



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

▶ **FILE #:** 8-C-10-RZ
8-E-10-SP

AGENDA ITEM # 42
AGENDA DATE: 8/12/2010

▶ **APPLICANT:** RANDY J. NOLL / MPC
OWNER(S): VARIOUS OWNERS

TAX ID NUMBER: 81 K M 001-004, 034-040
JURISDICTION: Council District 5

▶ **LOCATION:** Northeast side Branner St., southeast side W. Quincy Ave.

▶ **TRACT INFORMATION:** 1.9 acres.

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access to this area is from various local streets, including W. Quincy Ave., Branner St., and Warren Ave., as well as three unnamed alleys which run between those streets.

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

WATERSHED: Second Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LI (Light Industrial) / I-4 (Heavy Industrial) / IH-1 (Infill Housing Overlay)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** MDR (Medium Density Residential) / R-1 (Low Density Residential) // IH-1 (Infill Housing Overlay)

▶ **EXISTING LAND USE:** Residential

▶ **PROPOSED USE:** Residential

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of residential designation from the southeast

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, North: Alley - Businesses / C / C-3 (General Commercial) / IH-1 (Infill Housing Overlay)

ZONING South: Branner St. - Industrial park and trailer parking / LI / I-4 (Heavy Industrial)

East: Alley - Houses / LDR / R-2 (General Residential) / IH-1 (Infill Housing Overlay)

West: W. Quincy Ave. - Truck and trailer parking / LI / I-4 (Heavy Industrial)

NEIGHBORHOOD CONTEXT: This site is located within an area of mixed uses. To the southeast are residential uses, zoned R-2. To the northeast are commercial uses along N. Central St., zoned C-3/IH-1, To the west are industrial uses, zoned I-4.

STAFF RECOMMENDATION:

- ▶ **ADOPT RESOLUTION # 8-E-10-SP, amending the Central City Sector Plan to MDR (Medium Density Residential) and recommend that City Council also adopt the sector plan amendment. (See attached resolution, Exhibit A.)**

MDR is a logical extension of the residential sector plan designation from the southeast. Medium density residential use of this area is compatible with surrounding development and zoning, is consistent with the One Year Plan proposal on part of the site and creates a transitional area between adjacent commercial/industrial uses and low density residential uses. This sector plan change will also allow other property owners within the area to seek residential zoning in the future, without the need for a plan amendment.

- ▶ **RECOMMEND that City Council APPROVE R-1 (Low Density Residential) / IH-1 (Infill Housing Overlay) zoning.**

R-1/IH-1 zoning is compatible with surrounding development and zoning and is a logical extension of residential zoning from the southeast. The rezoning only applies to parcel 36 within the area as shown on the attached rezoning agenda map. The zoning change will bring the zoning into conformance with the current use and will allow for the future issuance of residential building permits, as needed.

COMMENTS:

Upon receipt of the accompanying rezoning application, MPC staff decided to initiate a sector plan amendment to address the larger area containing the subject parcel for rezoning. The area shown on the sector plan agenda map reflects an area that is developed with residential uses only and is within the IH-1 overlay, which pertains to residential development only.

SECTOR PLAN REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

NEW ROAD OR UTILITY IMPROVEMENTS:

No known road or utility improvements have occurred recently in this area.

ERROR OR OMISSION IN CURRENT PLAN:

The current sector plan proposes light industrial uses for this area and it is zoned I-4/IH-1. However, the area is developed with residential uses. The proposed amendment is an extension of the existing residential plan designation from the southeast.

CHANGES IN GOVERNMENT POLICY:

This area is developed with residential uses and is within the IH-1 overlay, which specifically addresses residential uses. The sector plan should be amended to reflect the current and future use of the area as residential.

CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:

The subject area has been occupied by residential uses for some time.

REZONING REQUIREMENTS:

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

1. R-1/IH-1 is a logical extension of the already established residential zoning and overlay to the southeast of the site.
2. The surrounding area is developed with residential, industrial and commercial uses. R-1 zoning is compatible with surrounding development and zoning.
3. This proposal will bring the zoning into conformance with the current use of the property as a residence.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The requested R-1 base zoning is the most restrictive residential district intended for low density residential land uses.
2. Based on the above description, R-1 is an appropriate zone for this site.
3. The IH-1 overlay will be maintained. This overlay district applies to residential development only and is intended to foster infill development and major additions that are compatible with the design of original houses in older Knoxville neighborhoods, particularly those built prior to 1950 along grid streets that often had sidewalks and alleys.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are in place to serve the site.

2. R-1 zoning is compatible with surrounding development and will have no impact on adjacent properties or the street system, as the use of the site will not change.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the recommended amendment to MDR, the recommended R-1 zoning is consistent with the Central City Sector Plan.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. A City of Knoxville One Year Plan amendment from HI to MDR has also been initiated by MPC for this general area (10-B-10-PA). However, the One Year Plan currently proposes medium density residential uses for parcel 36, so that plan did not need to be amended in order to consider this rezoning. One Year Plan amendments may only be scheduled quarterly, so this application will be placed on the next acceptable meeting for One Year Plan amendments, which is October 14, 2010.

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. New law 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 calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 9/7/2010 and 9/21/2010. 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.



**8-C-10-RZ
REZONING**

From: I-4 (Heavy Industrial) / IH-1 (Infill Housing Overlay)

To: R-1 (Low Density Residential) / IH-1 (Infill Housing Overlay)



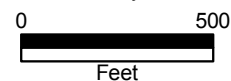
Original Print Date: 7/21/2010
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Noll, Randy J.

Map No: 81

Jurisdiction: City



**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE CENTRAL CITY SECTOR 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 Central City Sector 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**, the Metropolitan Planning Commission, has submitted an application to amend the Sector Plan from Light Industrial to Medium Density Residential, for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Central City Sector Plan, 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 August 12, 2010, 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 Central City Sector Plan, with its accompanying staff report and map, file #8-E-10-SP.

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