

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

▶ **FILE #:** 8-H-10-RZ **AGENDA ITEM #** 47
 8-D-10-SP **AGENDA DATE:** 8/12/2010

▶ **APPLICANT:** PEBBLESTONE CONDOMINIUMS HOA
 OWNER(S): JOHNSON E DOYLE & DOROTHY K

TAX ID NUMBER: 49 C E 001
 JURISDICTION: Commission District 7

▶ **LOCATION:** Southwest side Murphy Rd., southeast of Tazewell Pike

▶ **TRACT INFORMATION:** 10.59 acres.

SECTOR PLAN: North City

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

ACCESSIBILITY: Access to the development is from Murphy Rd., a major collector street with 25' of pavement width within 80-90' of right-of-way.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Whites Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) & HP (Hillside/Ridge Top Protection Areas) / RB (General Residential) & A (Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** MDR (Medium Density Residential) & HP (Hillside/Ridge Top Protection Areas) / PR (Planned Residential)

▶ **EXISTING LAND USE:** Condominiums

▶ **PROPOSED USE:** Condominiums - planned unit development

DENSITY PROPOSED: 7 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: A rezoning request for PR at 5 du/ac was withdrawn by the applicant in 2005 (1-BB-05-RZ).

SURROUNDING LAND USE, PLAN DESIGNATION,

North: Detached and attached residential / LDR / A (Agricultural) and RB (General Residential)

South: Vacant land / LDR / PR (Planned Residential) at 1-5 du/ac

East: Murphy Rd. - Residences / LDR / A (Agricultural) and PR (Planned Residential) at 1-3 du/ac

West: Residences / LDR, HP / RB (General Residential)

NEIGHBORHOOD CONTEXT: This area is developed with residential uses under A, PR, RA and RB zoning.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION #8-D-10-SP, amending the North City Sector Plan to MDR (Medium Density**

Residential) and HP (Hillside Protection) and recommend that Knox County Commission also adopt the sector plan amendment. (See attached resolution, Exhibit A.)

This site meets the criteria for approval of medium density residential uses, as recommended. The site is already partially developed under RB zoning with attached condominiums. Both the current RB zoning and the requested PR zoning at up to 7 du/ac are consistent with the medium density residential sector plan designation.

► **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 7 du/ac.**

The recommended PR zoning and density recommendation is appropriate for this location that has direct access to a major collector street, is located in the Urban Growth Area of Knoxville, and would allow the proposed, attached residential units to be placed on individual lots with zero lot lines.

COMMENTS:

SECTOR PLAN REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

NEW ROAD OR UTILITY IMPROVEMENTS:

A new traffic signal was installed in early 2005 at the nearby intersection of Murphy Rd. and Tazewell Pike along with some lane additions and other improvements. Utilities are in place to serve the development.

ERROR OR OMISSION IN CURRENT PLAN:

The current sector plan calls for low density residential use for the site. However, the majority of this site is currently zoned RB which allows multi-dwelling development at a density of up to 12 du/ac with no review by MPC. The current LDR plan designation is not consistent with the current zoning.

CHANGES IN GOVERNMENT POLICY:

This location near a major intersection of minor arterial and a major collector streets, is appropriate for medium density development. It has direct access to Murphy Rd., the major collector. The site is already partially developed with condominiums, but due to changes in mortgage lending practices for residential condominium developments, the developer is requesting approval of a concept plan to subdivide the remaining development into individual lots. The RB zone does not permit zero lot line development for attached units on individual lots and also requires minimum lot sizes per unit. The requested PR zoning has the flexibility to allow consideration of the proposed development. The PR zone is generally preferable for any type of residential development in the County.

CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:

The medium density residential development is already underway on the subject property. The traffic situation has been recently improved with the intersection improvements and new traffic signal at Murphy Rd. and Tazewell Pike. A large park, Beverly Park, is located on Tazewell Pike, within walking distance from the site, providing recreational opportunity for current and future residents.

REZONING REQUIREMENTS:

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

1. The PR zone requires use on review approval of a development plan by MPC prior to construction. This will provide the opportunity for staff to review the plan and address issues such as traffic circulation, lot layout, recreational amenities, drainage, types of units and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.
2. The surrounding area is developed with low density residential uses. PR zoning, at the recommended density, is compatible with the scale and intensity of the surrounding development and zoning pattern. The site is located near a major intersection and has access from a major collector street.
3. PR zoning at the recommended density, based on the reported acreage, will accommodate up to 74 units, while allowing the opportunity to place each unit on an individual lot, subject to concept plan/use on review approval by MPC. The developer has already made application for a concept plan/use on review and was advised by staff that a rezoning to PR would be required in order for MPC to consider the plan. The use on review and concept plan are also on this MPC agenda (7-SB-10-C/8-H-10-UR). The development plan proposes 69 units on 39 lots, which includes the units already constructed. The dwelling units are proposed to be a combination of attached and detached.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. PR zoning is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be

characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational and cultural facilities which are integrated with the total project by unified architectural and open space treatment.

2. Additionally, the zoning states that each development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the Planning Commission by review of development plans. Staff maintains that PR is the most appropriate zone for this development.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. At the recommended density of up to 7 du/ac on the 10.59 acres reported, up to 74 dwelling units could be proposed for the site. Developed with attached residential units, this would add approximately 728 trips to the street system and about 11 children to the school system.
3. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.
4. The approval of these requests will allow the applicant to submit plan for MPC's consideration to place each unit on an individual lot.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the recommended amendment to MDR, the PR zoning at the recommended density is consistent with the North City Sector Plan.
2. The site is located within the Urban Growth Area of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Upon final approval of the rezoning, the developer will be required to submit a concept plan/use on review development plan prior to the property's development. The plan will show the property's proposed lot pattern and street network and will also identify the types of residential units that may be constructed. Grading and drainage plans may also be required at this stage, if deemed necessary by Knox County Engineering and MPC staff.

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 728 (average daily vehicle trips)

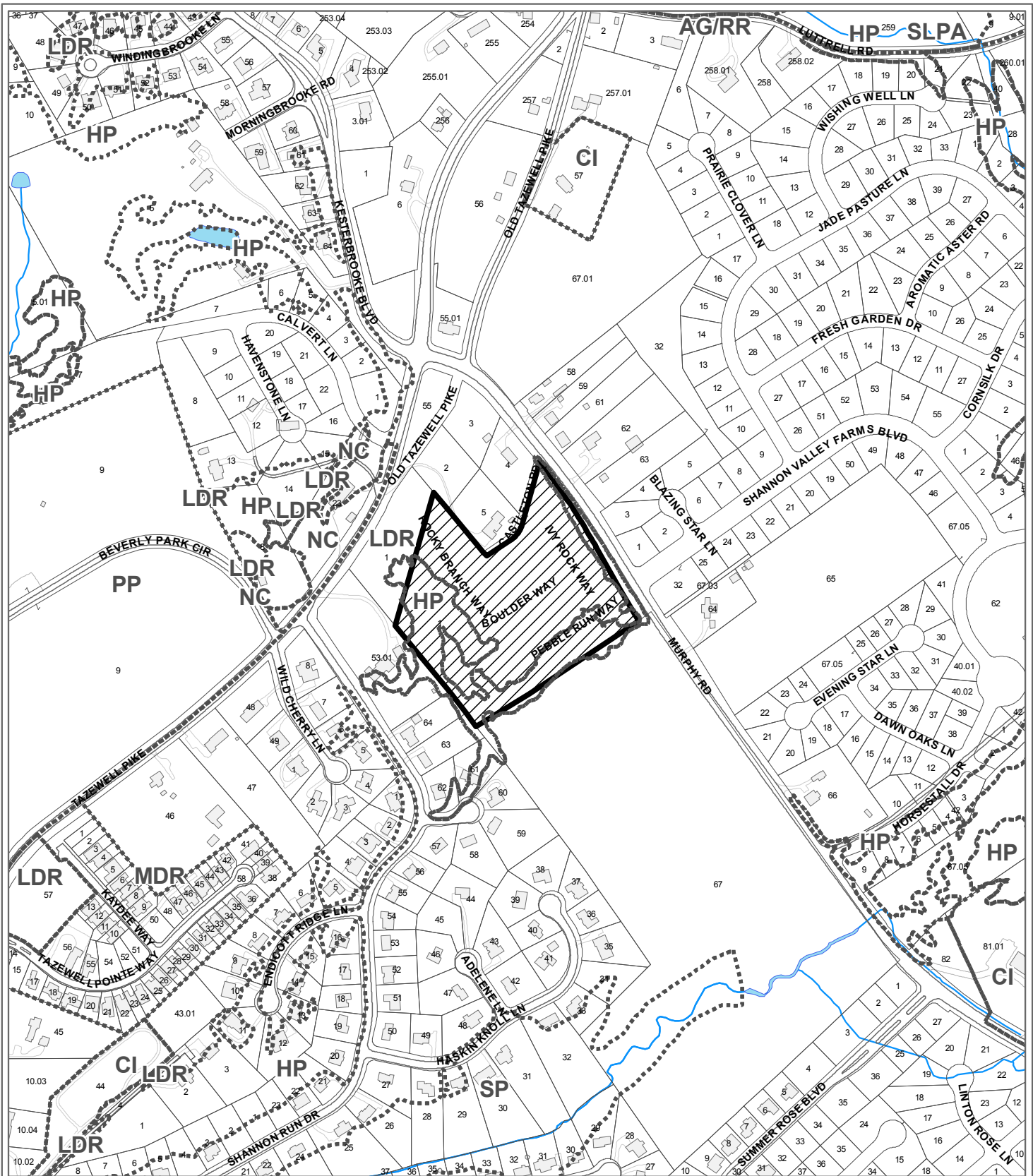
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 11 (public and private school children, ages 5-18 years)

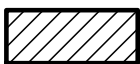
Schools affected by this proposal: Ritta Elementary, Gresham Middle, and Central High.

- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.
- School capacities are subject to change by Knox County Schools through building additions, curriculum or scheduling changes, or amendments to attendance zone boundaries.

If approved, this item will be forwarded to Knox County Commission for action on 9/27/2010. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**8-D-10-SP / 8-H-10-RZ
NORTH CITY SECTOR PLAN AMENDMENT**



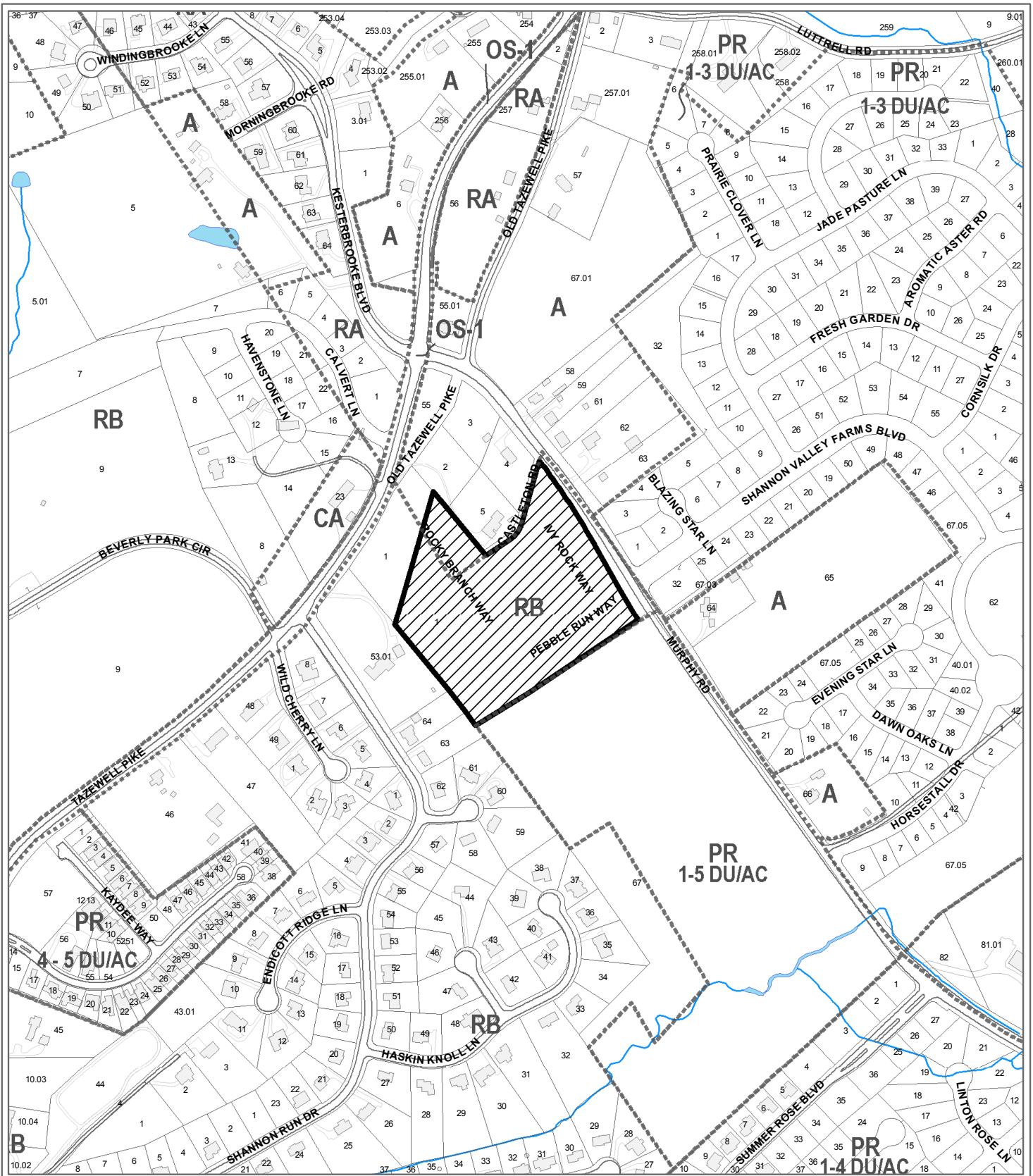
From: LDR (Low Density Residential) & HP (Hillside/Ridge Top Protection Areas)
To: MDR (Medium Density Residential) & HP (Hillside/Ridge Top Protection Areas)

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

Petitioner: Pebblestone Condominiums
HOA

Map No: 49
Jurisdiction: County





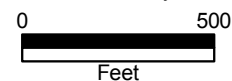
**8-H-10-RZ
REZONING**

From: RB (General Residential) & A (Agricultural)
To: PR (Planned Residential)



Petitioner: Pebblestone Condominiums
HOA

Map No: 49
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Original Print Date: 7/21/2010
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTH 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 North 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 sector plans initiated by the Planning Commission or in response to applications from property owners; and

WHEREAS, Pebblestone Condominiums HOA, has submitted an application to amend the Sector Plan from Low Density Residential to Medium Density Residential and Hillside/Ridgetop Protection for property described in the application; and

WHEREAS, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the North 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 sector 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 North City Sector Plan, with its accompanying, staff report and map, file #8-D-10-SP.

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

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

Date

Chairman

Secretary