



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
USE ON REVIEW REPORT**

▶ **FILE #:** 7-E-14-UR **AGENDA ITEM #:** 35

POSTPONEMENT(S): 7/10/2014 **AGENDA DATE:** 2/12/2015

▶ **APPLICANT:** MR. PAUL MURPHY

OWNER(S): Murphy Development, LLC

TAX ID NUMBER: 108 H C 004 [View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 3222 Kingston Pike

▶ **LOCATION:** South side of Kingston Pike, east of Kingston Court.

▶ **APPX. SIZE OF TRACT:** 4.8 acres

SECTOR PLAN: West City

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

ACCESSIBILITY: Access is via Kingston Pike, a 4-lane, major arterial street with 37' of pavement width within 60' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Tennessee River and Third Creek

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

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Apartments and Residential Condominiums

5.6 du/ac

HISTORY OF ZONING: RP-1 (Planned Residential) rezoning request (1-F-14-RZ) denied by Knoxville City Council on June 10, 2014.

SURROUNDING LAND USE AND ZONING: North: Kingston Pike - Calvary Baptist Student Center / R-1 (Low Density Residential)

South: Tennessee River / F-1 (Floodway)

East: Calvary Baptist Church / R-1 (Low Density Residential)

West: First United Methodist Church / R-1 (Low Density Residential)

NEIGHBORHOOD CONTEXT: This section of Kingston Pike through Sequoyah Hills is developed with low density residential uses and churches under R-1 and RP-1 zoning.

STAFF RECOMMENDATION:

▶ **WITHDRAW** the application, as requested by the applicant.

COMMENTS:

The applicant has submitted a use on review application for a multi-dwelling development that includes the existing residence, a proposed four story/20 unit apartment building and 6 two story condominium units based on a pending RP-1 (Planned Residential) rezoning request (1-F-14-RZ). The Planning Commission had

reviewed the rezoning case and made a recommendation to Knoxville City Council that they approve the RP-1 zoning at a density of up to 5.6 du/ac. Knoxville City Council had considered the request on First Reading on May 13, 2014 and denied the request on June 10, 2014 on second reading.

With the denial of the rezoning request, the zoning of the property remains R-1 (Low Density Residential). The proposed development plan cannot be considered under the R-1 zoning district.

ESTIMATED TRAFFIC IMPACT: 294 (average daily vehicle trips)

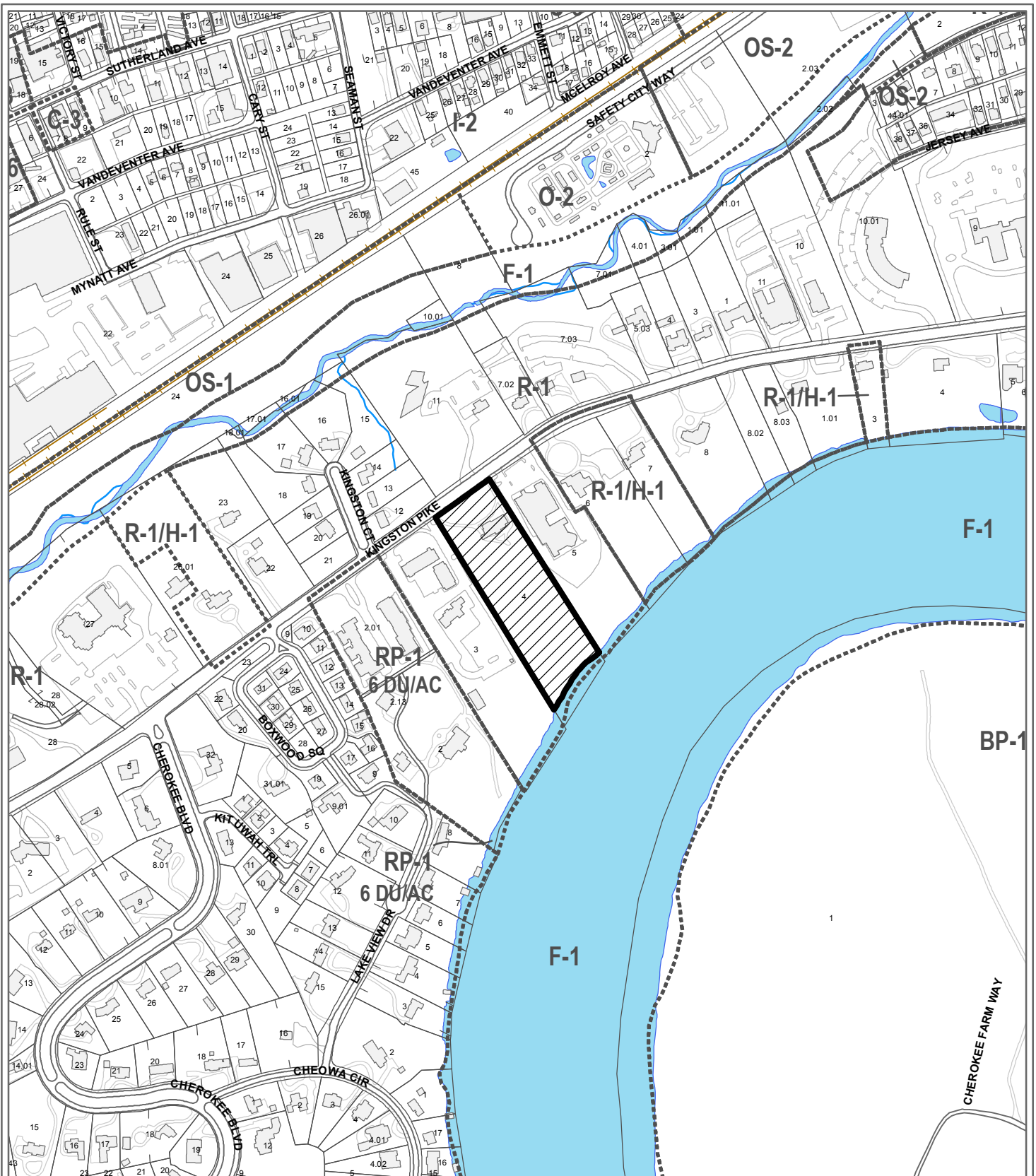
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 4 (public and private school children, ages 5-18 years)

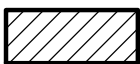
Schools affected by this proposal: Sequoyah Elementary, Bearden Middle, and West High.

- 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.

MPC's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**7-E-14-UR
USE ON REVIEW**

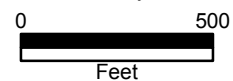


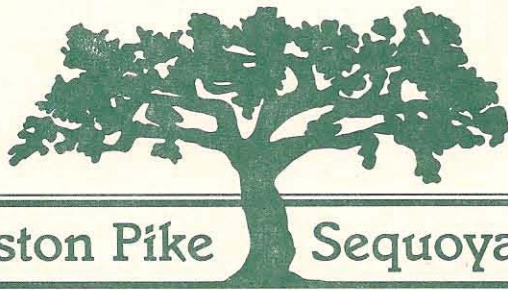
Residential Development in R-1 (Low Density Residential)

Original Print Date: 6/23/2014 Revised: 7/1/2014
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Mr. Paul Murphy

Map No: 108
 Jurisdiction: City





Kingston Pike Sequoyah Hills Association

File # 7-E-14-UR Agenda Item # 42

August 13, 2014

Knoxville/Knox County Metropolitan Planning Commission
Suite 403, City/County Building
400 Main Street
Knoxville, Tennessee 37902

Dear Metropolitan Planning Commission:

Thank you for your service to the City of Knoxville and your consideration of the current Use on Review petitioned by Paul Murphy. The Kingston Pike - Sequoyah Hills Association is kindly asking that you vote to deny Mr. Murphy's request for the motion to be tabled.

The current zoning for the parcel in question has been R-1 for more than a century, with the master plan of Sequoyah Hills and the .9-mile Historic Kingston Pike District calling for this stretch to be protected with single family home zoning. Recently, City Council voted to uphold the master plan and denied the RP-1 rezoning request on the first reading.

Today, Mr. Murphy is asking MPC to table consideration of a Use on Review for apartments/condos on this property. Apartments/condos are not included as "uses and structures permitted on review" under R-1 zoning. After a cursory inspection of the MPC meeting minutes for the past 12 months, there is no known precedent to table a non-conforming Use on Review. Since the proposal is not possible in the current R-1 zoning and since there is no precedent for tabling a noncompliant request, it seems most reasonable to withdraw the request or simply deny it.

Thank you, again, for serving our community and for your careful consideration in preserving this unique and historic low-density residential district by voting to deny this Use on Review.

Sincerely,

Sallie Namey
KP-SHA President

7-E-14-ur (143-111) 2-12-15



Tom Brechko <tom.brechko@knoxmpc.org>

7-e-14-ur

Paul Murphy <pjmurphy@murphydevelopment.com>
To: Tom Brechko <tom.brechko@knoxmpc.org>



Thu, Jan 8, 2015 at 12:08 PM

Tom:

I am officially requesting that the use on review for 3222 Kinston Pike-- Christenberry be removed from the table and be withdrawn from consideration by the Planning commission. Thank you,

Paul J. Murphy, III

Murphy Development, LLC

6514 Deane Hill Drive

Knoxville, TN 37919

Phone:865-558-0577

Fax:865-566-0112

From: Tom Brechko [mailto:tom.brechko@knoxmpc.org]

Sent: Wednesday, January 07, 2015 4:53 PM

To: Paul Murphy

Subject: Re: 7-e-14-ur

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