

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

▶ **FILE #:** 7-D-12-SP

AGENDA ITEM #: 23

AGENDA DATE: 7/12/2012

▶ **APPLICANT:** KNOXVILLE'S COMMUNITY DEVELOPMENT CORPORATION

OWNER(S): Knoxville's Community Development Corp.

TAX ID NUMBER: 82 N D 002-007, 025

JURISDICTION: Council District 6

▶ **LOCATION:** Northeast side Curie Pl., southeast side Wilson Ave., northwest side Selma Ave.

▶ **APPX. SIZE OF TRACT:** 1.03 acres

SECTOR PLAN: East City

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

ACCESSIBILITY: Access is via Wilson Ave., a minor collector street with 30' of pavement width within 60' of right-of-way, Selma Ave., a local street with 26' of pavement width within 50' of right-of-way, or Curie Place, a one-way, local street with 21' of pavement width within 30' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Williams Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** LDR (Low Density Residential) / R-1 (Low Density Residential)

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

▶ **EXISTING LAND USE:** Residences

▶ **PROPOSED USE:** Multi-dwelling residential

EXTENSION OF PLAN DESIGNATION: No

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Wilson Ave. - Houses / LDR / R-1 (Low Density Residential)

South: Selma Ave. - Houses / LDR / R-1 (Low Density Residential)

East: Houses, church / LDR / R-1 (Low Density Residential)

West: Paul Hogue Park / PP / OS-2 (Park and Open Space)

NEIGHBORHOOD CONTEXT: This site is located within a residential area, zoned R-1 and R-1A. There is also a church to the east, zoned R-1, and a park to the southwest, zoned OS-2.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION # 7-D-12-SP, amending the East City Sector Plan to MDR (Medium Density Residential) and recommend that City Council also approve the sector plan amendment to make it operative. (See attached resolution, Exhibit A.)**

Medium density residential uses, if developed under RP-1 zoning, can be compatible with surrounding development and zoning. The site is located along Wilson Ave., which is classified as a minor collector street, and is adjacent to a neighborhood public park.

COMMENTS:

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No known improvements have been made to any of the roads surrounding this site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan proposes 'low density residential' uses for the site, consistent with the current R-1 zoning.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

No changes in government policy impact this proposal. KCDC has identified this property for development of 12 attached dwelling units.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

This vacant site has been identified by KCDC as a good location for medium density residential development. It is located next to a public park and has frontage on Wilson Ave., which is classified as a minor collector street. This currently undeveloped site is appropriate for higher density infill development to provide more housing opportunities for the public.

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. The law now 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 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.

**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 Knoxville Community Development Corporation, has submitted an application to amend the Sector Plan from Low Density Residential 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 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-D-12-SP.

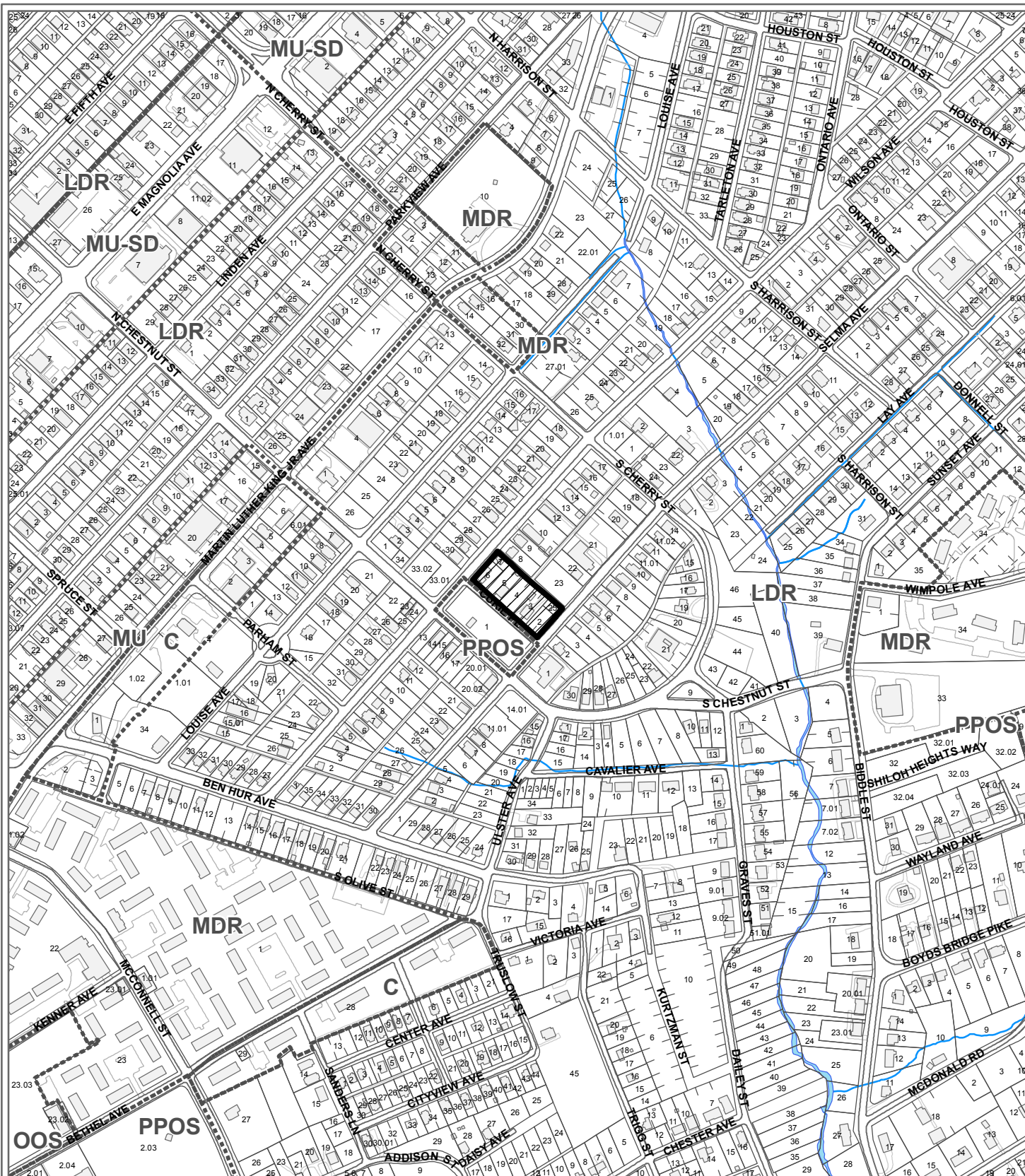
SECTION 2: This Resolution shall take effect upon its approval.

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

Date

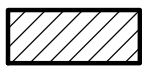
Chairman

Secretary



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

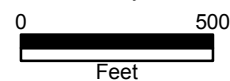
From: LDR (Low Density Residential)
 To: MDR (Medium Density Residential)



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

Petitioner: Knoxville's Community
 Development Corporation

Map No: 82
 Jurisdiction: City



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

▶ **FILE #:** 7-I-12-RZ
 7-E-12-PA

AGENDA ITEM #: 23
AGENDA DATE: 7/12/2012

▶ **APPLICANT:** KNOXVILLE'S COMMUNITY DEVELOPMENT CORPORATION
 OWNER(S): Knoxville's Community Development Corp.

TAX ID NUMBER: 82 N D 002-007, 025
 JURISDICTION: Council District 6

▶ **LOCATION:** Northeast side Curie Pl., southeast side Wilson Ave., northwest side Selma Ave.

▶ **TRACT INFORMATION:** 0.92 acres.

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

ACCESSIBILITY: Access is via Wilson Ave., a minor collector street with 30' of pavement width within 60' of right-of-way; Selma Ave., a local street with 26' of pavement width within 50' of right-of-way; or Curie Place, a one-way, local street with 21' of pavement width within 30' of right-of-way.

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

WATERSHED: Williams Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / R-1 (Low Density Residential)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** MDR (Medium Density Residential) / R-2 (General Residential)

▶ **EXISTING LAND USE:** Residences

▶ **PROPOSED USE:** Multi-dwelling residential

DENSITY PROPOSED: 13 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
 North: Wilson Ave. - Houses / LDR / R-1 (Low Density Residential)
 South: Selma Ave. - Houses / LDR / R-1 (Low Density Residential)
 East: Houses, church / LDR / R-1 (Low Density Residential)
 West: Paul Hogue Park / PP / OS-2 (Park and Open Space)

NEIGHBORHOOD CONTEXT: This site is located within a residential area, zoned R-1 and R-1A. There is also a church to the east, zoned R-1, and a park to the southwest, zoned OS-2.

STAFF RECOMMENDATION:

- ▶ **RECOMMEND that City Council APPROVE MDR (Medium Density Residential) One Year Plan designation.**

Medium density residential uses, if developed under RP-1 zoning, can be compatible with surrounding development and zoning. The site is located along Wilson Ave., which is classified as a minor collector street, and is adjacent to a neighborhood public park.

- ▶ **RECOMMEND that City Council APPROVE RP-1 (Planned Residential) zoning at a density of up to 13 du/ac.**

RP-1 zoning at the recommended density will allow the proposed development of 12 dwelling units, but, unlike the requested R-2 zone, will require use on review approval of a development plan by MPC. This will give the public and others the opportunity to review and comment on the proposed plans for the site.

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 any of the roads surrounding this site.
- B. **ERROR OR OMISSION IN CURRENT PLAN** - The current One Year Plan proposes 'low density residential' uses for the site, consistent with the current R-1 zoning.
- C. **CHANGES IN GOVERNMENT POLICY** - No changes in government policy impact this proposal. KCDC has identified this property for development of 12 attached dwelling units.
- D. **CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS** - This vacant site has been identified by KCDC as a good location for medium density residential development. It is located next to a public park and has frontage on Wilson Ave., which is classified as a minor collector street. This currently undeveloped site is appropriate for higher density infill development to provide more housing opportunities for the public.

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. RP-1 zoning at 13 du/ac will allow the vacant property to be developed with up to 12 dwelling units, as proposed.
2. Since the site is located within a predominately detached residential area, staff recommends RP-1 zoning rather than the requested R-2. This will require use on review approval of a development plan by MPC, and will give the public and others the opportunity to review and comment on the proposed plans for the site.
3. If developed under RP-1 zoning, the site can be developed in such a way to minimize impacts to adjacent properties. There is a park to the southwest of the site, which will serve as a recreational amenity to future residents.

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

1. RP-1 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 RP-1 is the most appropriate zone for this development.

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. Potential negative impacts will be minimized with RP-1 zoning, as it requires development plan approval by MPC.
2. The proposal will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.

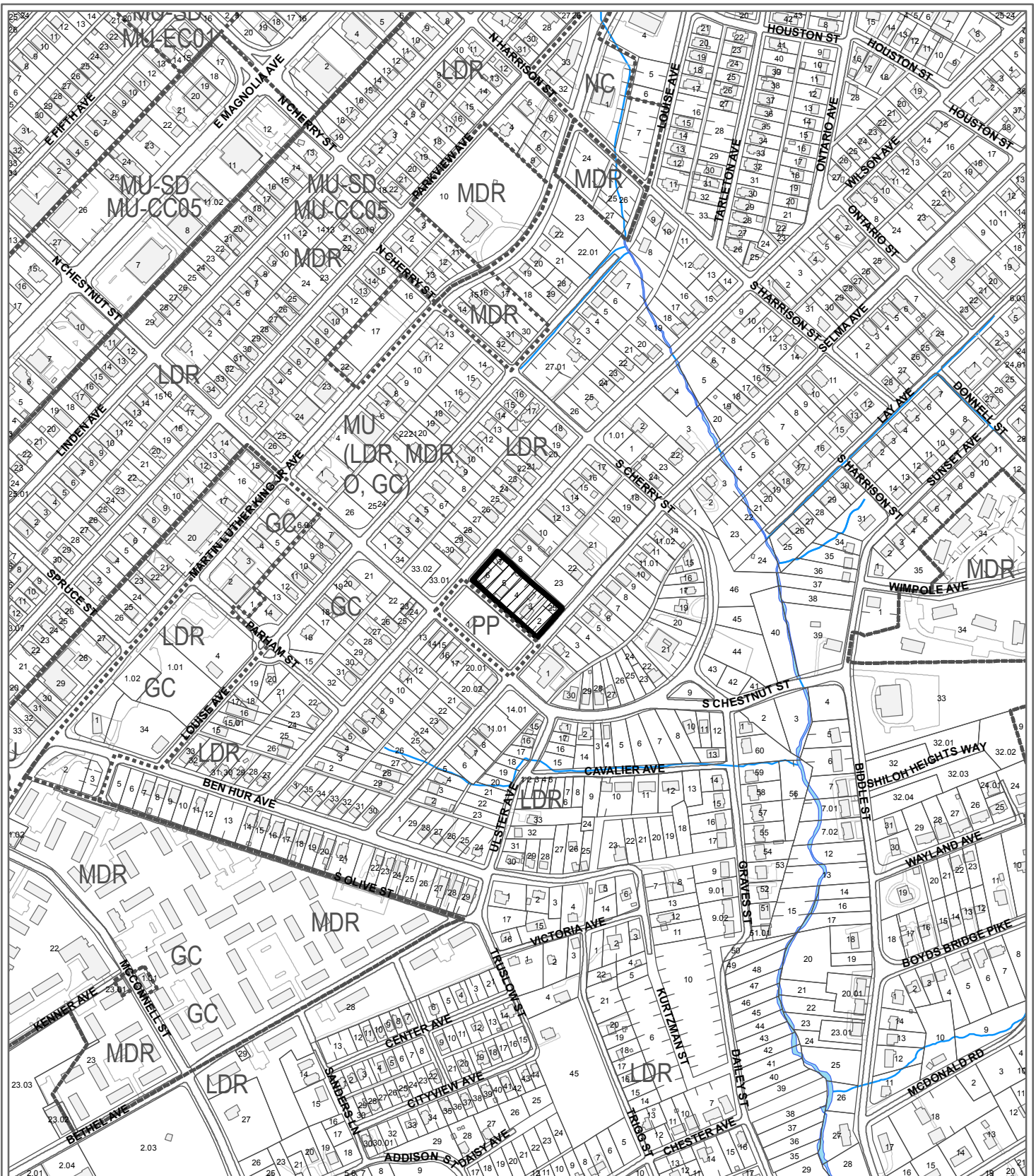
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. With the proposed amendment to MDR, RP-1 zoning at up to 13 du/ac is consistent with the City of Knoxville One Year Plan.
2. There is an associated request to amend the East City Sector Plan (7-D-12-SP) from LDR to MDR for this site, which is consistent with the recommended 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.

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-E-12-PA / 7-I-12-RZ
PLAN AMENDMENT**

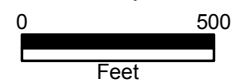
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Petitioner: Knoxville's Community
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Map No: 82
Jurisdiction: City





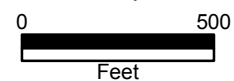
**7-I-12-RZ
REZONING**

From: R-1 (Low Density Residential)
To: R-2 (General Residential)



Petitioner: Knoxville's Community
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Map No: 82
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