

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

▶ **FILE #:** 4-B-14-SP **AGENDA ITEM #:** 18
 POSTPONEMENT(S): 4/10/14 **AGENDA DATE:** 5/8/2014
 ▶ **APPLICANT:** AMERICAN CAMPUS COMMUNITIVE
 OWNER(S): Neely Realty Partnership

TAX ID NUMBER: 94 N R 015-020 094NP001
 JURISDICTION: Council District 1
 STREET ADDRESS: 2112 Forest Ave
 ▶ **LOCATION:** South side Forest Ave., east and west sides S. Twenty First St.
 ▶ **APPX. SIZE OF TRACT:** 1.4 acres
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ACCESSIBILITY: Access is via Forest Ave., a local street with 22' of pavement width within 50' of right-of-way, Twenty First St., a local street with 27' of pavement width within 50' of right-of-way or an unnamed alley south of the site, with 10' of right-of-way..
 UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
 WATERSHED: Third Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** MDR (Medium Density Residential) and O (Office) / C-1 (Neighborhood Commercial), O-2 (Civic and Institutional) & I-2 (Restricted Manufacturing and Warehousing)
 ▶ **PROPOSED PLAN DESIGNATION:** HDR (High Density Residential)
 ▶ **EXISTING LAND USE:** Warehouse building and parking
 ▶ **PROPOSED USE:** Apartments and parking
 EXTENSION OF PLAN DESIGNATION: No
 HISTORY OF REQUESTS: None noted
 SURROUNDING LAND USE AND PLAN DESIGNATION: North: Forest Ave. - Apartments / MDR
 South: Alley - Houses and medical office / LDR, MDR
 East: Houses / O
 West: Produce business / MDR
 NEIGHBORHOOD CONTEXT: This site is located in the Ft. Sanders neighborhood in an area with a mix of uses and zoning. The area is gradually being redeveloped with student apartments under RP-3 zoning.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION # 4-B-14-SP, amending the Central City Sector Plan to HDR (High Density**

Residential) and recommend that City Council also adopt the amendment. (See attached resolution, Exhibit A.)

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

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 north accessed from the same streets. Public water and sewer utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The sector plan currently designates this site for either medium density residential or office uses. The area to the north is also designated MDR, but is zoned RP-3 at a density of 24-60 du/ac, which is in the high density residential range. Approval of HDR for this site is consistent with adjacent development and zoning to the north, which is not recognized by the sector plan.

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:

The subject property is now under multiple zoning districts for various uses. The applicant is now seeking to extend the RP-3 zoning to this site for more apartment development. This flat site is a logical area to redevelop with apartments, which would be a logical extension of similar development from the north.

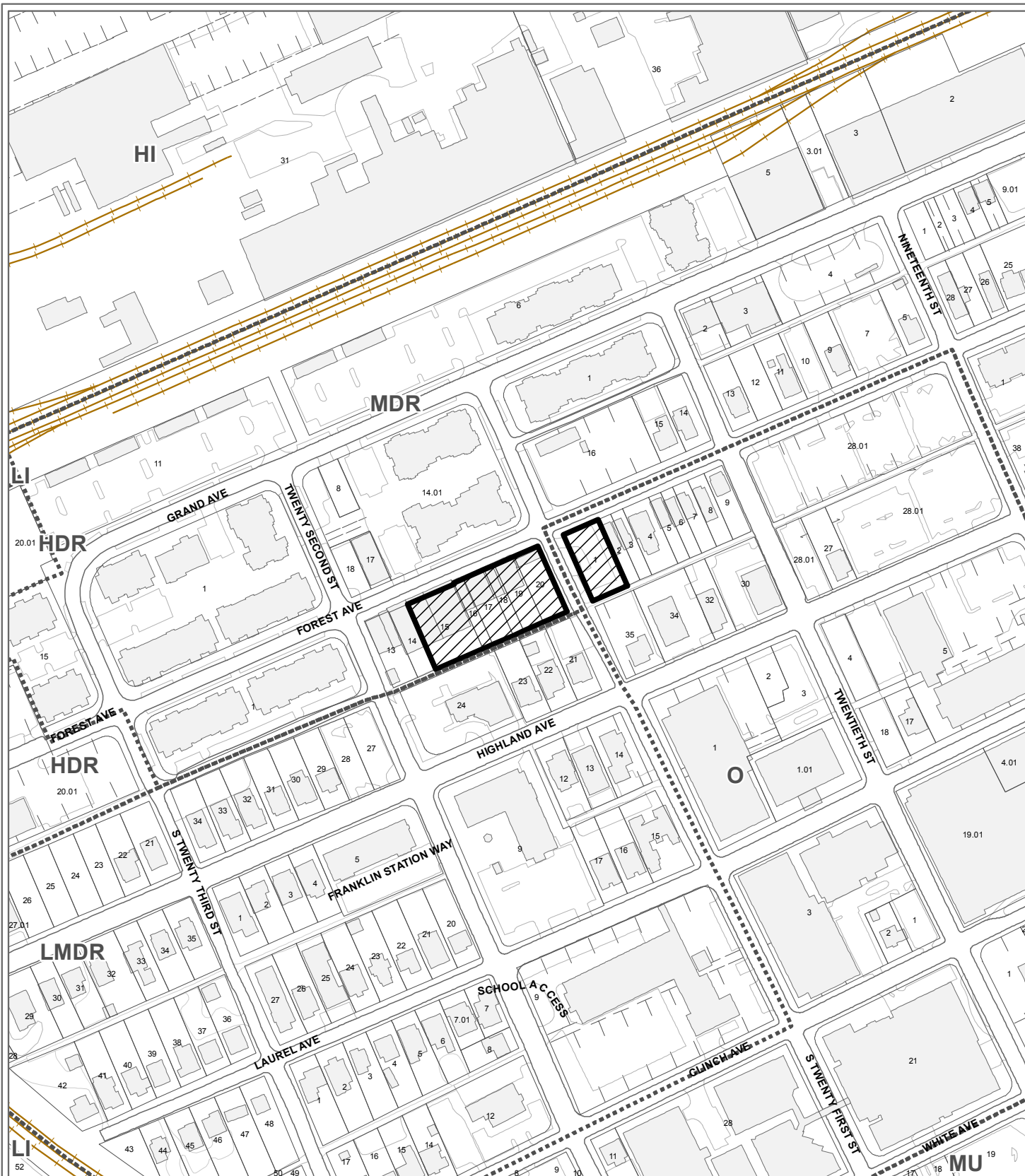
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

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 required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 6/10/2014 and 6/24/2014. 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.



**4-B-14-SP
CENTRAL CITY SECTOR PLAN AMENDMENT**

From: MDR (Medium Density Residential) and O (Office)

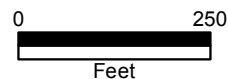
To: HDR (High Density Residential)



Petitioner: American Campus Communitive

Map No: 94

Jurisdiction: City



Original Print Date: 3/25/2014 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

**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**, American Campus Communitive has submitted an application to amend the Sector Plan from Medium Density Residential and Office 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 May 8, 2014, 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 #4-B-14-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 #: 4-F-14-RZ **AGENDA ITEM #:** 18
 4-B-14-PA **AGENDA DATE:** 5/8/2014

POSTPONEMENT(S): 4/10/14

APPLICANT: AMERICAN CAMPUS COMMUNITIVE

OWNER(S): Neely Realty Partnership

TAX ID NUMBER: 94 N R 015-020 ONLY 094NP001 FOR ONE YEAR PLAN AMENDMENT

JURISDICTION: Council District 1

STREET ADDRESS: 2112 Forest Ave

LOCATION: South side Forest Ave., east and west sides S. Twenty First St.

TRACT INFORMATION: 1.4 acres.

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Forest Ave., a local street with 22' of pavement width within 50' of right-of-way, Twenty First St., a local street with 27' of pavement width within 50' of right-of-way or an unnamed alley south of the site, with 10' of right-of-way..

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

PRESENT PLAN DESIGNATION/ZONING: O (Office) / C-1 (Neighborhood Commercial), O-2 (Civic and Institutional) & I-2 (Restricted Manufacturing and Warehousing)

PROPOSED PLAN DESIGNATION/ZONING: HDR (High Density Residential) / RP-3 (Planned Residential)

EXISTING LAND USE: Warehouse building and parking

PROPOSED USE: Apartments and parking

DENSITY PROPOSED: 24-60 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of RP-3 zoning from the north

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Forest Ave. - Apartments / MDR,HDR, O / RP-3 (Planned Residential) at 24-60 du/ac

South: Alley - Houses and medical office / LDR, MDR / R-2 (General Residential) and O-1 (Office, Medical & Related Services)

East: Houses / O / I-2 (Restricted Manufacturing & Warehousing)

West: Produce business / MDR,HDR / I-2 (Restricted Manufacturing & Warehousing)

NEIGHBORHOOD CONTEXT: This site is located in the Ft. Sanders neighborhood in an area with a mix of uses and zoning. The area is gradually being redeveloped with student apartments under RP-3 zoning.

STAFF RECOMMENDATION:

► **RECOMMEND that City Council APPROVE HDR (High Density Residential) One Year Plan designation.**

A high density residential plan designation is appropriate for the subject property. HDR is consistent with the development and zoning to the north. HDR is an extension of the plan designation from the north and west.

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

The recommended zoning and density is a logical extension from the north, is compatible with surrounding land uses and zoning and requires development plan approval by MPC prior to development.

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 current One Year Plan proposes medium to high density residential uses for the area to the north and west, consistent with the proposed RP-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 north. This One Year Plan amendment is only necessary for parcel 1, which proposes office uses currently. The other parcels are designated for MDR or HDR uses, so no plan amendment is needed for those parcels.

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 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 north accessed from the same streets. Public water and sewer utilities are available to serve the site.

C. A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN - 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 been built in the area in recent years.

D. NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT - The subject property is now under multiple zoning districts for various uses. The applicant is now seeking to extend the RP-3 zoning to this site for more apartment development. This flat site is a logical area to redevelop with apartments, which would be a logical extension of similar development from the north.

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 north.
2. Since the majority of the newer apartment development in the area has been developed in a planned zoning district, staff supports the requested RP-3 zoning. 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 north, such as on-street parking and streetscaping, bicycle racks and sidewalks.
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 north.

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 for parcel 1, RP-3 zoning at a density of 24 to 60 du/ac would be consistent with the One Year Plan.
2. There is an accompanying request to amend the Central City Sector Plan to allow for HDR uses (4-B-14-SP). Staff is recommending approval of that amendment as well, which is also consistent with the requested RP-3 zoning and density.
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 required.

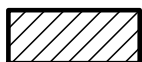
ESTIMATED STUDENT YIELD: Not applicable.

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**4-B-14-PA / 4-F-14-RZ
PLAN AMENDMENT**

Petitioner: American Campus Communitive



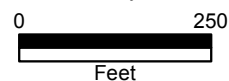
From: O (Office)

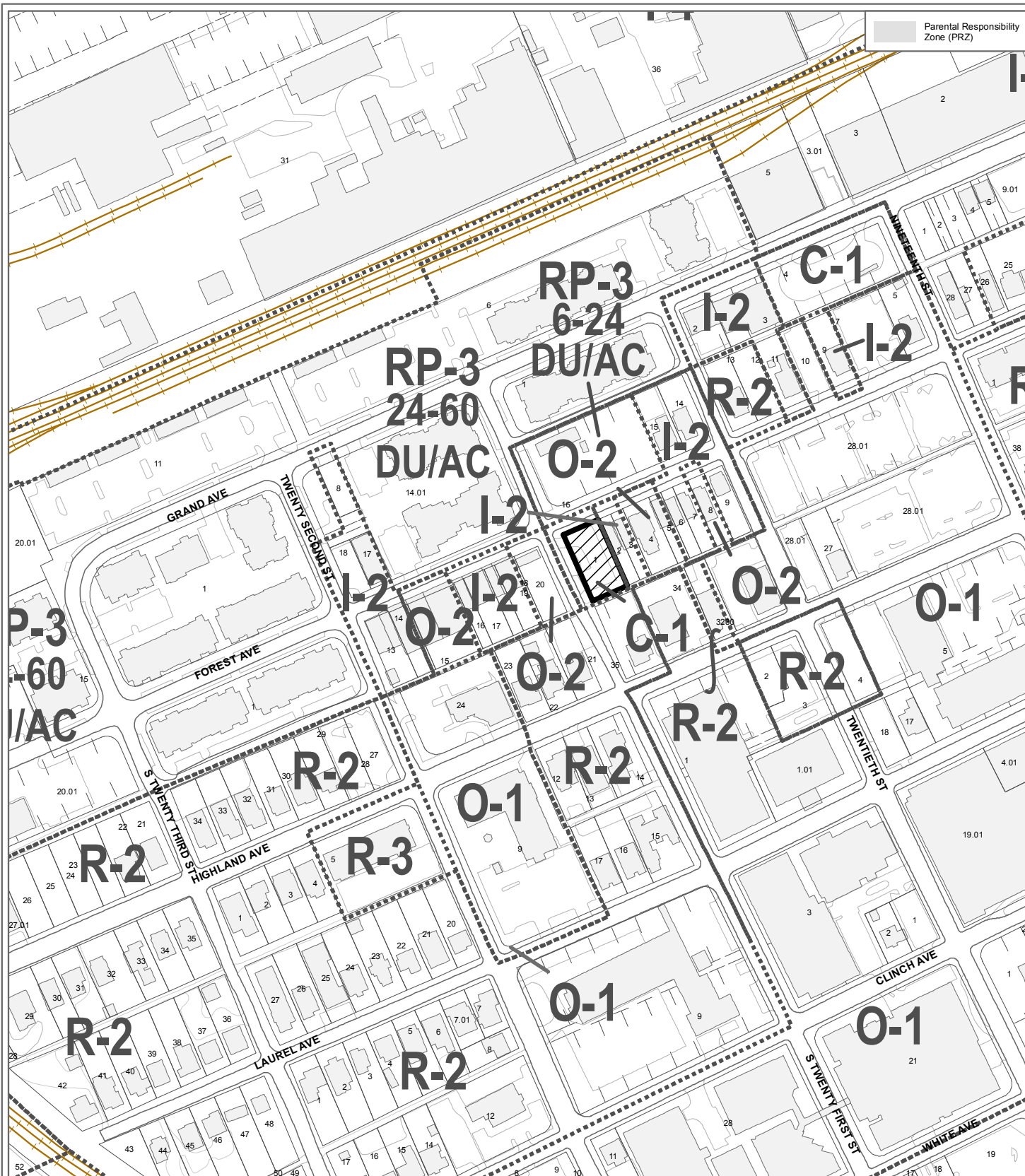
To: HDR (High Density Residential)

Original Print Date: 3/25/2014 Revised: 4/1/2014
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Map No: 94

Jurisdiction: City





**4-F-14-RZ
REZONING**

From: C-1 (Neighborhood Commercial), O-2 (Civic and Institutional) & I-2 (Restricted Manufacturing and Warehousing)
To: RP-3 (Planned Residential)



Original Print Date: 3/25/2014
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