

▶ **FILE #:** 5-C-13-RZ

AGENDA ITEM #: 29

AGENDA DATE: 5/9/2013

▶ **APPLICANT:** APEX HOMES

OWNER(S): Jack Stooksbury

TAX ID NUMBER: 95 C H 003 & 004

JURISDICTION: City Council District 6

▶ **LOCATION:** Southeast side Brooks Ave., southeast of Pleasant Knoll Ln.

▶ **APPX. SIZE OF TRACT:** 37180 square feet

SECTOR PLAN: East City

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

ACCESSIBILITY: Access is via Brooks Ave., a minor arterial street with 26' of pavement width within 60' of right-of-way.

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

WATERSHED: Williams Creek

▶ **PRESENT ZONING:** C-3 (General Commercial) & R-1 (Low Density Residential)

▶ **ZONING REQUESTED:** R-1A (Low Density Residential)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Duplexes

EXTENSION OF ZONE: No

HISTORY OF ZONING: MPC denied a rezoning to C-3 and plan amendment to GC for parcel 4 on 11/10/05 (10-Z-05-RZ/10-F-05-PA).

SURROUNDING LAND USE AND ZONING: North: Brooks Ave. - Houses / R-1 (Low Density Residential)
 South: Houses / R-1 (Low Density Residential)
 East: House / R-1 (Low Density Residential)
 West: Vacant land / R-1 (Low Density Residential)

NEIGHBORHOOD CONTEXT: This area east of the Dandridge Ave./Brooks Ave. intersection is developed with residential uses under R-1 zoning. There is an established commercial node at the intersection to the west, zoned C-3.

STAFF RECOMMENDATION:

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

The requested R-1A zoning is consistent with both the One Year Plan and sector plan proposals for the property and is an extension of residential zoning from all sides. Approval of R-1A zoning for the site also would eliminate the spot C-3 zoning currently in place on a portion of the site, which is not appropriate at this location.

COMMENTS:

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-1A zoning is compatible with the scale and intensity of the surrounding development and zoning pattern. All abutting properties are zoned R-1 for residential use. There is a small commercial node to the west at the intersection of Dandridge Ave. and Brooks Ave., that is zoned C-3.
2. The location of the property along a minor arterial street is appropriate for R-1A development. Access can be gained directly from Brooks Ave., rather than from a local neighborhood street developed with single detached dwellings.
3. The proposal is consistent with the one year and sector plan proposals.
4. The R-1A zoning allows duplexes as a permitted use. Multi-dwelling apartments could be proposed for the site under R-1A zoning, because of its location along Brooks Ave., which is classified as a minor arterial street. For apartments in the R-1A zone, a development plan would be subject to use on review approval by MPC.

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

1. R-1A zoning 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.
2. Based on the above description, R-1A zoning is appropriate 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. R-1A zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.
2. Under the requested R-1A zoning, the site could potentially be developed with duplexes on 10,000 square foot minimum lot sizes. R-1A zoning allows consideration of multi-dwelling structures when there is direct access to an arterial or collector street, such as in this case. Under R-1A zoning, multi-dwelling structures would require use on review approval by MPC.
3. Public water and sewer utilities are available to serve the site. R-1A zoning is consistent with other zoning and density in the immediate area and will not adversely affect any other part of the County.

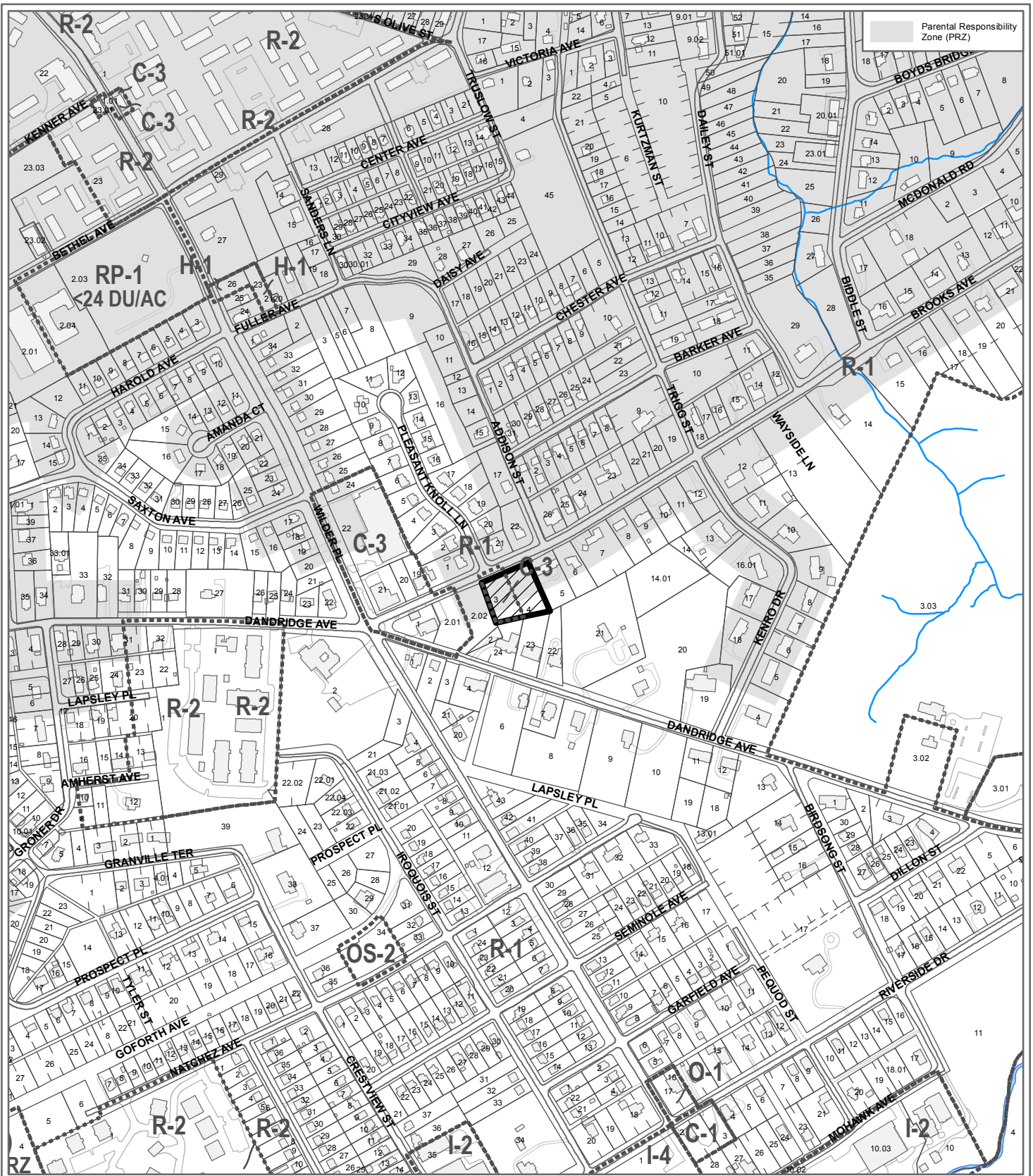
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. Both the East City Sector Plan and the Knoxville One Year Plan propose low density residential uses for the property, consistent with the proposal.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. 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 6/11/2013 and 6/25/2013. 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.



**5-C-13-RZ
REZONING**

From: C-3 (General Commercial) & R-1 (Low Density Residential)
To: R-1A (Low Density Residential)



Petitioner: Apex Homes

Map No: 95

Jurisdiction: City



Original Print Date: 4/24/2013
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised: