

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

▶ **FILE #:** 2-D-15-RZ **AGENDA ITEM #:** 25
 2-C-15-SP **AGENDA DATE:** 4/9/2015

POSTPONEMENT(S): 2/12/2015, 3/12/2015

▶ **APPLICANT:** **BARBARA HOOPER**
 OWNER(S): Barbara Hooper

TAX ID NUMBER: 80 E C 046 [View map on KGIS](#)

JURISDICTION: Council District 5

STREET ADDRESS: 1519 Wilson Rd

▶ **LOCATION:** **Northwest side Wilson Rd., southwest of Gap Rd.**

▶ **TRACT INFORMATION:** **5.5 acres.**

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Wilson Rd., a major collector street with 21' of pavement width within 40' of right-of-way.

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

WATERSHED: Second Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** **LDR (Low Density Residential) / RP-1 (Planned Residential) @ up to 5 du/ac**

▶ **PROPOSED PLAN DESIGNATION/ZONING:** **MDR (Medium Density Residential) / RP-1 (Planned Residential) @ up to 16 du/ac**

▶ **EXISTING LAND USE:** **House and vacant land**

▶ **PROPOSED USE:** **Multi-dwelling attached development**

DENSITY PROPOSED: **16 du/ac**

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of MDR from the northeast

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

North: Apartments and detached residences / MDR, LDR, SLPA / R-1A (Low Density Residential) and R-1 (Low Density Residential)

South: Wilson Rd. - Detached houses / LDR, SLPA / R-1 (Low Density Residential)

East: Apartments and detached residences / MDR, LDR, SLPA / R-1A (Low Density Residential) and R-1 (Low Density Residential)

West: Detached house and vacant land / LDR, SLPA / R-1 (Low Density Residential)

NEIGHBORHOOD CONTEXT: This section of Wilson Rd. between Gap Rd. and I-640 is developed with detached residential houses under R-1 or RP-1 zoning.

STAFF RECOMMENDATION:

- **DENY the request to amend the future land use map of the Northwest City Sector Plan to MDR (Medium Density Residential) land use classification.**

This section of Wilson Rd. is primarily developed with detached dwellings on individual lots. Apartment development on Wilson Rd. in the area has been located to the northeast, north of Gap Rd., and to the south, south of I-640. Introducing medium density residential uses to this section of Wilson Rd. would be out of character with surrounding development and zoning.

- **DENY the request to increase the RP-1 (Planned Residential) density from 5 du/ac to 16 du/ac.**

The property owner has reasonable use of the site under the current zoning and density. This site's current zoning is actually more intense than the surrounding properties that have access from Wilson Rd. The site is steeply sloped in the northern portion, which should be left undisturbed. If the units are appropriately clustered on the flatter portions of the site, it will result in the development appearing to be even more dense than the zoning density indicates.

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 recently made along this section of Wilson Rd. Public water and sewer utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The Northwest City Sector Plan currently designates this site for LDR (Low Density Residential) uses and SLPA (Slope Protection), consistent with its current RP-1 zoning and density. The current plan designation for the site is appropriate, intentional and has been in place at least since the last plan update in January 2004, so there is no error in the plan.

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

With the exception of the subject property, which was rezoned RP-1 in 1984, this section of Wilson Rd. has remained low density residential under R-1 zoning. A request for rezoning to R-1A was denied in 1995 for three parcels to the northeast (parcels 40.01, 41.01 and 42.01). Medium density residential uses and zoning on Wilson Rd. has been limited to north of Gap Rd. and south of I-640.

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

No new information or development trend has emerged to reveal the need for a plan amendment. The proposed land use pattern has long been established in this area.

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.

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. Conditions have not changed in the area enough to warrant an increase in density on this site.
2. The requested density of 16 du/ac would not be compatible with the scale and intensity of the surrounding development and zoning pattern.
3. There is no justification for the required plan amendments to MDR that must be approved in order to consider the requested RP-1 zoning density increase.
4. The current RP-1 zoning and density allows reasonable use of the site for future development. Up to 27 residential units could be considered for the site currently.

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 if the density is increased for this site, the resulting future development would not be compatible with adjacent uses.
3. Based on the scale and intensity of surrounding development and zoning, the requested increase in density is not warranted.

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 proposed density increase on the subject property would not be compatible with the surrounding land uses and zoning pattern along this particular segment of Wilson Rd.
2. The proposed density, if approved, would be 3 to 4 times as dense as the other properties that front along this section of Wilson Rd.
3. The approval of the requested density will allow the applicant to submit a development plan with up to 88 dwelling units for MPC's consideration, which, if developed with attached residential units, would add about 15 students to the school system and add about 851 trips to the street system. At the current recommended density, the applicant could submit a development plan with up to 27 dwelling units for MPC's consideration, which, if developed with attached residential units, would add about 5 students to the school system and add about 294 trips to the street system.
4. Staff recognizes that there is an apartment complex to the northeast of the site. However, that development is accessed from Wilson Rd. to the northeast, between Gap Rd. and Tillery Rd., which is much more intensely developed than the section of Wilson Rd. where the subject property is accessed.

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 the Northwest City Sector Plan to medium density residential, the requested RP-1 zoning density would be consistent with the plan. However, staff is recommending denial of that request.
2. The City of Knoxville One Year Plan proposes MDR uses for the site, which is consistent with the requested density increase. However, the current zoning density of the property is within the LDR range of up to 6 du/ac for the City. If this request is denied, MPC staff will propose to change the One Year Plan designation for this site from MDR to LDR, consistent with its current 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 conflicts with the proposed land uses on the adopted sector plan. The current RP-1 zoning and density is consistent with the sector plan and allows reasonable use of the property for future development.

ESTIMATED TRAFFIC IMPACT: 851 (average daily vehicle trips)

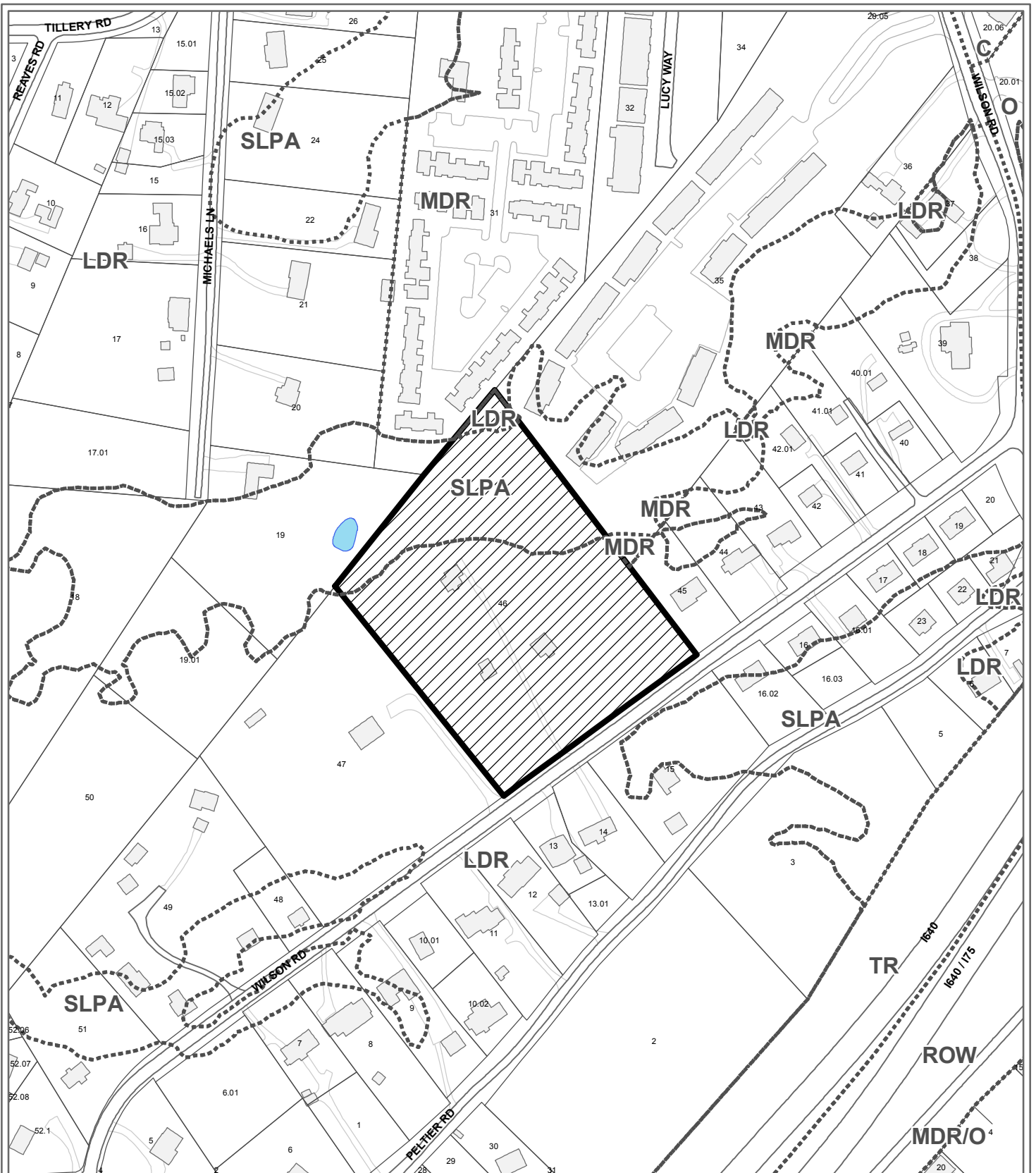
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 15 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Norwood Elementary, Northwest Middle, and Powell High.

- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.
- School capacities are subject to change by Knox County Schools through building additions, curriculum or scheduling changes, or amendments to attendance zone boundaries.

If approved, this item will be forwarded to Knoxville City Council for action on 5/12/2015 and 5/26/2015. 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.



**2-C-15-SP / 2-D-15-RZ
NORTHWEST CITY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)

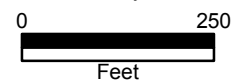
To: MDR (Medium Density Residential)



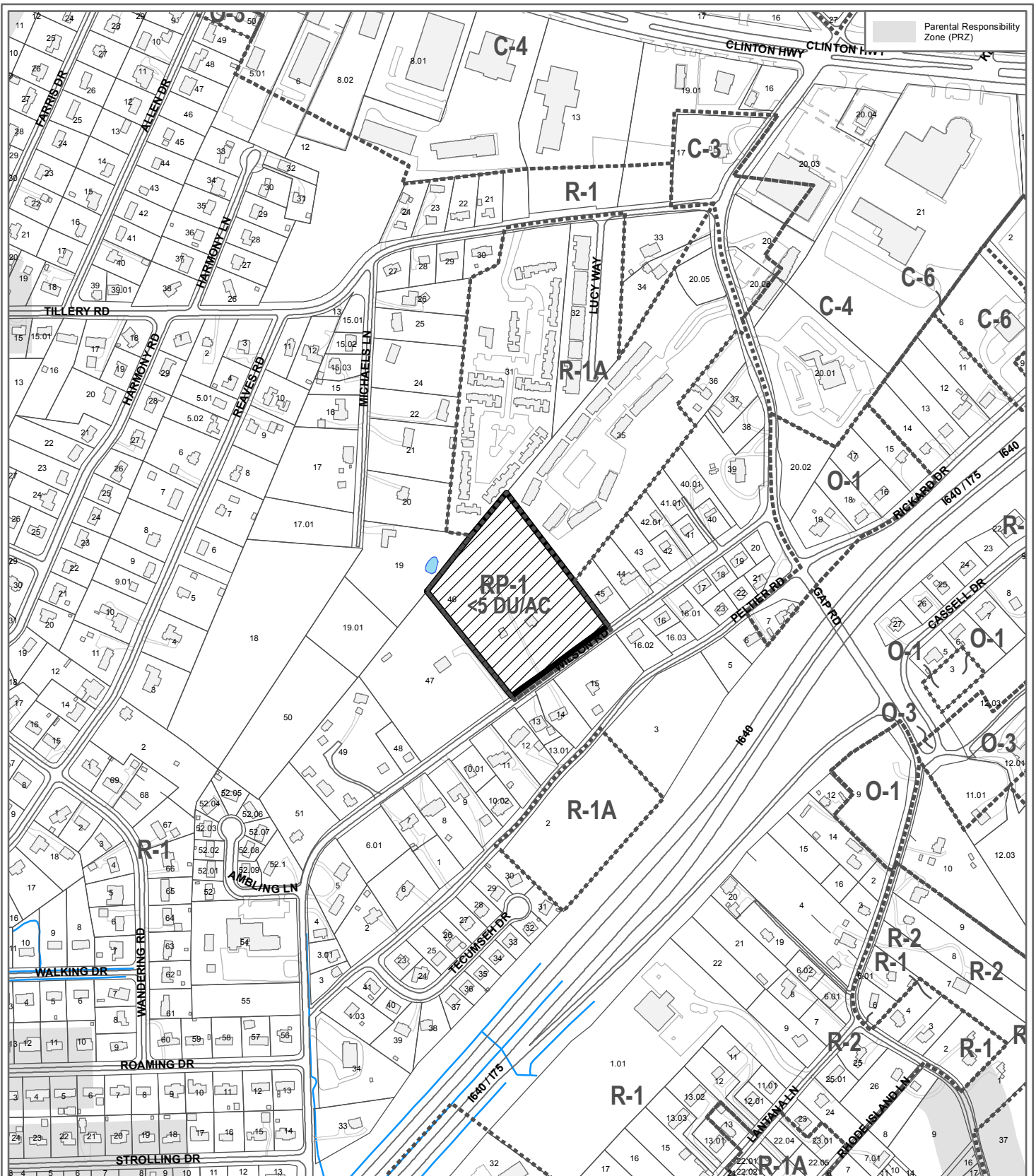
Petitioner: Hooper, Barbara

Map No: 80

Jurisdiction: City



Original Print Date: 1/23/2015 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**2-D-15-RZ
REZONING**

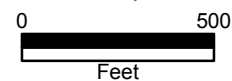
From: RP-1 (Planned Residential) @ up to 5 du/ac
 To: RP-1 (Planned Residential) @ up to 16 du/ac



Petitioner: Hooper, Barbara

Map No: 80

Jurisdiction: City



Original Print Date: 1/23/2015 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

**[MPC Comment] File Number: 2-C-15-SP 2-D-15-RZ - The Northwest Side
Wilson Road - SW of Gap Road**

1 message

melissa.pointer <melissa.pointer@frontier.com>

Sat, Feb 7, 2015 at 3:27 PM

Reply-To: melissa.pointer@frontier.com

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

I am writing on behalf of my parents - James A. and Wanda M. Pointer 1542 Wilson Rd Knoxville, TN 37912 and, the Notice of Public Hearing they received for the 2/12/15 hearing date regarding the aforementioned rezoning.

They are 50 year residents of Wilson Road - maintain a pristine property and this property will be generationally passed down.

With that said - this proposed zoning change would allow any type of multi-dwellings to be constructed on this tract of land - affecting property value, traffic, crime, etc. in the area.

The are highly opposed to this zoning change.

Wilson Road is a **tremendously busy** cross-town route/road that caters to all types of traffic including: Tractor Trailers, Buses, Cars and Gasoline Tankers. The road is narrow, traffic is so heavy that it is difficult to get out of your driveway. It retains a tremendous amount of traffic from the Gap Road exit off of I-640.

There are **EIGHT** Large Apartment Complexes within a one mile radius of the location: Carriage Hill, The Gables, Wilson Village, Bouldercrest, Cassell Ridge (subsidized), Cassell Way, Knob Hill, and Tillery Ridge Apartment. The traffic from these complexes, along with through traffic, church traffic and traffic to commerce use Wilson Road. It is dangerous, people speed greatly and there are constant wrecks on this road - a lot end up in my parent's property front yard. This has also GREATLY increased petty and non-petty crime in the area, including housing sex offenders and other known criminals.

They (We) are not opposed to a nice Condo or, small subdivision being built - one that would attract a more professional neighborhood environment. Even at that, great improvements would need to be done to Wilson Road and the area to accommodate such traffic.

Please feel free to contact us, anytime, at [865-522-4593](tel:865-522-4593). Due to mobility issues, they cannot physically attend the hearing.

Respectfully,

Melissa Pointer for:
James and Wanda M. Pointer
1542 Wilson Rd Knoxville, TN
37912

The Norwood Homeowners Association
Lynn Redmon, President
5246 Oakhill Lane
Knoxville, TN 37912
lredmon865@gmail.com
865-6883136

Wednesday, February 11, 2015

TO: MPC staff and Commissioners:

RE: Agenda item 2-D-15 RZ, Barbara Hopper on Wilson Road request for rezoning

Our homeowners association, by unanimous vote of members present at our meeting of February 10, 2015, asks you to follow to MCP Staff recommendation and turn down this request for medium density.

We agree with the staff that this request is out of character with the surrounding neighborhood, would hurt surrounding property values and would add to traffic congestion.

Please follow the strong recommendation from your staff and turn down this request.

Sincerely,

Lynn Redmon, NHA President