



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

▶ **FILE #:** 9-E-12-RZ
9-D-12-SP

AGENDA ITEM #: 35
AGENDA DATE: 9/13/2012

▶ **APPLICANT:** MARTHA N. WATKINS
OWNER(S): Martha N. Watkins

TAX ID NUMBER: 94 O D 014, 017, 018 01801, 01802 & 020
JURISDICTION: Council District 1

▶ **LOCATION:** North side Forest Ave., west side S. Twenty Third St.

▶ **TRACT INFORMATION:** 5.6 acres.

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Forest Ave. or Highland Ave., both local streets with 35' of pavement width within 50' of right-of-way.

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

WATERSHED: Third Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** MDR (Medium Density Residential) / I-2 (Restricted Manufacturing and Warehousing)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** HDR (High Density Residential) / R-3 (High Density Residential)

▶ **EXISTING LAND USE:** Wholesale produce business

▶ **PROPOSED USE:** Apartments

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted for this site

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Railroad right-of-way, industrial / HI / I-2 (Restricted Manufacturing & Warehousing) & I-4 (Heavy Industrial)

South: Highland Ave. - Apartments / LMDR / R-2 (General Residential)

East: S. Twenty Third St. - Apartments / MDR / RP-3 (Planned Residential) @ 24-60 du/ac

West: Railroad and Alcoa Hwy. right-of-way / LI / I-2 (Restricted Manufacturing & Warehousing) & C-6 (General Commercial Park)

NEIGHBORHOOD CONTEXT: This site is located in the northwest corner of the Ft. Sanders area, which is developed primarily with residential uses, mainly apartments, under RP-3, R-2 and R-3 zoning.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION #9-D-12-SP, amending the Central City Sector Plan to HDR (High Density**

Residential) and recommend that Knoxville City Council also approve the sector plan amendment, to make it operative. (See resolution, Exhibit A.)

A high density residential sector plan designation is appropriate for the subject property. HDR is consistent with the development and zoning to the east.

► **RECOMMEND that City Council APPROVE RP-3 (Planned Residential) zoning at a density of 24-60 du/ac. (Applicant requested R-3.)**

The recommended zoning and density is a logical extension from the east, is consistent with the One Year Plan proposal for the area and requires development plan approval by MPC prior to development, unlike the requested R-3 zoning.

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 recently to any of the streets accessing this site. However, the access streets are all sufficient to provide access to high density apartment development, similar to the uses to the east accessed from the same streets.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current One Year Plan proposes medium to high density residential uses for this area, consistent with the proposed R-3 zoning. The Central City Sector Plan proposes medium density residential uses, which allows densities of up to 24 du/ac. However, the apartment development to the east is zoned RP-3 at 24 to 60 du/ac, which is in the high density range. The sector plan does not recognize the high density development allowed by the zoning to the east.

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

It has long been recognized that the Ft. Sanders area, especially the northern portion, is appropriate for medium to high density residential apartment development, which is represented by a large number of apartment projects that have already been built in the area in recent years.

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

This site has been zoned I-2 for the Neel's Wholesale Produce business for several years. Neel's is now seeking to relocate out of the Ft. Sanders area, so this flat site is a logical area to redevelop with apartments, which would be a logical extension of similar development from the east.

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-3 zoning at 24-60 du/ac will allow the subject property to be redeveloped with high density apartments, consistent with adjacent land uses and zoning to the east.
2. Since the majority of the newer apartment development in the area has been developed in a planned zoning district, staff recommends RP-3 zoning rather than the requested R-3. 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. MPC staff will expect that the proposed development will include most of the same amenities that are in place in the apartments to the east, such as on-street parking and streetscaping, bicycle racks and sidewalks. Also, the developer should consider extending Grand Ave. and Forest Ave. west to the railroad right-of-way, similar to Highland Ave., Laurel Ave. and Clinch Ave. to the south.
3. If developed under RP-3 zoning, the site can be developed in such a way to be compatible and consistent with the adjacent development to the east.

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

1. RP-3 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-3 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-3 zoning, as it requires development plan approval by MPC.

2. This area has been under development with medium to high density residential projects for many years, so the proposed zoning and use of this site is compatible with the surrounding area and will have very minimal impact.

3. 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 recommended plan amendment to HDR, RP-3 zoning at a density of 24 to 60 du/ac would be consistent with the Central City Sector Plan.

2. The City of Knoxville One Year Plan proposes medium or high density residential uses for the site, consistent with either the recommended RP-3 zoning and density or the requested R-3 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.

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:

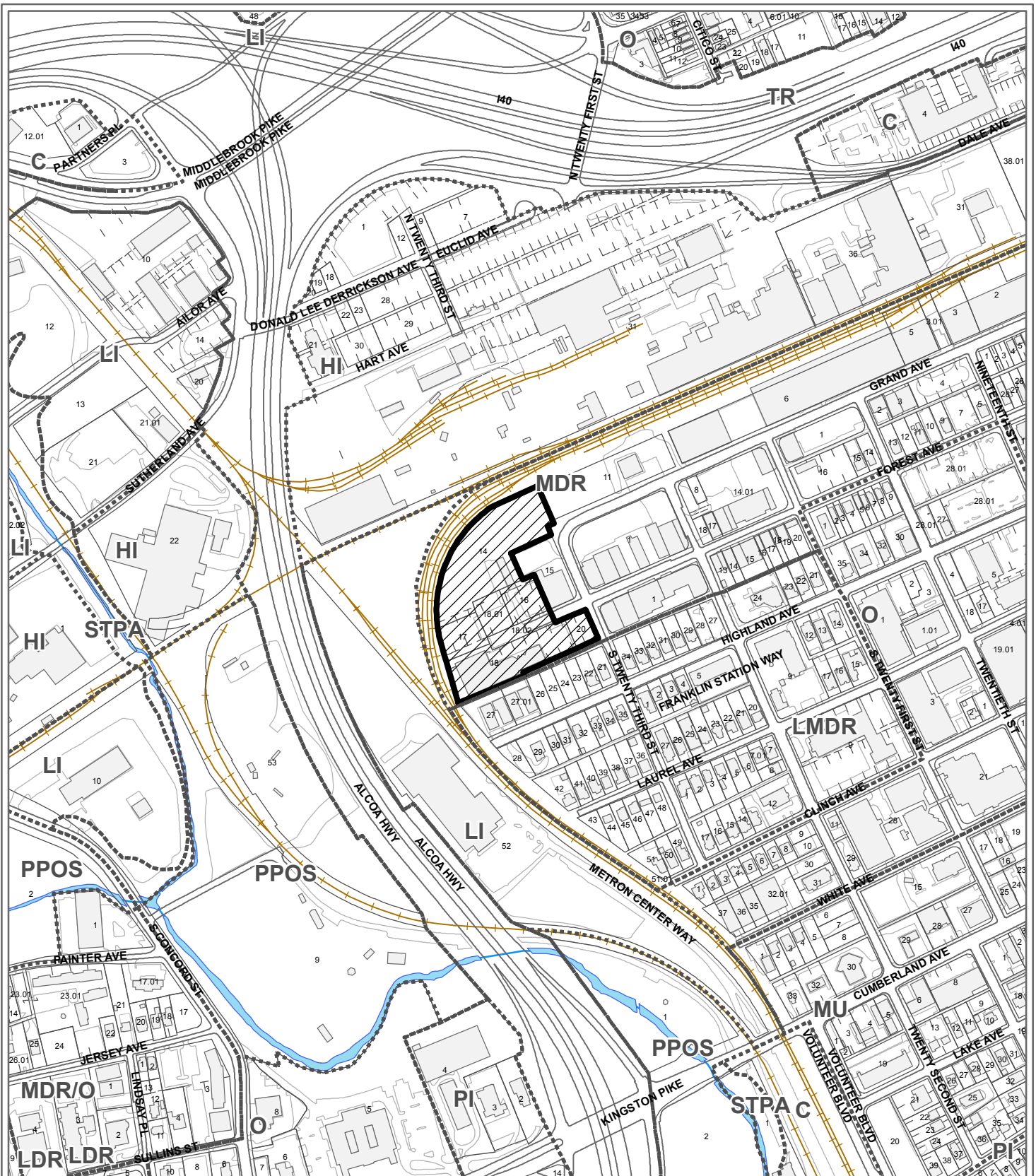
1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.

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 10/16/2012 and 10/30/2012. 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.



**9-D-12-SP / 9-E-12-RZ
CENTRAL CITY SECTOR PLAN AMENDMENT**

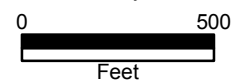
From: MDR (Medium Density Residential)
To: HDR (High Density Residential)



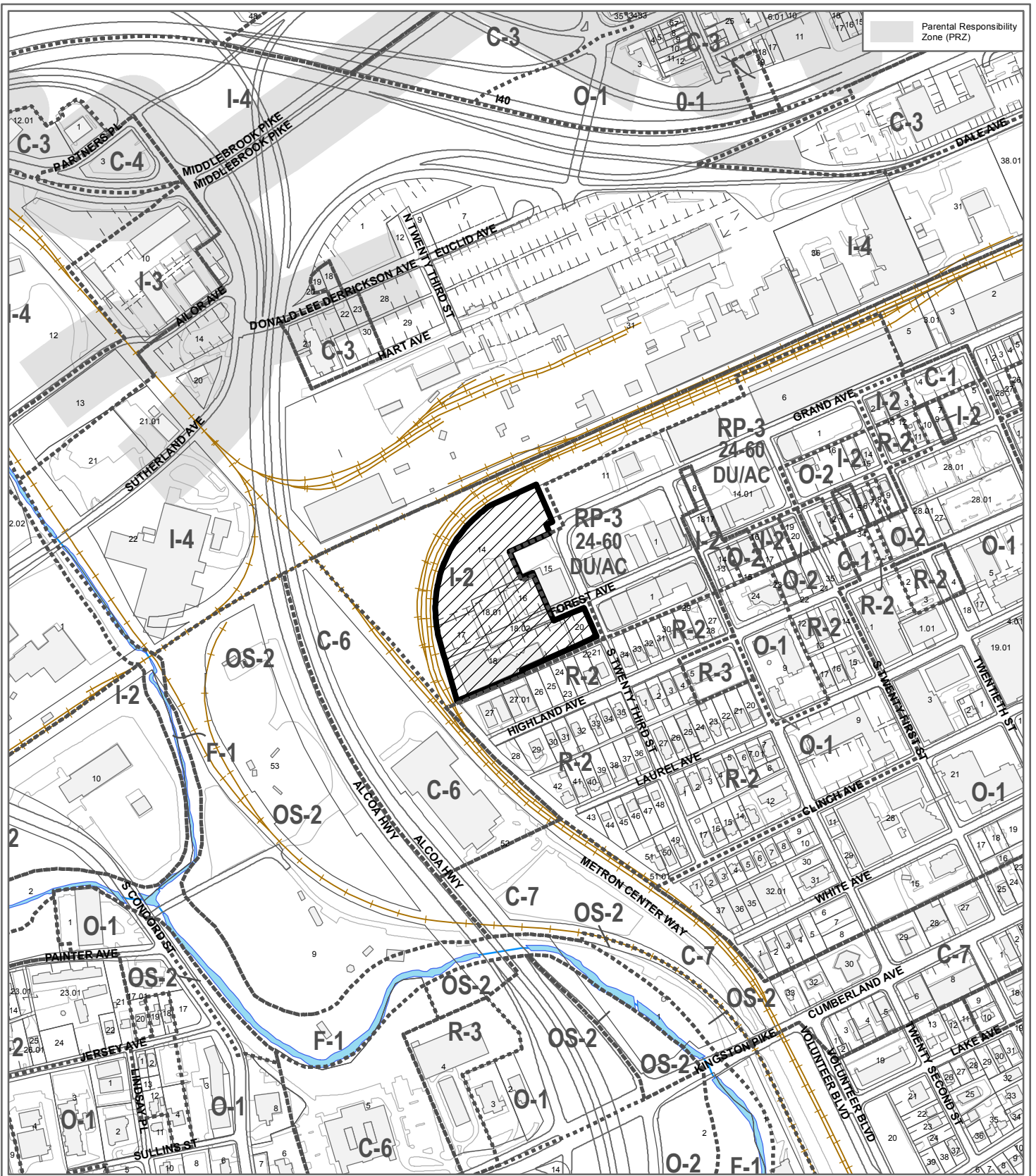
Petitioner: Watkins, Martha N.

Map No: 94

Jurisdiction: City



Original Print Date: 8/22/2012 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**9-E-12-RZ
REZONING**

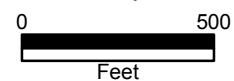
From: I-2 (Restricted Manufacturing and Warehousing)
To: R-3 (High Density Residential)



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**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**, Martha N. Watkins, has submitted an application to amend the Sector Plan from Medium Density Residential to High 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 September 13, 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 Central City Sector Plan, with its accompanying staff report and map, file #9-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