



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

▶ **FILE #:** 4-I-09-RZ **AGENDA ITEM #:** 48
 4-D-09-PA **AGENDA DATE:** 4/9/2009

▶ **APPLICANT:** KNOXVILLE'S COMMUNITY DEVELOPMENT CORPORATION
 OWNER(S): KNOX COUNTY

TAX ID NUMBER: 95 B G 002 PORTION. MAP ON FILE AT MPC.
 JURISDICTION: Council District 6

▶ **LOCATION:** Southeast side Bethel Ave., southwest side McConnell St.
 ▶ **TRACT INFORMATION:** 5.26 acres.
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ACCESSIBILITY: Access is Bethel Ave., a local street with 32' of pavement within a 50' right-of-way.
 UTILITIES: Water Source: KUB
 Sewer Source: KUB
 WATERSHED: Williams Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / R-1 (Low Density Residential)
 ▶ **PROPOSED PLAN DESIGNATION/ZONING:** MDR (Medium Density Residential) / RP-1 (Planned Residential)
 ▶ **EXISTING LAND USE:** Park facility
 ▶ **PROPOSED USE:** Multi-dwelling development for low income elderly housing
DENSITY PROPOSED: 16 du/ac
 EXTENSION OF PLAN DESIGNATION/ZONING: Yes
 HISTORY OF ZONING REQUESTS: None noted
 SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
 North: Apartments / LDR & MDR/R-1 & R-2 Residential
 South: Residences / LDR/R-1 Residential
 East: McConnell St. & residences / LDR/R-1 Residential
 West: School / LDR/R-1 Residential
 NEIGHBORHOOD CONTEXT: This property is in the midst of single and multi-family residential development that has occurred under R-1 and R-2 zones.

STAFF RECOMMENDATION:

▶ **ADOPT resolution #4-D-09-PA, amending the Knoxville One Year Plan to MDR (Medium Density Residential) designation for this property. (See attached Exhibit A.)**

An MDR designation for this property is compatible with the surrounding residential development and zoning and is consistent with the established structure types on surrounding property.

► **RECOMMEND that City Council APPROVE RP-1 (Planned Residential) zoning at a density up to 24 du/ac.**

RP-1 zoning is similar in intensity to the current R-2 zoning noted across the street to the north, and is compatible with development in the surrounding area. Both zones permit densities up to 24 du/ac. In areas designated for medium density residential uses, but the RP-1 zone requires use-on review approval of a site plan prior to development.

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** - An MDR designation and RP-1 zoning are consistent with the surrounding established residential development.
- C. **CHANGES IN GOVERNMENT POLICY** - The Central City Sector Plan proposes Public Open Space uses for the property, consistent with the current park use. An MDR designation on the subject property will accommodate the RP-1 zoning and permit consideration of a low-income elderly housing development proposal for the site, consistent with the established development pattern of the area that includes both single family residential and apartment uses.
- D. **CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS** - There is a school use on part of the property that will remain. To the northeast, across Bethel Ave., are apartments zoned R-2.

REZONING REQUIREMENTS:

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

- 1. The proposed MDR designation and RP-1 zoning are compatible with the scale and intensity of the surrounding development and zoning pattern.
- 2. The proposed plan designation and zoning are of similar or less intensity than much of the surrounding development and zoning.
- 3. There are many adjacent and surrounding properties in the area that are currently developed with attached multi-dwelling residential uses.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

- 1. The RP-1 zone, as described in the zoning ordinance, requires a development plan approval process that is intended to provide residential development and related activities that are surrounded by landscaped yards and open areas that are compatible with surrounding residential uses.
- 2. Based on the above general intent, this site is appropriate for RP-1 zoning and medium density development.

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. The impact to the street system would depend on the type and size of the residential use.

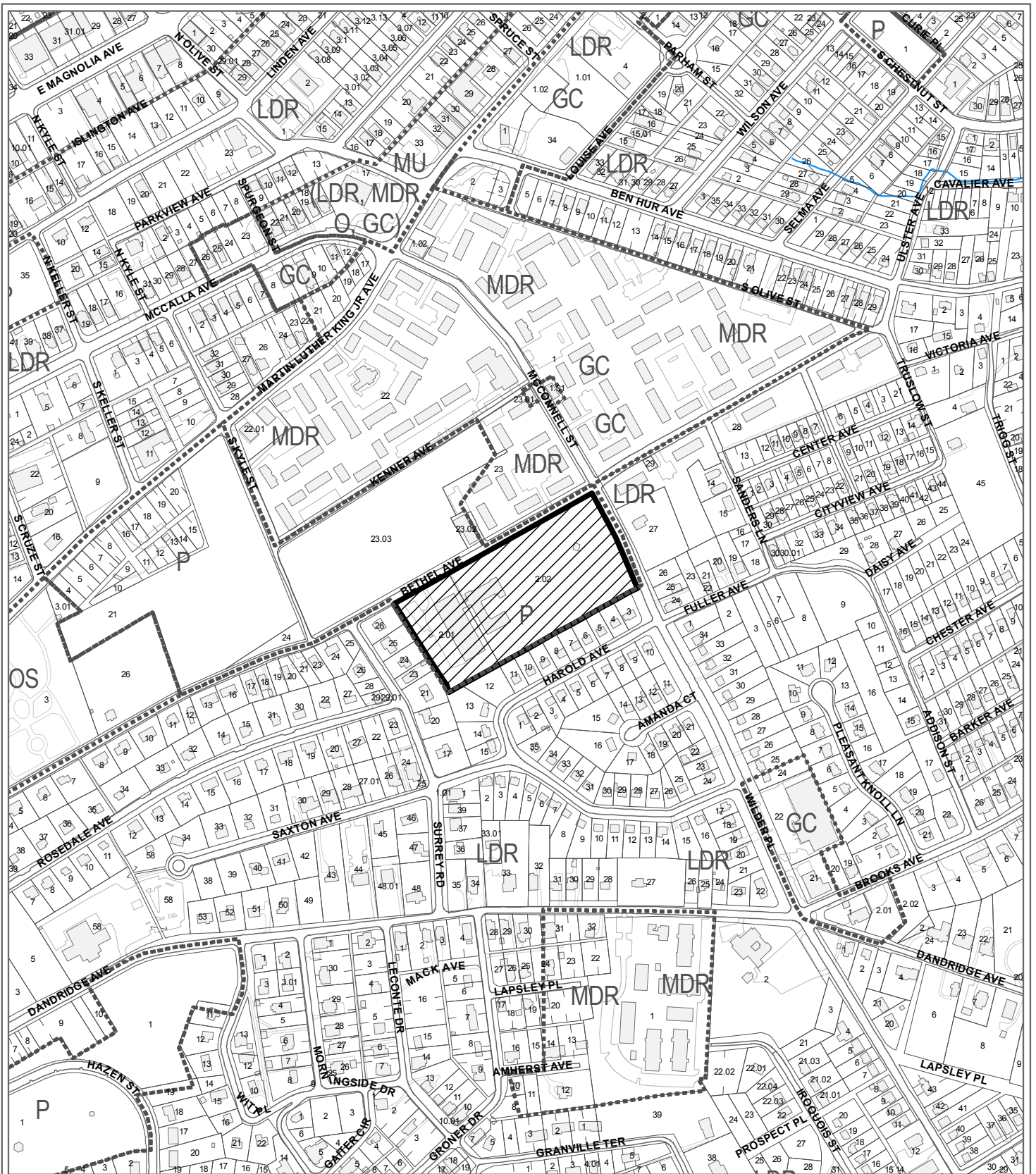
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1. The Central City Sector Plan amendment for medium density residential use for this site is consistent with the RP-1 zoning.
- 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 this request is not expected to lead to future requests for RP-1 uses in the area.

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-D-09-PA / 4-I-09-RZ
PLAN AMENDMENT**

From: LDR (Low Density Residential)

To: MDR (Medium Density Residential)



Petitioner: Knoxville's Community
Development Corporation

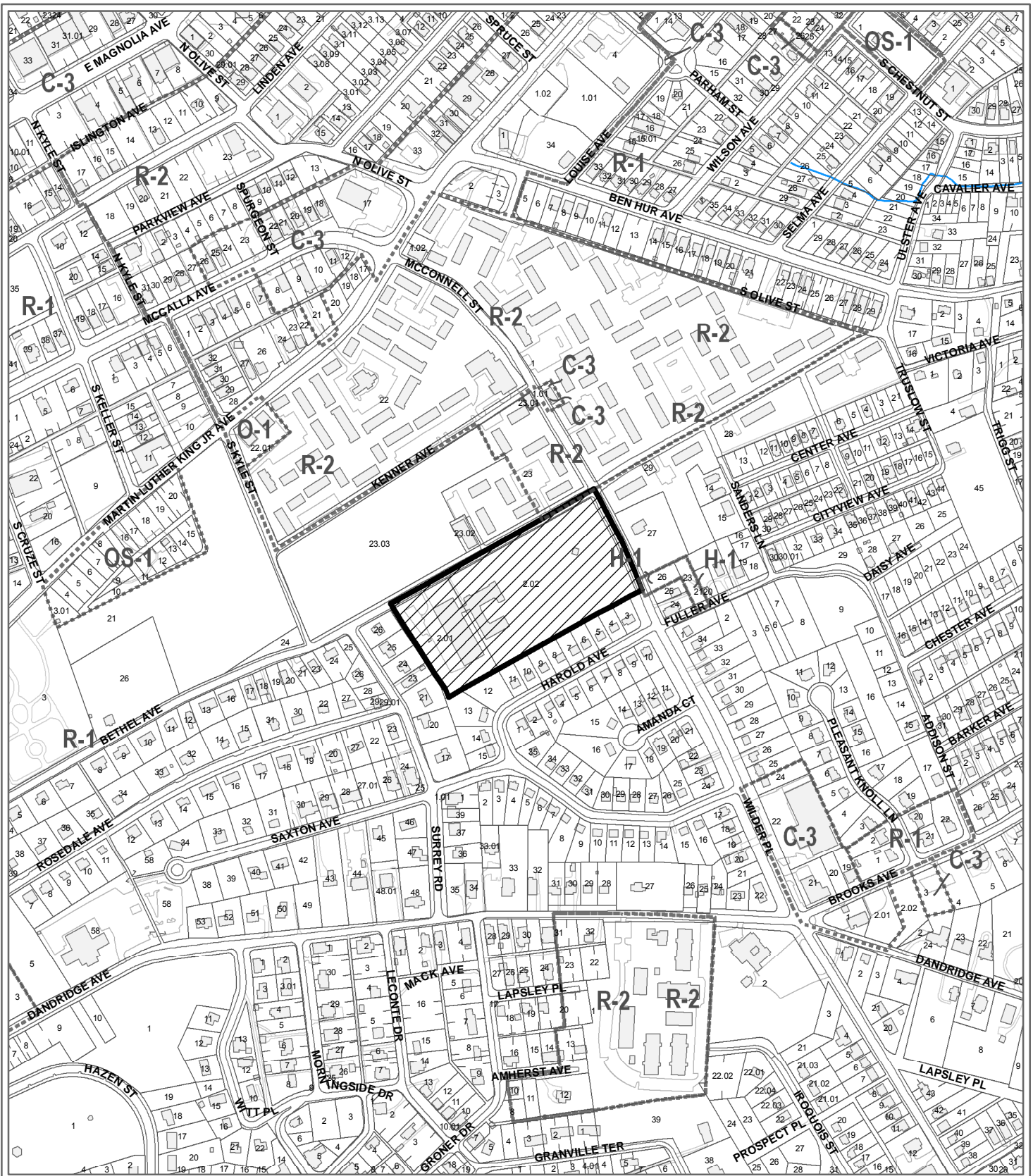
Map No: 95

Jurisdiction: City

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

Revised:





**4-I-09-RZ
REZONING**

From: R-1 (Low Density Residential)
To: RP-1 (Planned Residential)



Petitioner: Knoxville's Community
Development Corporation

Map No: 95
Jurisdiction: City

Original Print Date: 3/30/2009
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**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 sector plans initiated by the Planning Commission or in response to applications from property owners; and

WHEREAS, KNOXVILLE'S COMMUNITY DEVELOPMENT CORPORATION, has submitted an application to amend the One Year Plan from LDR (LOW DENSITY RESIDENTIAL) to MDR (MEDIUM 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 for MDR (MEDIUM DENSITY RESIDENTIAL), 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 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 MDR (MEDIUM DENSITY RESIDENTIAL) for the subject property, as 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-D-09-PA.

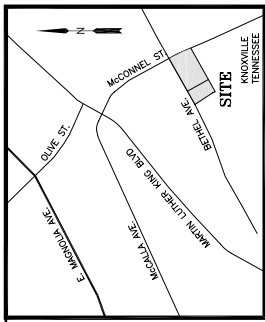
SECTION 2: This Resolution shall take effect upon its approval.

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

Date

Chairman

Secretary

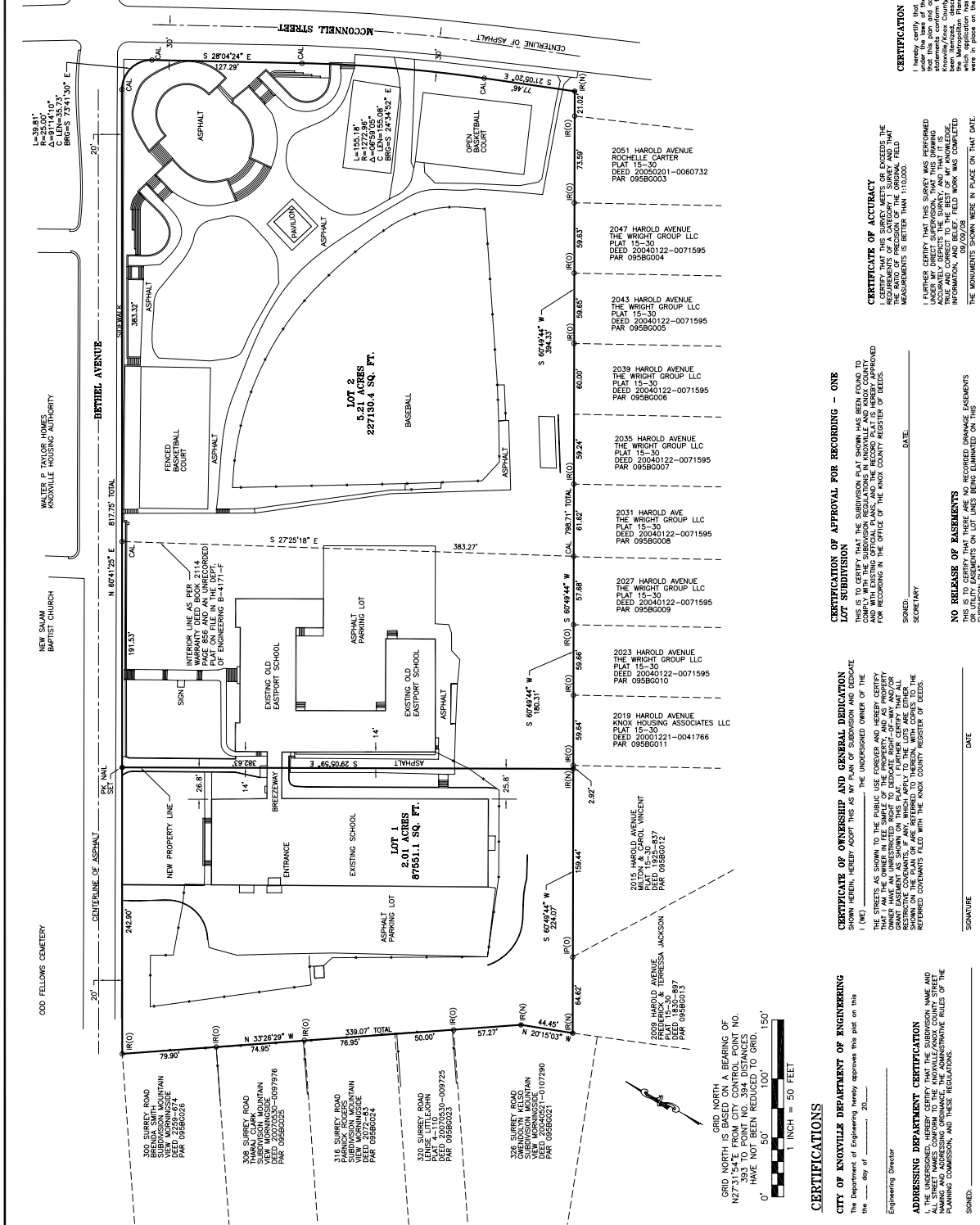


- LEGEND**
- IR(O) IRON ROD (FOUND)
 - IP(O) IRON PIPE (FOUND)
 - IR(N) IRON ROD (NEW)
 - CAL CALCULATED POINT
 - PK PK NAIL SET IN ASPHALT

NOTES
 INFORMATION SHOWN ON THIS DRAWING ILLUSTRATES THE EXISTING CONDITIONS ON 09/09/08

1. PROPERTY LOCATION/OWNER:
 KNOX COUNTY
 1000 BETHEL AVE
 KNOXVILLE, TENNESSEE, 37915
2. SURVEY REQUESTED BY:
 TERRY MACKEE
 KNOXVILLE'S COMMUNITY DEVELOPMENT CORPORATION
 901 BROADWAY NE
 KNOXVILLE, TENNESSEE, 37917
 PHONE: 865-403-1107
3. SURVEY REQUESTED FOR:
 PLAT PROPERTY AND CREATE A NEW LOT LINE BETWEEN NEW AND OLD SCHOOL.
4. PROPERTY REFERENCES:
 WARRANTY DEED BOOK 2114 PAGE 865
 CLT MAP 085, INSERT B, GROUP G, PARCEL 002
 TWELFTH (12th) WARD, CITY BLOCK 36466
 OF KNOXVILLE, TENNESSEE
5. TOTAL NUMBER OF LOTS 2
 LOT 1 = 2.01 ACRES
 LOT 2 = 5.21 ACRES
 TOTAL ACREAGE 7.22 ACRES
6. PROPERTY IS ZONED R-2
 CHECK WITH MPC FOR BUILDING SETBACKS.
7. UTILITY AND DRAINAGE EASEMENTS:
 ALL UTILITY & DRAINAGE EASEMENTS ON ALL EXTERIOR LOT LINES & ROAD R.O.N.'S AND 5' ON ALL INTERIOR LOT LINES.

VICINITY MAP



CERTIFICATE OF ACCURACY

I hereby certify that this survey was performed in accordance with the standards and practices of a land surveyor in the State of Tennessee. The monuments shown here in place on this date were in place on the _____ day of _____, 20____.

I further certify that this survey was performed in accordance with the standards and practices of a land surveyor in the State of Tennessee. The monuments shown here in place on this date were in place on the _____ day of _____, 20____.

CERTIFICATE OF OWNERSHIP AND GENERAL DEDICATION

I (WE) _____, THE UNDERSIGNED OWNER OF THE STREETS AS SHOWN TO THE PUBLIC USE FOREVER AND HEREBY CERTIFY THAT THE STREETS AS SHOWN ON THIS PLAT ARE THE PROPERTY OF THE CITY OF KNOXVILLE AND HEREBY DEDICATE THE SAME TO THE PUBLIC USE OF THE CITY OF KNOXVILLE.

CERTIFICATE OF APPROVAL FOR RECORDING - ONE LOT SUBDIVISION

I (WE) _____, THE UNDERSIGNED REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TENNESSEE, HAVE EXAMINED THE ORIGINAL PLANS AND THE RECORD PLAT IS HEREBY APPROVED FOR RECORDING IN THE OFFICE OF THE KNOX COUNTY REGISTER OF DEEDS.

CERTIFICATIONS

CITY OF KNOXVILLE DEPARTMENT OF ENGINEERING
 The Department of Engineering hereby approves this plat on this _____ day of _____, 20____.

Engineering Director _____

ADDRESSING DEPARTMENT CERTIFICATION
 I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE SUBDIVISION NAME AND ADDRESSING, HEREIN SHOWN, HEREON IS APPROVED IN ACCORDANCE WITH THE PLANNING AND ADDRESSING ORDINANCE, THE ADMINISTRATIVE RULES OF THE PLANNING AND ADDRESSING DEPARTMENT, AND THESE REGULATIONS.

SIGNED: _____ DATE: _____

IN CITY OF KNOXVILLE AND SHERIFF AREAS OF KNOX COUNTY

This is to certify that this subdivision shown hereon is approved in accordance with the planning and addressing ordinance, the administrative rules of the planning and addressing department, and these regulations.

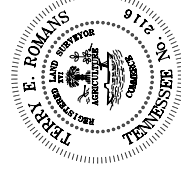
KNOX COUNTY HEALTH DEPARTMENT _____ DATE _____

TAXES AND ASSESSMENTS _____ DATE _____

This is to certify that all property taxes and assessments due on this property have been paid.

Signed: _____ Date: _____

Signed: _____ Date: _____



ROMANS LAND SURVEYING
ENGINEERS & SURVEYORS
 814 E. GOV. JOHN SEEVER HWY. UNIT C
 Knoxville, TN, 37920
 Phone (865) 573-5690
 Fax (865) 573-5681

DRAWN	DATE	BOUNDARY SURVEY
APPROVED	DATE	PARCEL ID
FILED	DATE	PROJECT NO.
SCALE	SHEET	1 OF 1
1" = 60'		08-91

Surveyor
 Tennessee Certificate No. _____
 Terry E. Romans 2116
 Date of Survey 09/09/08

Signature _____ DATE _____
 Signature _____ DATE _____

Signature _____ DATE _____
 Signature _____ DATE _____

Signature _____ DATE _____
 Signature _____ DATE _____

NOTARY STAMP
 ON THIS _____ DAY OF _____, 20____, BEFORE ME PERSONALLY APPEARED _____ TO ME
 KNOWN (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE SIGNER OF THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT HE (OR SHE OR THEY) EXECUTED THE SAME AS HIS (OR HER OR THEIR) FREE ACT AND DEED.
 (NOTARY'S SIGNATURE & SEAL)
 MY COMMISSION EXPIRES: _____