



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

▶ **FILE #:** 8-F-10-SP

AGENDA ITEM # 49

AGENDA DATE: 8/12/2010

▶ **APPLICANT:** MPC
 OWNER(S): DOUGLAS VIRGINIA P
 RICHMOND CHARLES B
 WALLEN KENNETH ETAL
 ZACHARCZYP KENNETH

TAX ID NUMBER: 81 N J 021, 023-029, 02901

JURISDICTION: Council District 4

▶ **LOCATION:** Northwest side W. Baxter Ave., southwest of N. Central St.

▶ **APPX. SIZE OF TRACT:** 1.1 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via W. Baxter Ave., a major collector street with 40' of pavement width within 65' of right-of-way.

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

WATERSHED: Second Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** C (Commercial) / I-2 (Restricted Manufacturing and Warehousing)

▶ **PROPOSED PLAN DESIGNATION:** MDR (Medium Density Residential)

▶ **EXISTING LAND USE:** Residential

▶ **PROPOSED USE:** Residential

EXTENSION OF PLAN DESIGNATION: No

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Alley - Dwellings and vacant lots / C / I-2 (Restricted Manufacturing & Warehousing)
 South: W. Baxter Ave. - Business / O / C-3 (General Commercial)
 East: Business / GC / C-6 (General Commercial Park) and C-3 (General Commercial)
 West: Manufacturing business / C / I-2 (Restricted Manufacturing & Warehousing)

NEIGHBORHOOD CONTEXT This area is developed with a mix of uses, under C-3, C-6 and I-2 zoning.

STAFF RECOMMENDATION:

- ▶ **ADOPT RESOLUTION # 8-F-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.)**

Medium density residential uses are appropriate for this area, which is partially developed with residences. This amendment will bring the sector plan into consistency with the current and proposed future residential use of the parcels within the subject area. MDR uses would be compatible with the surrounding land uses and zoning pattern. Rezoning and One Year Plan amendment applications accompany this application and are also on this agenda (8-J-10-RZ/8-A-10-PA).

COMMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

NEW ROAD OR UTILITY IMPROVEMENTS:

No known improvements to W. Baxter Ave. have occurred in recent years. The existing streets and utilities are sufficient to accommodate the proposed use of the site.

ERROR OR OMISSION IN CURRENT PLAN:

The current sector plan proposes commercial uses for this area. Staff has recommended amending the plan to medium density residential, as this designation is consistent with both the existing and proposed use of the properties involved.

CHANGES IN GOVERNMENT POLICY:

These applications were placed on the MPC agenda as a direct result of the passing of a City Council resolution, asking MPC staff to take a look at the 100 block of W. Baxter Ave. Within the subject area, there are three existing houses and an additional six vacant lots that are available for development of houses. Medium density residential is a more appropriate land use designation for this area than the current commercial designation.

CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:

This area has been zoned I-2 for light industrial uses for many years, but residential continues to be the only use desired. In order to allow future development of houses, the plan should allow for residential uses, including detached dwellings and duplexes.

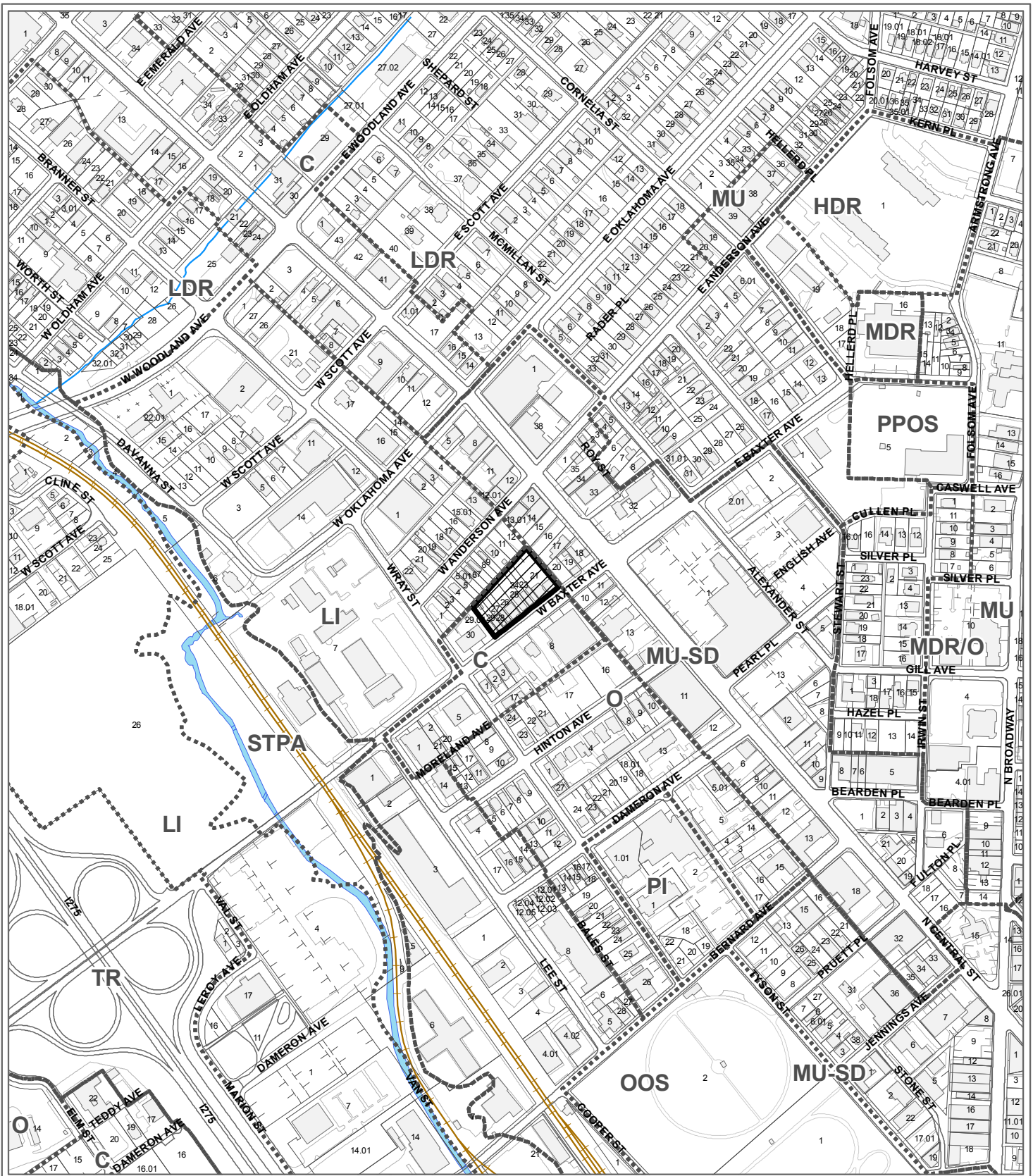
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. New law provides for two methods to amend the plan at TCA 13-3-304:

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.

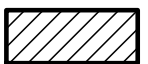
ESTIMATED STUDENT YIELD: Not applicable.

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-F-10-SP
CENTRAL CITY SECTOR PLAN AMENDMENT**

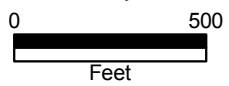
From: C (Commercial)
To: MDR (Medium Density Residential)



Petitioner: MPC

Map No: 81
Jurisdiction: City

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 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 Commercial 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-F-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



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

FILE #: 8-J-10-RZ
8-A-10-PA

AGENDA ITEM # 49
AGENDA DATE: 8/12/2010

APPLICANT: MPC
OWNER(S): DOUGLAS VIRGINIA P
RICHMOND CHARLES B
WALLEN KENNETH ETAL
ZACHARCZYP KENNETH

TAX ID NUMBER: 81 N J 021,023-029, 02901
JURISDICTION: Council District 4

LOCATION: Northwest side W. Baxter Ave., southwest of N. Central St.

TRACT INFORMATION: 1.1 acres.

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via W. Baxter Ave., a major collector street with 40' of pavement width within 65' of right-of-way.

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

WATERSHED: Second Creek

PRESENT PLAN DESIGNATION/ZONING: MU (Mixed Use), (LI-Light Industrial, GC-General Commercial, O-Office) / I-2 (Restricted Manufacturing and Warehousing)

PROPOSED PLAN DESIGNATION/ZONING: MDR (Medium Density Residential) / R-1A (Low Density Residential)

EXISTING LAND USE: Residential

PROPOSED USE: Residential

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Alley - Dwellings and vacant lots / MU (LI, GC, O) / I-2 (Restricted Manufacturing & Warehousing)

South: W. Baxter Ave. - Business / MU (LI, GC, O) / C-3 (General Commercial)

East: Business / GC / C-6 (General Commercial Park) and C-3 (General Commercial)

West: Manufacturing business / MU (LI, GC, O) / I-2 (Restricted Manufacturing & Warehousing)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of uses, under C-3, C-6 and I-2 zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE MU-Mixed Uses (LI-Light Industrial, GC-General Commercial, O-Office, MDR-Medium Density Residential) One Year Plan designation.**

Adding medium density residential uses to the mix of allowable uses is appropriate for this area, which is partially developed with residences. This amendment will bring the One Year Plan into consistency with the current and proposed future residential use of the parcels within the subject area. MDR uses would be compatible with the surrounding land uses and zoning pattern.

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

The recommended R-1A zoning is compatible with surrounding development and zoning and will allow future development or redevelopment of the parcels with either single detached dwellings or duplexes. There are three houses currently located in the area. There are also a few boarded up, vacant dwellings in the area, to be redeveloped.

COMMENTS:

The Knoxville City Council passed a resolution asking MPC to look at the 100 block of Baxter Ave. for a possible rezoning to residential, to allow some redevelopment of housing in the area. MPC has initiated this One Year Plan amendment application, as well as an accompanying sector plan amendment application (8-F-10-SP), so that a rezoning of the area to R-1A could be considered. Since these requests were initiated as a result of a City Council resolution, the One Year Plan amendment was included despite this not being one of the normal months that One Year Plan amendments may be considered, based on the quarterly rule.

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN

- A. NEW ROAD OR UTILITY IMPROVEMENTS - No known improvements to W. Baxter Ave. have occurred in recent years. The existing streets and utilities are sufficient to accommodate the proposed use of the site.
- B. ERROR OR OMISSION IN CURRENT PLAN - The current One Year Plan proposes mixed uses, including light industrial, general commercial and office uses. Staff recommends adding medium density residential to the mix of uses, as this designation is consistent with both the existing and proposed use of the properties involved.
- C. CHANGES IN GOVERNMENT POLICY - These applications were placed on the MPC agenda as a direct result of the passing of a City Council resolution, asking MPC staff to take a look at the 100 block of W. Baxter Ave. Within the subject area, there are three existing houses and an additional six vacant lots that are available for development/redevelopment of houses. It is appropriate to include residential within the mix of allowable uses in this area.
- D. CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS - This area has been zoned I-2 for light industrial uses for many years, but residential continues to be the only use desired. In order to allow future development of houses, the plan should include residential in the mix of uses.

REZONING REQUIREMENTS:

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

- 1. R-1A zoning of this site will bring the zoning into consistency with the existing residential uses in the area.
- 2. R-1A will allow new residential uses to be permitted along this stretch of W. Baxter Ave. Under the current I-2 zoning, no building permits could be issued for residential development.
- 3. There is some interest by private parties to develop new residential structures in the area. The R-1A zoning will allow development of single detached dwellings or duplexes.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

- 1. The R-1A zone, as described in the zoning ordinance, is intended to provide for low to medium population density. The principal uses of land may range from houses to low density multi-dwelling structures or developments. Certain uses which are more compatible functionally with intensive residential uses than with commercial uses are permitted.
- 2. Based on the above description, R-1A is an appropriate zone for this site.
- 3. This subject area may be considered for form-based codes in the future. Form-based codes are to be developed for the N. Central St. corridor in the near future. Also, these properties may be appropriate for R-

1HK zoning, which is the residential zoning being developed for Knoxville's older established neighborhoods, mainly consisting of houses constructed prior to 1950. Neither the form-based codes or the R-1HK zone are available currently, but both are in the works.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. R-1A zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.
3. The impact on the street system will be minimal. Three active residences are already established in the area.

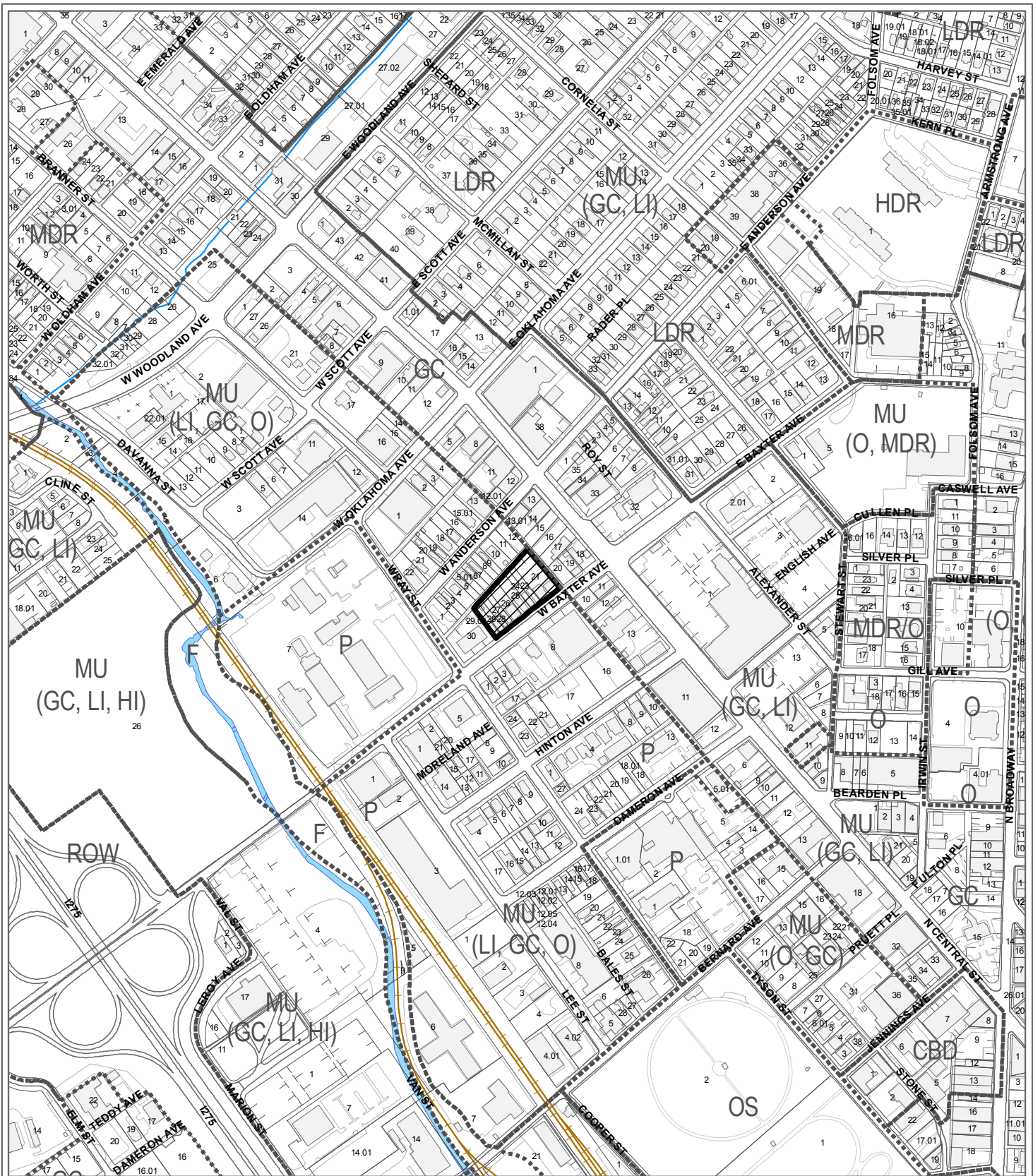
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the recommended amendment to MU (LI, GC, O, MDR), the recommended R-1A zoning is consistent with the City of Knoxville One Year Plan.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. A Central City Sector Plan amendment accompanies these One Year Plan amendment and rezoning requests (8-F-10-SP). That request is to amend the sector plan from commercial to medium density residential. This amendment must also be approved to be consistent with the requested R-1A zoning.

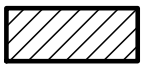
ESTIMATED TRAFFIC IMPACT: Not calculated.

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-A-10-PA / 8-J-10-RZ
PLAN AMENDMENT**



From: MU (Mixed Use), (LI-Light Industrial, GC-General Commercial, O-Office)
To: MDR (Medium Density Residential)

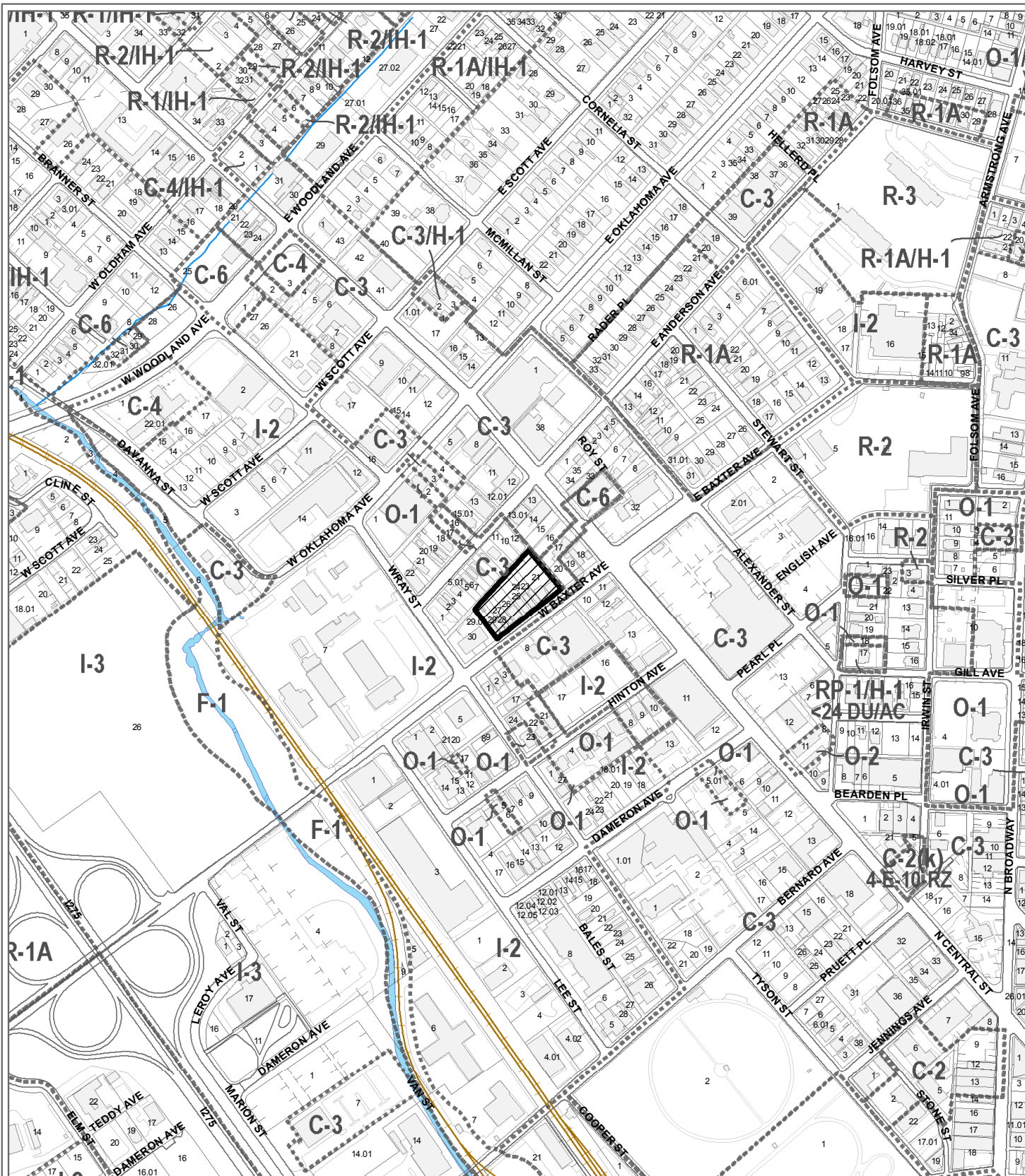
Petitioner: MPC

Map No: 81

Jurisdiction: City

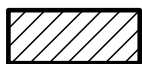


Original Print Date: 7/20/2010 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**8-J-10-RZ
REZONING**

From: I-2 (Restricted Manufacturing and Warehousing)
To: R-1A (Low Density Residential)



Original Print Date: 7/20/2010
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: MPC

Map No: 81

Jurisdiction: City

