



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

FILE #: 4-B-09-RZ
4-B-09-PA

AGENDA ITEM #: 41
AGENDA DATE: 4/9/2009

APPLICANT: METROPOLITAN PLANNING COMMISSION
OWNER(S): VARIOUS

TAX ID NUMBER: 82 P G 001-015 082PF009-015, 082IL022-035, 082IN017-022
JURISDICTION: Council District 6

LOCATION: North and south sides Washington Ave., west side N. Bertrand St., east of Winona St.

TRACT INFORMATION: 11 acres.

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Washington Ave., a minor collector street with 20' of pavement width within 50' of right of way.

UTILITIES: Water Source: Knoxville Utilities Board
Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

PRESENT PLAN DESIGNATION/ZONING: MDR (Medium Density Residential) / R-2 (General Residential) / H-1 (Historic Overlay)

PROPOSED PLAN DESIGNATION/ZONING: LDR (Low Density Residential) / R-1A (Low Density Residential) / H-1 (Historic Overlay)

EXISTING LAND USE: Residential

PROPOSED USE: Residential

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of LDR plan designation and R-1A zoning from north, south and east.

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Residences / LDR / R-1A (Low Density Residential)
South: Residences / LDR / R-1A (Low Density Residential)/H-1 (Historic Overlay)
East: Residences / LDR / R-1A (Low Density Residential)/H-1 (Historic Overlay)
West: Office, neighborhood commercial / O, NC / O-1 (Office, Medical & Related Services)/H-1 and C-1 (Neighborhood Commercial)/H-1

NEIGHBORHOOD CONTEXT: This area is developed with residential dwellings under mainly R-1A zoning. There is a church within the subject area, and there are some office and neighborhood commercial uses to the east, zoned O-1 and C-1.

STAFF RECOMMENDATION:

- ▶ **ADOPT resolution #4-B-09-PA, amending the Knoxville One Year Plan to LDR (Low Density Residential) for this area. (See attached Exhibit A.)**

A low density residential designation for this area is compatible with the surrounding development and zoning in the neighborhood. The sector plan proposes low density residential for the area, consistent with the requests.

- ▶ **RECOMMEND that City Council APPROVE R-1A (Low Density Residential) / H-1 (Historic Overlay) zoning.**

R-1A zoning with the H-1 overlay is more consistent with the development within the subject area, is consistent with the sector plan and is an extension of zoning from the north, south and east.

COMMENTS:

ONE YEAR PLAN REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN

- A. **NEW ROAD OR UTILITY IMPROVEMENTS** - The roads are sufficient and the utilities are in place to serve this site.
- B. **ERROR OR OMISSION IN CURRENT PLAN** - The parcels within the subject area are developed with primarily detached single unit dwellings on individual lots, which is consistent with the proposed LDR designation.
- C. **CHANGES IN GOVERNMENT POLICY** - The Central City Sector Plan proposes low density residential uses for the property, consistent with the proposal. The LDR designation on the subject property will accommodate the proposed R-1A zoning, which will limit residential development in the area to detached houses on individual lots or duplexes. R-1A does allow consideration of multi-dwelling units as a use on review, if the lot is located along a collector or arterial street. Washington Ave. is classified as a major collector.
- D. **CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS** - The residential development within this area is comprised of mostly detached houses on individual lots, with a few duplexes noted. That development is consistent with the proposed LDR designation and R-1A zoning. Any properties that may have more than two dwelling units placed on them will likely be deemed as legal-nonconforming uses.

REZONING REQUIREMENTS:

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

- 1. The proposed LDR designation and R-1A zoning are compatible with the scale and intensity of the surrounding development and zoning pattern.
- 2. The proposed plan designation and zoning are extensions from the north, south and east.
- 3. The proposal is consistent with the sector plan designation of LDR for this area.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

- 1. The R-1A zone, as described in the zoning ordinance, is intended to provide areas for low to medium population density. The principal use of land may range from houses to low density multi-dwelling structures or developments.
- 2. Based on the above general intent, this area is appropriate for R-1A zoning.
- 3. The H-1 overlay will remain on these properties, to preserve and protect historic structures and areas which serve as visible reminders of the history and cultural heritage of the City of Knoxville, State of Tennessee and the United States of America. It is the intent of the overlay district to regulate the construction, repair, alteration, rehabilitation, relocation or demolition of any structure which is located in an H-1 district. The overlay district is not intended, however, to regulate the use of land or structures.

THE EFFECTS OF THE PROPOSAL:

- 1. Water and sewer utilities are in place to serve this site.
- 2. The proposal would have no impact on schools or the street system.
- 3. The proposal is for a lower impact plan designation and zoning, so it should have no negative impact on adjacent properties.
- 4. Any residential lots containing more than two dwelling units would not be in conformance with the R-1A zone as permitted uses. However, if there are parcels containing more than two dwelling units, they would

likely be grandfathered under the new R-1A zoning. Also, since Washington Ave. is classified as a minor collector street, multi-dwelling structures may be considered as a use on review.

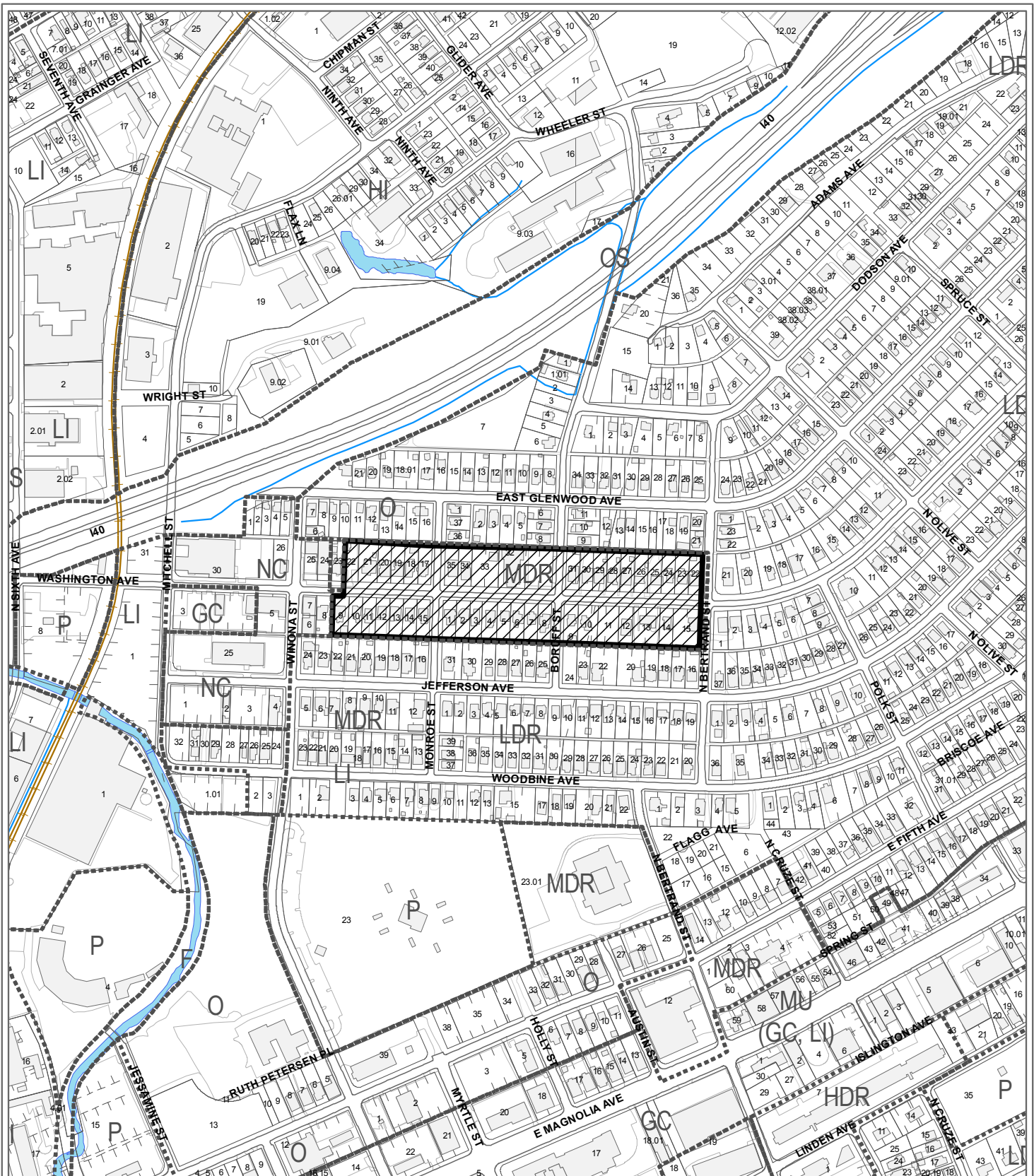
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Central City Sector Plan proposes low density residential uses for this site, consistent with the requests.
2. This site is located within the Urban Growth Area (inside the City) on the Knoxville-Knox County-Farragut Growth Policy Plan.
3. Approval of these requests brings this area into consistency with its surrounding neighborhood.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 5/5/2009 and 5/19/2009. 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.



**4-B-09-PA / 4-B-09-RZ
PLAN AMENDMENT**

From: MDR (Medium Density Residential)

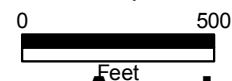
To: LDR (Low Density Residential)



Petitioner: Metropolitan Planning Commission

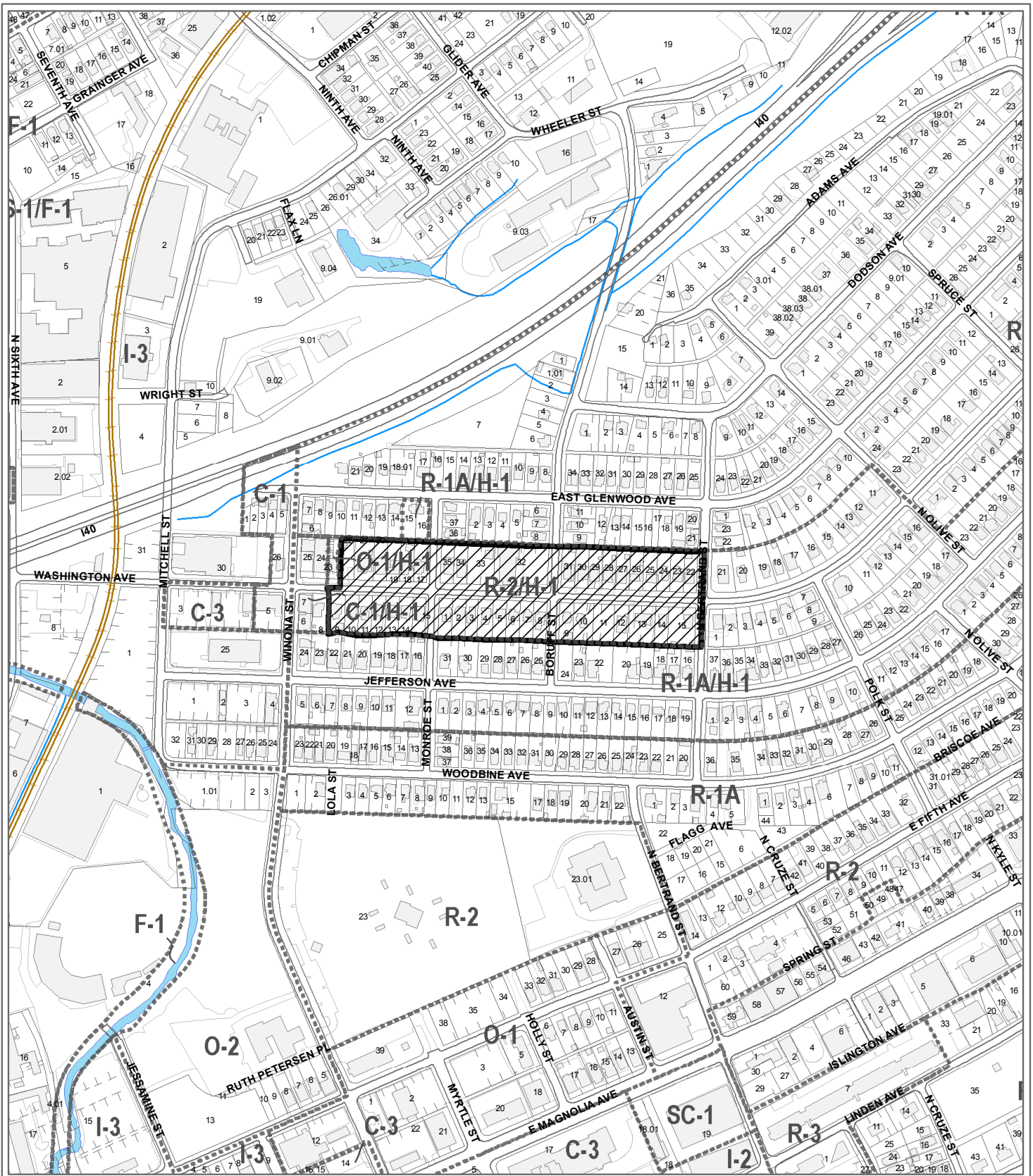
Map No: 82

Jurisdiction: City



Original Print Date: 3/27/2009
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

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**4-B-09-RZ
REZONING**

From: R-2 (General Residential) / H-1 (Historic Overlay)

To: R-1A (Low Density Residential) / H-1 (Historic Overlay)



Petitioner: Metropolitan Planning Commission

Map No: 82

Jurisdiction: City



Original Print Date: 3/27/2009
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

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**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE CITY OF KNOXVILLE ONE YEAR 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 Knoxville One Year 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, Metropolitan Planning Commission, has submitted an application to amend the One Year Plan from Medium Density Residential 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 Knoxville One Year Plan, from Medium Density Residential to Low Density Residential, consistent with General Plan requirements that such amendment represent 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 April 9, 2009, 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 Knoxville One Year Plan, with its accompanying, staff report and map, file #4-B-09-PA.

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