



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

▶ **FILE #:** 10-B-13-RZ
10-A-13-PA

AGENDA ITEM #: 22
AGENDA DATE: 10/10/2013

▶ **APPLICANT:** JESSE C. PATTERSON
OWNER(S): Jesse C. Patterson

TAX ID NUMBER: 70 P D 002, 003 & 004
JURISDICTION: Council District 4

▶ **LOCATION:** Southeast side Edgewood Ave., east of Whittle Springs Rd.

▶ **TRACT INFORMATION:** 0.5 acres.

SECTOR PLAN: East City

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

ACCESSIBILITY: Access is via Edgewood Ave., a minor collector street with 20' of pavement width within 45-50' of right-of-way.

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

WATERSHED: First Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** NC (Neighborhood Commercial) / C-1 (Neighborhood Commercial)

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

▶ **EXISTING LAND USE:** Vacant and residential

▶ **PROPOSED USE:** Residential

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of MDR from three sides

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Edgewood Ave. - Church / MDR / R-2 (General Residential)/IH-1 (Infill Housing Overlay)

South: Houses / MDR / R-2 (General Residential)

East: House / MDR / R-2 (General Residential)

West: Sheet Metal Worker Local Union / O / O-1 (Office, Medical & Related Services)/IH-1

NEIGHBORHOOD CONTEXT: Edgewood Ave. is developed with primarily residential uses under R-1, R-1A and R-2 zoning, except for at its intersection with Whittle Springs Rd., where there are some businesses, zoned O-1 and C-1.

STAFF RECOMMENDATION:

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

Medium density residential uses will be compatible with the scale and intensity of surrounding development and zoning. The site is located along Edgewood Ave., a residential street, and is adjacent to residential dwellings on two sides.

► **RECOMMEND that City Council APPROVE R-2 (General Residential) zoning.**

R-2 zoning is compatible with the scale and intensity of the surrounding development and zoning pattern and is a logical extension of R-2 zoning from three sides.

COMMENTS:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these.)

A. **AN ERROR IN THE PLAN** - The property is currently designated for neighborhood commercial uses, consistent with the current C-1 zoning. However, the site is located along Edgewood Ave., a residential street with adjacent residential development. The site has been zoned C-1 for many years and has yet to be used for any commercial use. There is a house located on one of the subject parcels, which is non-conforming with the current C-1 zoning.

B. **A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA** - No known improvements have been made to any of the roads surrounding this site. Public water and sewer utilities are available to serve the site.

C. **A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN** - Edgewood Ave. is primarily developed with residential uses, under R-2 or C-3 zoning, with the exception of a few properties to the west, which are at the intersection of Whittle Springs Rd. C-1 uses should generally not be located on a residential street, unless at an intersection.

D. **NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT** - There is no new information known that would have an impact on this plan amendment request.

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-2 zoning will allow the subject property to be improved for residential use, consistent with adjacent land uses. There is a dwelling located on one of the subject parcels, which is not in conformance with the current C-1 zoning.
2. The site is adjacent to R-2 zoning on three sides. The proposal is a logical extension of zoning from three sides.
3. Under R-2 zoning, the site can be developed with residential uses, as proposed, which could not be done under the current C-1 zoning.

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

1. The requested R-2 zoning is a residential district to provide for medium population density. The principal uses of land may range from houses to low density multi-dwelling structures and developments. Certain uses, which are more compatible functionally with intensive residential uses than with commercial uses are permitted. Some recreational, religious, educational facilities and other related uses in keeping with the residential character of the district may be permitted on review by the planning commission. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and usable open space for dwellings and related facilities, and through consideration of the proper functional relationship to each use permitted in this district.
2. Based on the above description, R-2 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 applicant proposes to construct either a detached dwelling or a duplex on the vacant lot (parcel 2).

2. Medium density residential use is appropriate as a transitional use between non-residential to the west and detached residential to the east.
3. The proposal will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.

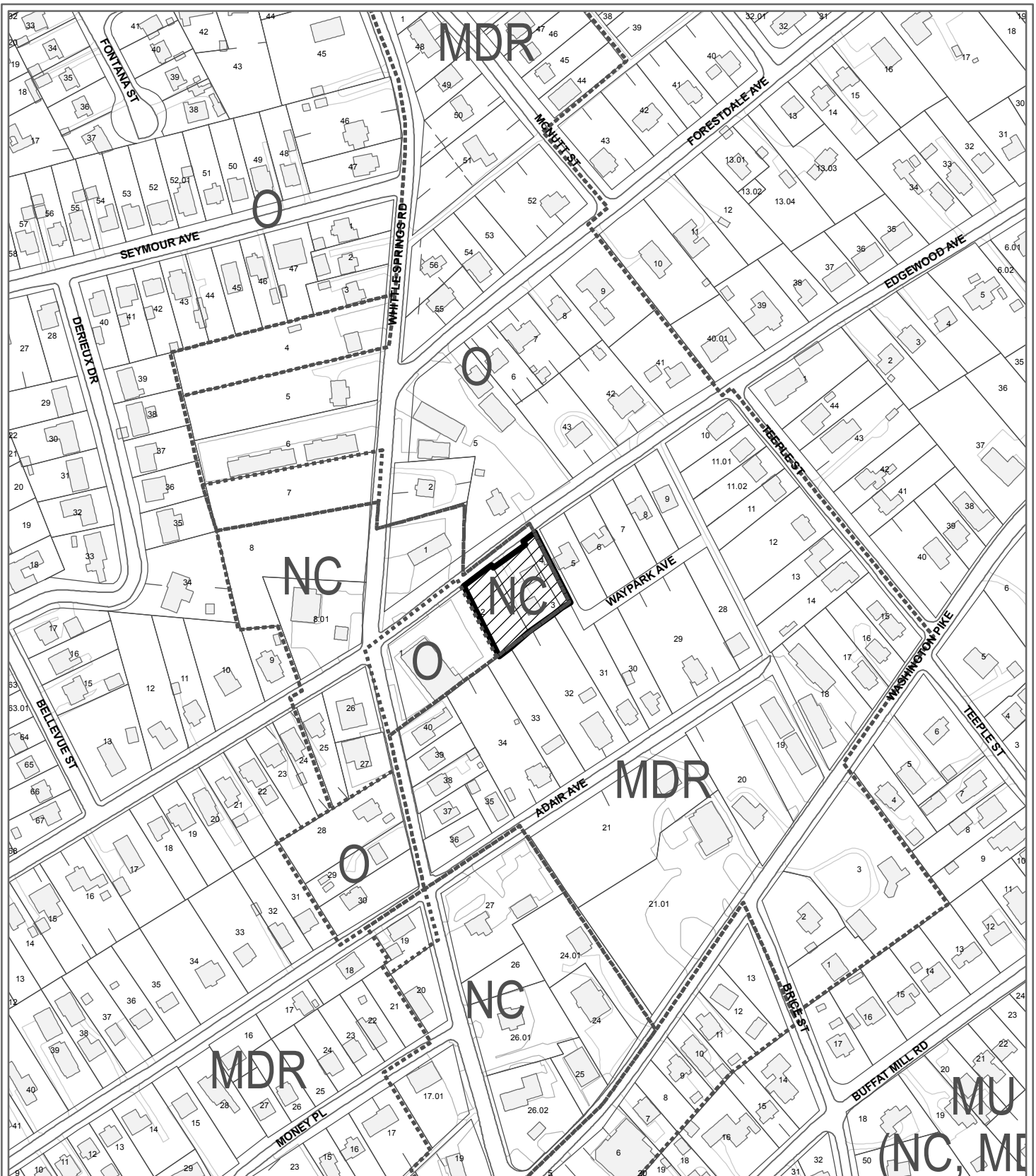
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. There is an associated application on this agenda (10-A-13-SP), requesting an amendment of the East City Sector Plan from low density residential to medium density residential. If approved as requested, R-2 zoning would be consistent with the sector plan.
2. With the recommended amendment of the City of Knoxville One Year Plan to medium density residential, the recommended R-2 zoning would be consistent with the plan.
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 11/12/2013 and 11/26/2013. 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.



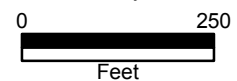
**10-A-13-PA / 10-B-13-RZ
PLAN AMENDMENT**

From: NC (Neighborhood Commercial)
To: MDR (Medium Density Residential)



Petitioner: Patterson, Jesse C.

Map No: 70
Jurisdiction: City



Original Print Date: 9/25/2013 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**10-B-13-RZ
REZONING**

From: C-1 (Neighborhood Commercial)
To: R-2 (General Residential)



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