Residential). The staff recommended RP-3 zone provides the means to publicly address the following identified issues as part of any proposal for the site's development:

1. The site is within the proposed South Waterfront Plan expansion area and requires only planned zone consideration for any rezoning request made prior to its inclusion in the South Waterfront zone boundary. The applicant is seeking HDR (High Density Residential) plan designation and R-3 (High Density Residential) zoning which is not a planned zone.
2. The site has severe topographic constraints over 62% of its area.
3. Mature tree cover exist over much of the site and should largely be retained, although it may be necessary to thin some tree cover to provide water views from development on the site. However, the site should be protected from being completely cleared for development.
4. The development goals of the South Waterfront Plan, such as maximum building height (50 foot maximum), street scape and parking appearance, and building build to lines, be applied to this site's development due to its visibility from, and proximity to, the South Waterfront development area. The recommended RP-3 zone will allow this consideration through the site plan review process.
5. The site's proximity to the James White Parkway/ Anita Dr. interchange could make mixed use development of this site more desirable than the proposed residential use. Although RP-3 (Planned Residential) does not allow mixed use consideration, the site plan approval process could require high ground floor ceilings and window treatment that would allow building conversion to mixed use in the future.
6. A gated community would be out of character with the goals of the South Waterfront Plan and could negatively impact the plan's implementation in this area. RP-3 zoning would ensure that such a proposal at this site received public review and approval before occurring.
7. The proposed Hillwood Dr./Island Home Dr. realignment and improvement project may be impacted by this residential rezoning and development. RP-3 will allow that this realignment is considered as part of any development proposal.

COMMENTS:

ONE YEAR PLAN REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN

NEW ROAD OR UTILITY IMPROVEMENTS:

1. Denial of the One Year Plan designation and approval of RP-3 zoning of this site are appropriate since the site is served by public water and sewer and can be developed in a manner consistent with the surrounding development pattern.
2. Changing the zoning from C-3 and R-2 to RP-3 would allow consideration by the Planning Commission of a site plan for multi-family development that is consistent with the surrounding residential zoning and development pattern.

ERROR OR OMISSION IN CURRENT PLAN:

1. The present C-3 zone permits commercial development that would be more adverse to the established and proposed development pattern than that permitted by the recommended RP-3 zone.
2. RP-3 zoning is compatible to the scale and intensity of nearby R-2 and R-3 zoning and residential uses.
3. Maximum development under RP-3 zoning using the topographic constraints formula would add 122 housing units, generate approximately 1141 more vehicle trips per day for area roads, and increase the neighborhood school population by approximately 42 children. The site has access to public water and sewer.

CHANGES IN GOVERNMENT POLICY:

1. RP-3 zoning will permit consideration of uses compatible with adopted South Waterfront Plan, One Year Plan and the sector plan.
2. Other R-2 zoned property in the area could be rezoned to RP-3 and stay within the policies and

guidelines of the adopted plans for the area.

CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:

1. Development of this site under the recommended RP-3 zoning will help to strengthen both the South Waterfront development and the surrounding residential area.

REZONING REQUIREMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. The residential proposal is an extension of residential zoning from the south and west.
2. There is an established residential zoning pattern on both sides of Hillwood Dr. in this area including R-3 zoning.
3. This zoning pattern is acceptable for this area.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The site has areas of steep slope that the required site plan approval process of RP-3 zoning can ensure are adequately addressed, as well as the compatibility with established residential uses.

EFFECTS OF THE PROPOSAL:

1. Public water and sewer utilities are available to serve the site.
2. The proposal is compatible with surrounding development and zoning.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS:

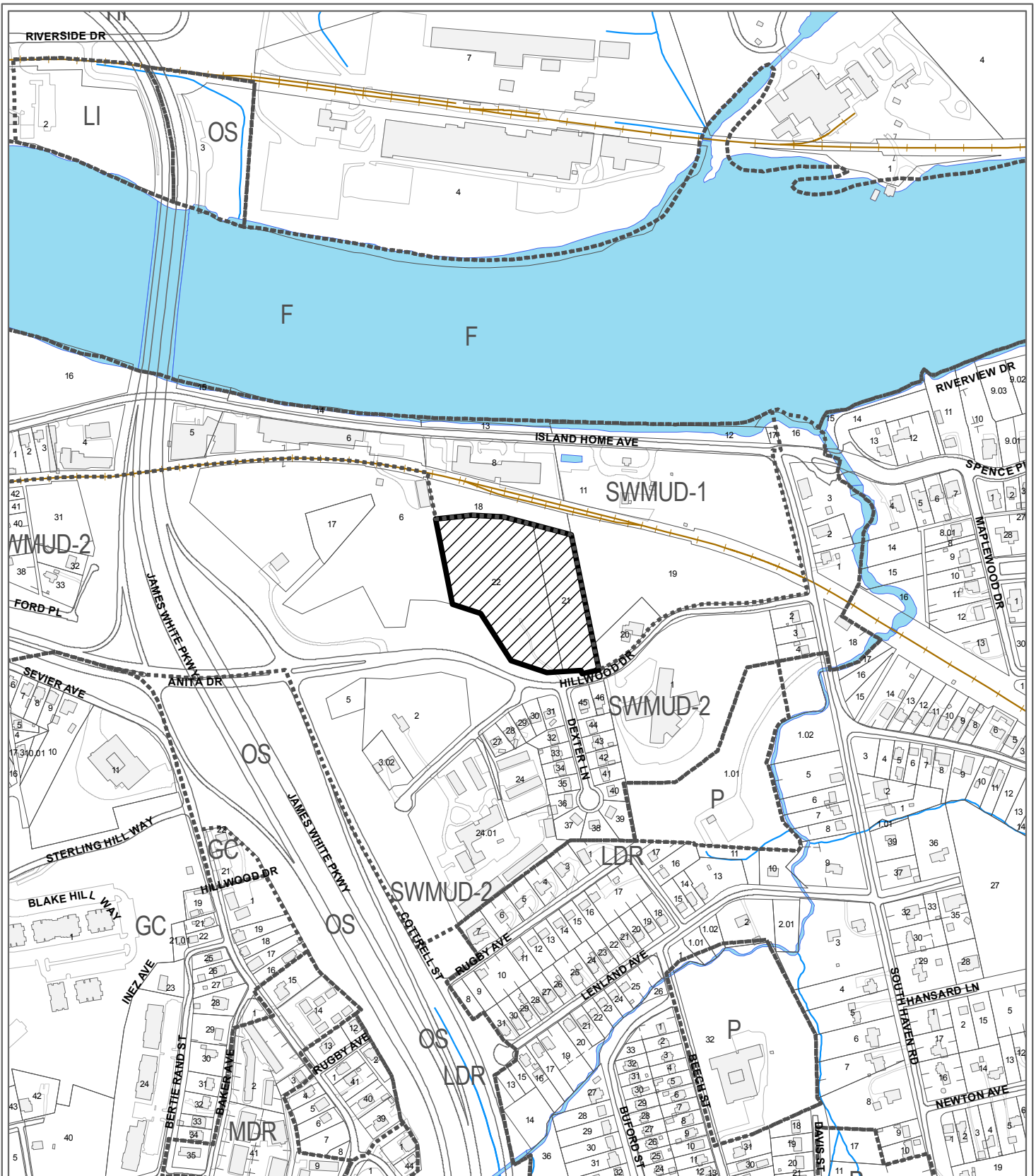
1. Approval of the One Year Plan amendment to HDR (High Density Residential) for the proposed RP-3 zoning would not be consistent with the South City Sector Plan, but could be compatible with the South Waterfront Development Plan.
2. This site is located within the Urban Growth Area (inside City) of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT 1141 (average daily vehicle trips)

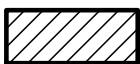
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 42 (public and private school children, ages 5-18 years)

If approved, this item will be forwarded to Knoxville City Council for action on 12/16/2008 and 12/30/2008. 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.



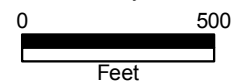
**10-E-08-PA / 10-E-08-RZ
PLAN AMENDMENT**



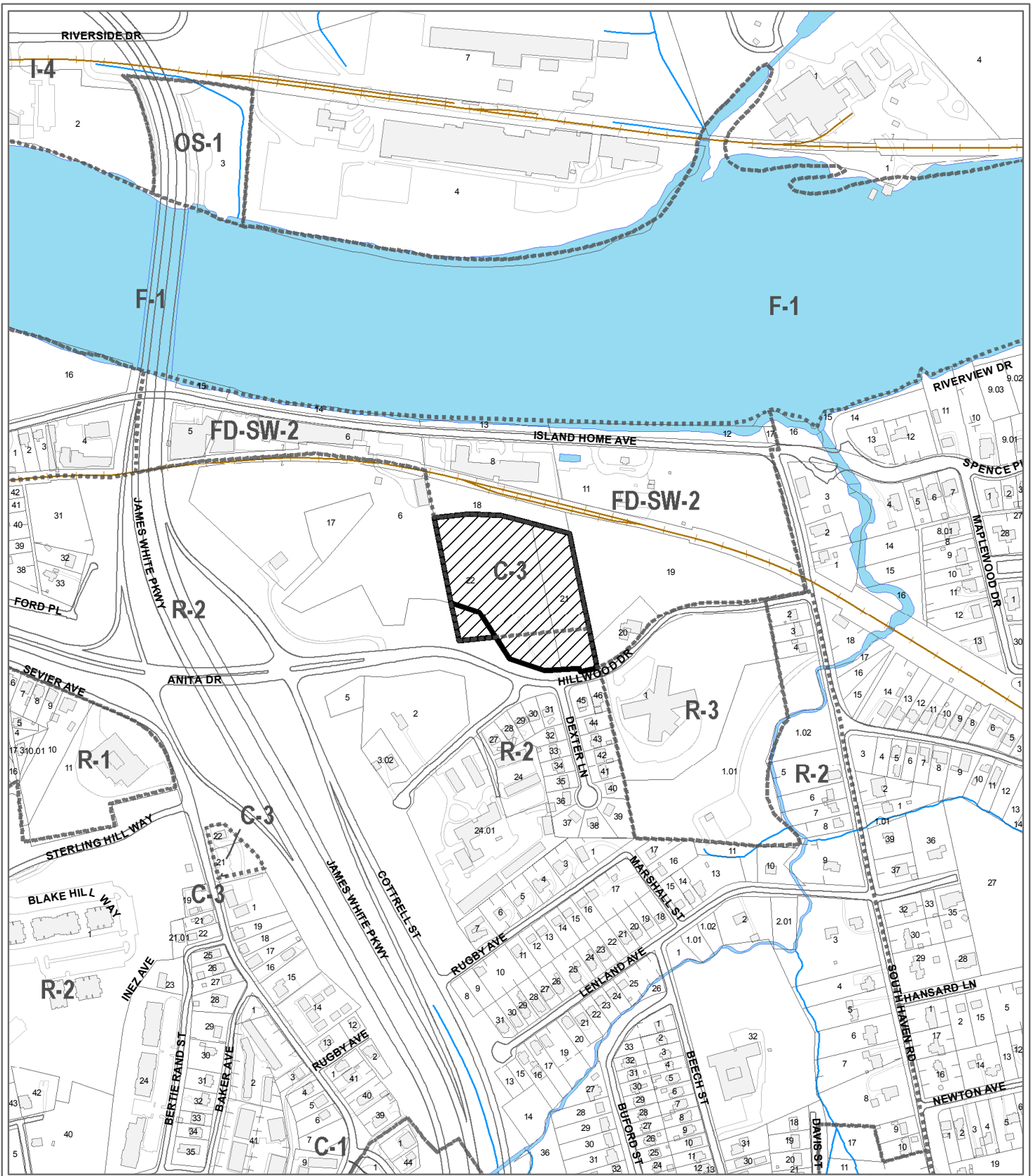
From: MDR (Medium Density Residential), SWMUD-2 (South Waterfront Mixed Use District 2) & SLPA (Slope Protection Area)
To: HDR (High Density Residential) & SLPA (Slope Protection Area)

Petitioner: Copeland, Kent and Steve

Map No: 95
Jurisdiction: City



Original Print Date: 9/18/2008
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



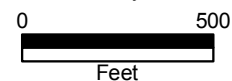
**10-E-08-RZ
REZONING**

From: C-3 (General Commercial)
To: R-3 (High Density Residential)



Petitioner: Copeland, Kent and Steve

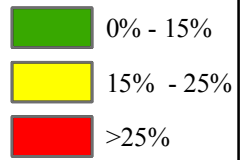
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10-E-08-RZ Slope Analysis

Percent Slope



10-E-08-RZ REZONING



From: C-3 (General Commercial District)
To: R-3 (High Density Residential District)

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Jurisdiction: City

0 500'



10-E-08-RZ Slope Analysis

Slope	Gridcode	Cells	Sum_Acres	Percentage
0%-15%	1	2599	1.4916	25.89%
15%-25%	2	1147	0.6583	11.43%
> 25%	3	6292	3.6111	62.68%
Total Acres			5.7610	100.00%