



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

▶ **FILE #:** 7-B-12-SP

AGENDA ITEM #: 16

AGENDA DATE: 7/12/2012

▶ **APPLICANT:** METROPOLITAN PLANNING COMMISSION

OWNER(S): Kenneth L. & Kathleen A. Sherfick

TAX ID NUMBER: 69 L H 017 & 018

JURISDICTION: Council District 4

▶ **LOCATION:** North side Emoriland Blvd., east N. Broadway

▶ **APPX. SIZE OF TRACT:** 0.65 acres

SECTOR PLAN: East City

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

ACCESSIBILITY: Access is via Emoriland Blvd., a local street with 2 lanes and a center median within 65' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** C (Commercial) / C-3 (General Commercial) / H-1 (Historic Overlay) & F-1 (Floodway) / H-1 (Historic Overlay)

▶ **PROPOSED PLAN DESIGNATION:** LDR (Low Density Residential)

▶ **EXISTING LAND USE:** Residential

▶ **PROPOSED USE:** Residential

EXTENSION OF PLAN DESIGNATION: No, site is already LDR

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Floodway - Business / C / C-3 (General Commercial)

South: Emoriland Blvd. - Vacant lot / C / C-3 (General Commercial)

East: Residence / LDR / R-1 (Low Density Residential)/NC-1 (Neighborhood Conservation Overlay)

West: N. Broadway - Auto sales business / C / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT This residential property is at the entrance to the Emoriland residential subdivision from N. Broadway. The subdivision is zoned R-1/NC-1.

STAFF RECOMMENDATION:

▶ **WITHDRAW, at the request of the applicant.**

This site is already shown as LDR on the sector plan, which is consistent with the requested R-1/H-1 zoning. No sector plan amendment is needed to accompany the One Year Plan and rezoning requests (7-B-12-PA/7-B-12-RZ).

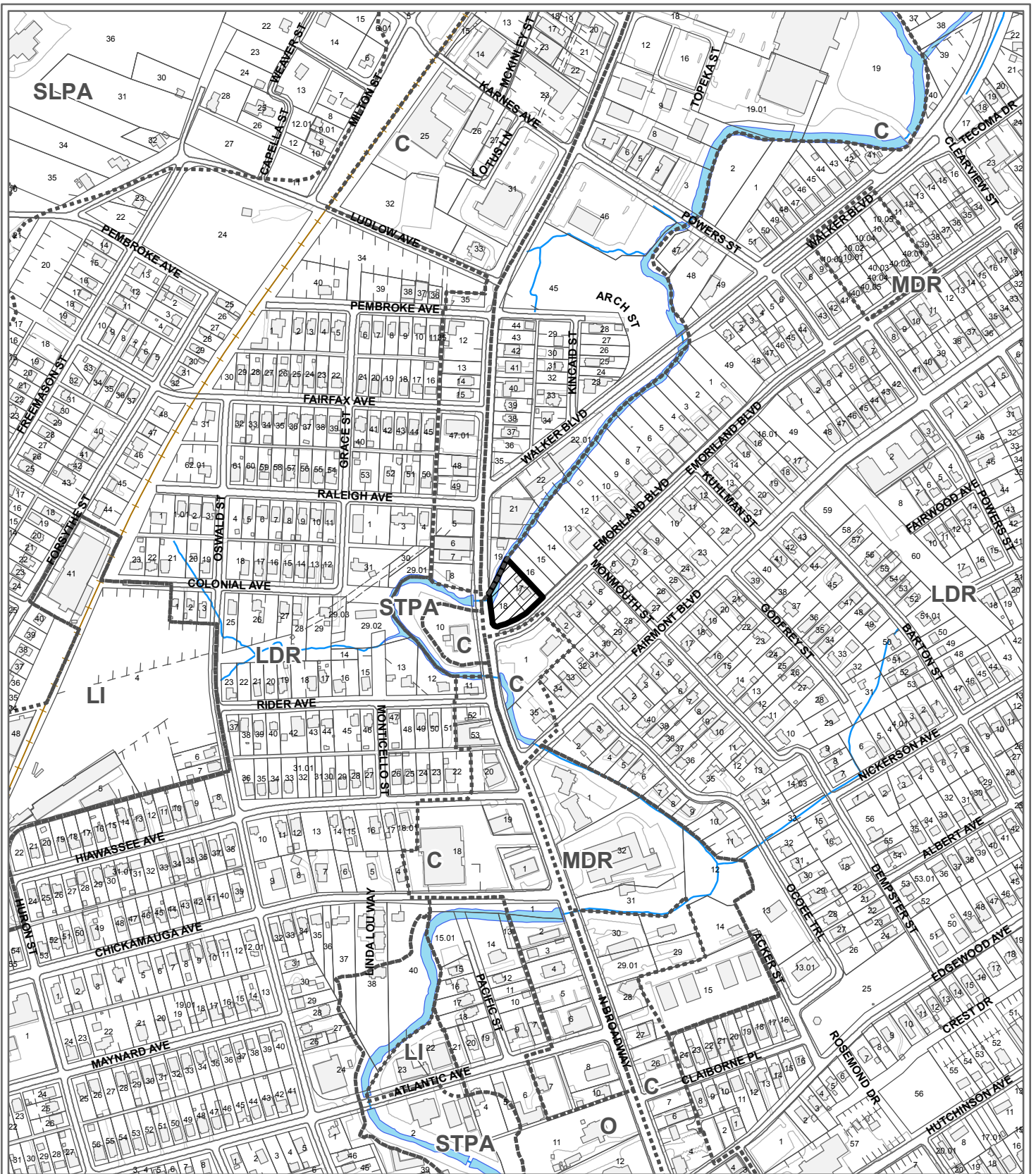
COMMENTS:

Both of the subject parcels are under the same ownership.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 8/7/2012 and 8/21/2012. 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.



**7-B-12-SP
EAST CITY SECTOR PLAN AMENDMENT**

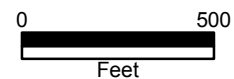
From: C (Commercial)
To: LDR (Low Density Residential)



Petitioner: Metropolitan Planning Commission

Map No: 69

Jurisdiction: City



Original Print Date: 6/27/2012 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE EAST 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 East 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 Low Density Residential, for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the East 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 July 12, 2012, 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 East City Sector Plan, with its accompanying staff report and map, file #7-B-12-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 #: 7-B-12-RZ
7-B-12-PA

AGENDA ITEM #: 16
AGENDA DATE: 7/12/2012

APPLICANT: METROPOLITAN PLANNING COMMISSION
OWNER(S): Kenneth L. & Kathleen A. Sherfick

TAX ID NUMBER: 69 L H 017 & 018
JURISDICTION: Council District 4

LOCATION: North side Emoriland Blvd., east side N. Broadway

TRACT INFORMATION: 0.65 acres.

SECTOR PLAN: East City

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

ACCESSIBILITY: Access is via Emoriland Blvd., a local street with 2 lanes and a center median within 65' of right-of-way.

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

WATERSHED: First Creek

PRESENT PLAN DESIGNATION/ZONING: GC (General Commercial) & F (Floodway) / C-3 (General Commercial) / H-1 (Historic Overlay) and F-1 (Floodway) / H-1 (Historic Overlay)

PROPOSED PLAN DESIGNATION/ZONING: LDR (Low Density Residential) & F (Floodway) / R-1 (Low Density Residential) / H-1 (Historic Overlay) and F-1 (Floodway) / H-1 (Historic Overlay)

EXISTING LAND USE: Residential

PROPOSED USE: Residential

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of LDR from the northeast

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

North: Floodway - Business / C / C-3 (General Commercial)
South: Emoriland Blvd. - Vacant lot / C / C-3 (General Commercial)
East: Residence / LDR / R-1 (Low Density Residential)/NC-1 (Neighborhood Conservation Overlay)
West: N. Broadway - Auto sales business / C / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT: This residential property is at the entrance to the Emoriland residential subdivision from N. Broadway. The subdivision is zoned R-1/NC-1.

STAFF RECOMMENDATION:

RECOMMEND that City Council APPROVE LDR (Low Density Residential) and F (Floodway) One Year Plan designation.

Both of the subject parcels are under the same ownership, with a historic house located on parcel 17. This amendment will bring the One Year Plan into consistency with the current and proposed future residential use of the subject property.

► **RECOMMEND that City Council APPROVE R-1 (Low Density Residential) & F-1 (Floodway) zoning.**

R-1 zoning is appropriate for this site, considering it is developed with a historic house and is at the entrance from Broadway to a large residential neighborhood.

COMMENTS:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN

A. NEW ROAD OR UTILITY IMPROVEMENTS - No known improvements have been made to N. Broadway or Emoriland Blvd.

B. ERROR OR OMISSION IN CURRENT PLAN - The current One Year Plan proposes general commercial uses for this area, consistent with the current C-3 zoning. Staff has recommended amending the plan to 'low density residential', as this designation is consistent with both the existing and proposed residential use of the subject property.

C. CHANGES IN GOVERNMENT POLICY - No changes in government policy impact this proposal. With the City's purchase of the property to the south and elimination of the business and parking lot that were previously located on the other side of Emoriland Blvd., commercial uses are no longer appropriate at this location. This site is at the entrance from Broadway to a residential neighborhood.

D. CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS - This site has been zoned C-3 for many years along with the property to the south, across Emoriland Blvd. A historic residential structure is located on the subject property, so LDR is a more appropriate for this site.

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. R-1 zoning is consistent with the existing and proposed residential use of the site.
2. The subject property is developed with a residential structure, consistent with the requested R-1 zoning.
3. This site was zoned C-3 for many years, but was never developed with commercial uses. With the elimination of the restaurant to the south on the other side of Emoriland Blvd. and the proposed rezoning of that site to OS-2 (7-A-12-RZ), also on this MPC agenda, C-3 is no longer appropriate on the subject property.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The requested R-1 zone is a restrictive residential district intended for low density residential land uses. The H-1 overlay for protection of historic character and the F-1 zoning will remain in place as is.
2. Based on the above description, R-1 is an appropriate zone for this site.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. The potential negative impact will be reduced with the rezoning to the much less intense R-1 zoning.
2. The proposal will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.

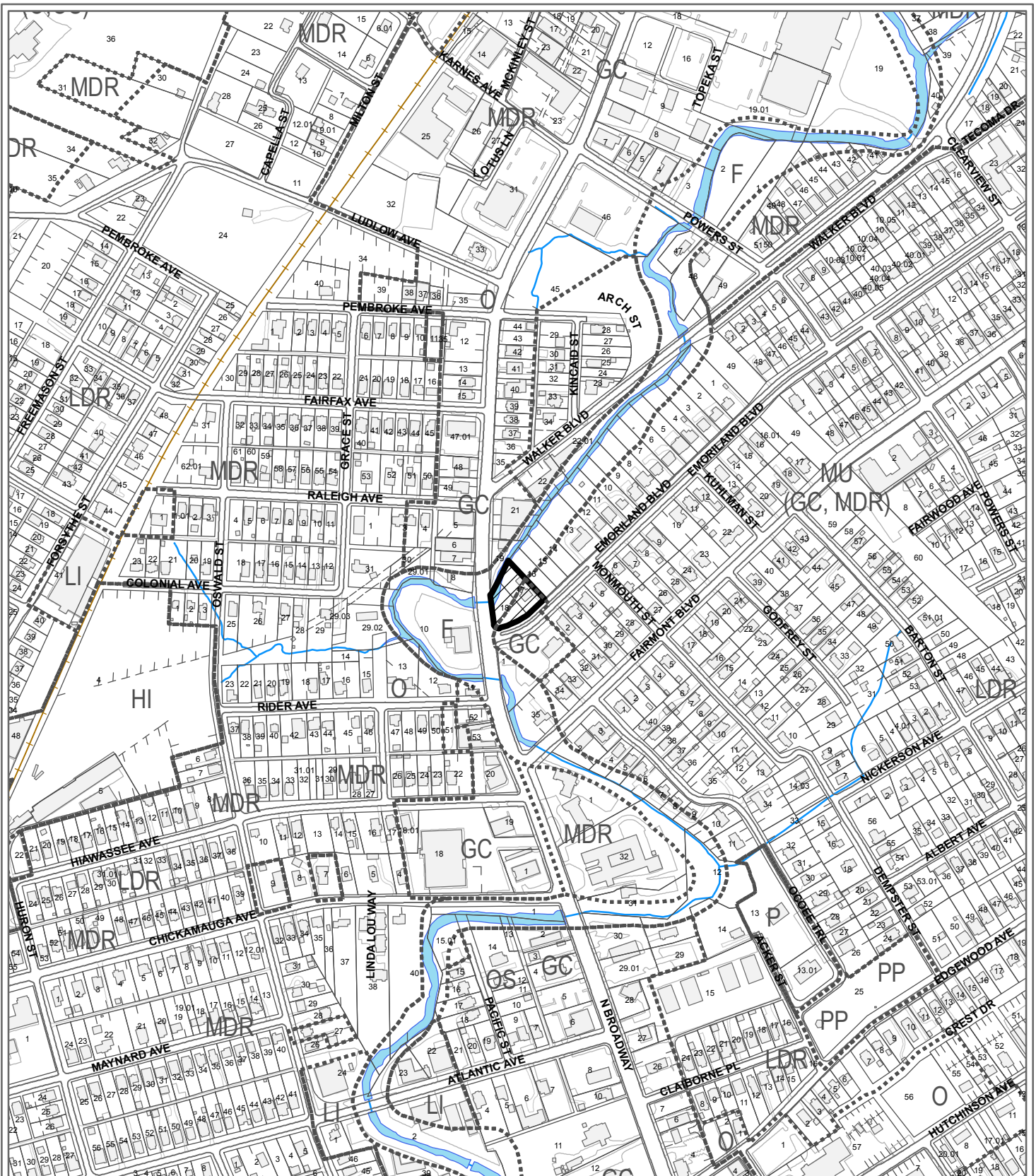
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. With the proposed amendment to LDR, R-1 zoning is consistent with the City of Knoxville One Year Plan.
2. The East City Sector Plan proposes low density residential uses for this site, which is consistent with R-1 zoning.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

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**7-B-12-PA / 7-B-12-RZ
PLAN AMENDMENT**

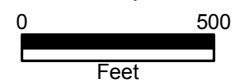
From: GC (General Commercial) & F (Floodway)
 To: LDR (Low Density Residential) & F (Floodway)



Petitioner: Metropolitan Planning Commission

Map No: 69

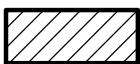
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**7-B-12-RZ
REZONING**



From: C-3 (General Commercial) / H-1 (Historic Overlay) and F-1 (Floodway) / H-1 (Historic Overlay)
 To: R-1 (Low Density Residential) / H-1 (Historic Overlay) and F-1 (Floodway) / H-1 (Historic Overlay)

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