

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

▶ **FILE #:** 4-A-16-SP

**AGENDA ITEM #:** 34

**AGENDA DATE:** 4/14/2016

▶ **APPLICANT:** JOHN SARASU

OWNER(S):

TAX ID NUMBER: 68 L G 023

[View map on KGIS](#)

JURISDICTION: Council District 5

STREET ADDRESS: 4619 Fennel Rd

▶ **LOCATION:** Southwest side Fennel Rd., southeast of Sylvia Dr.

▶ **APPX. SIZE OF TRACT:** 10800 square feet

SECTOR PLAN: North City

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

ACCESSIBILITY: Access is via Fennel Rd., a local street with 20' 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 AND ZONING DESIGNATION:** LDR (Low Density Residential) / R-1 (Low Density Residential)

▶ **PROPOSED PLAN DESIGNATION:** MDR (Medium Density Residential)

▶ **EXISTING LAND USE:** Duplex

▶ **PROPOSED USE:** Duplex

EXTENSION OF PLAN DESIGNATION: No

HISTORY OF REQUESTS: Property was rezoned from R-2 to R-1 as part of the Inskip area general rezoning in 2013 (11-F-13-RZ).

SURROUNDING LAND USE AND PLAN DESIGNATION: North: House / LDR

South: House / LDR

East: Fennel Rd. - Warehouses / LI

West: Vacant land / LDR

NEIGHBORHOOD CONTEXT To the west of Fennel Rd. is a neighborhood of attached and detached residential development, zoned R-1, R-1A and R-2. On the east side of Fennel Rd. are light industrial uses, zoned I-2 and I-3.

**STAFF RECOMMENDATION:**

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

This property was designated for LDR uses on the sector plan prior to being rezoned from R-2 to R-1 as part of

the Inskip general rezoning in 2013. LDR uses are compatible with the surrounding area and there is no justification to amend the plan.

**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 Fennel Rd. Public water and sewer utilities are available to serve the site. The adjacent properties on the same side of Fennel Rd. appear to be developed with detached dwellings on individual lots, consistent with the current LDR designation.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The North City Sector Plan currently designates this site for LDR (Low Density Residential) uses, consistent with its current R-1 zoning. The LDR designation is appropriate, intentional and has been in place for quite some time, so there is no error in the plan.

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

The plan has designated this site for LDR uses for quite some time. With the general rezoning to R-1 last year, MPC and City Council approved a zoning change to bring the zoning into conformance with the plan designations, establishing that low density residential uses are appropriate for the future development of this site.

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

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

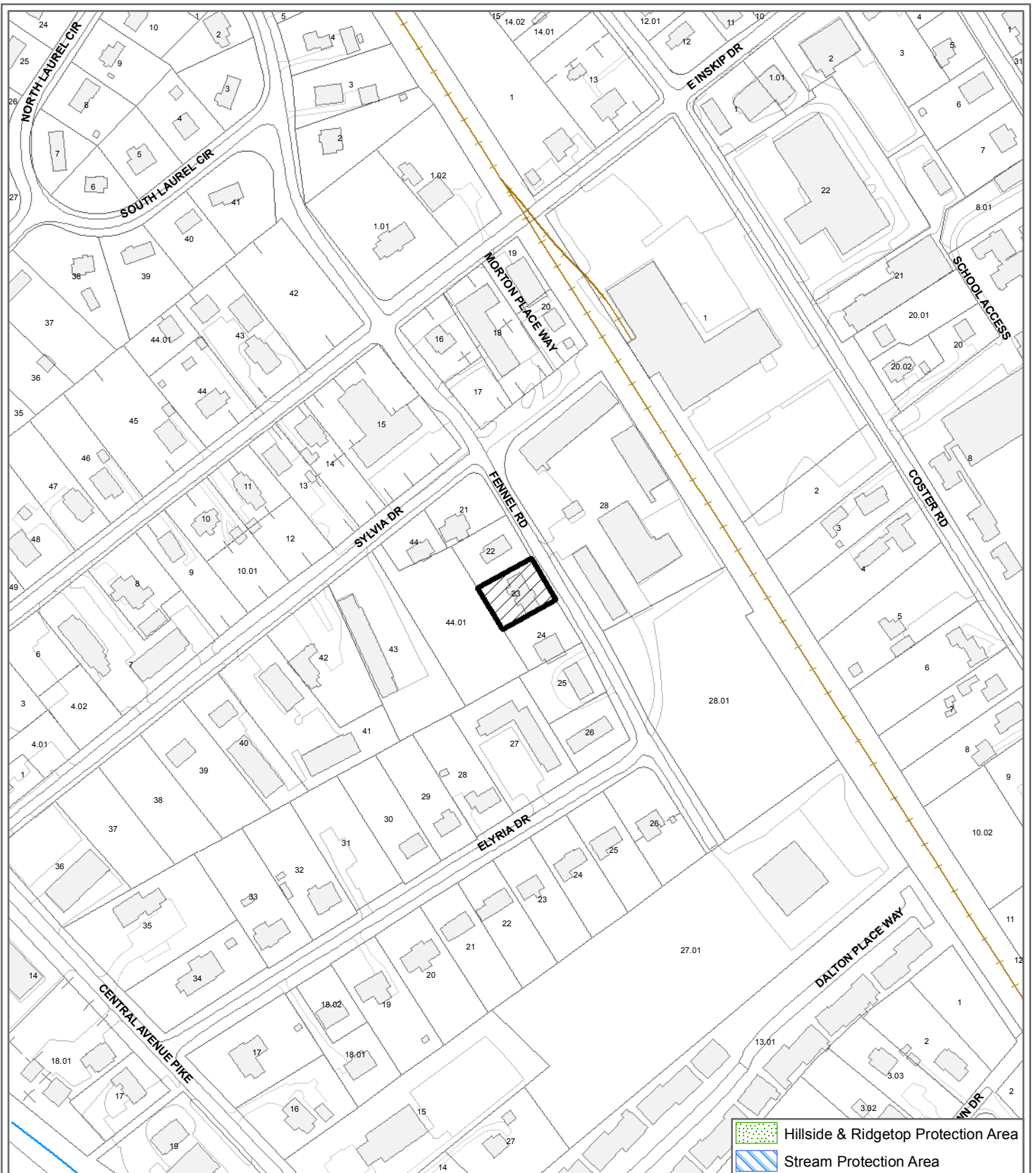
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law provides for two methods to amend the plan at TCA 13-3-304:



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 5/10/2016 and 5/24/2016. 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.



-  Hillside & Ridgetop Protection Area
-  Stream Protection Area

**4-A-16-SP  
NORTH CITY SECTOR PLAN AMENDMENT**

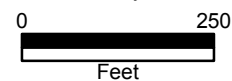
From: LDR (Low Density Residential)  
To: MDR (Medium Density Residential)



Petitioner: Sarasu, John

Map No: 68

Jurisdiction: City



Original Print Date: 3/21/2016      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

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

▶ **FILE #:** 4-A-16-RZ  
 4-A-16-PA

**AGENDA ITEM #:** 34  
**AGENDA DATE:** 4/14/2016

▶ **APPLICANT:** JOHN SARASU  
 OWNER(S): John Sarasu

TAX ID NUMBER: 68 L G 023 [View map on KGIS](#)

JURISDICTION: Council District 5

STREET ADDRESS: 4619 Fennel Rd

▶ **LOCATION:** Southwest side Fennel Rd., southeast of Sylvia Dr.

▶ **TRACT INFORMATION:** 10800 square feet.

SECTOR PLAN: North City

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

ACCESSIBILITY: Access is via Fennel Rd., a local street with 20' 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) / R-1 (Low Density Residential)

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

▶ **EXISTING LAND USE:** Duplex

▶ **PROPOSED USE:** Duplex

EXTENSION OF PLAN DESIGNATION/ZONING: Not an extension of MDR, but is an extension of R-2 from the west

HISTORY OF ZONING REQUESTS: Property was rezoned from R-2 to R-1 as part of the Inskip area general rezoning in 2013 (11-F-13-RZ).

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: House / LDR / R-1 (Low Density Residential)

South: House / LDR / R-1 (Low Density Residential)

East: Fennel Rd. - Warehouses / LI / I-2 (Restricted Manufacturing & Warehousing)

West: Vacant land / LDR / R-2 (General Residential)

NEIGHBORHOOD CONTEXT: To the west of Fennel Rd. is a neighborhood of attached and detached residential development, zoned R-1, R-1A and R-2. On the east side of Fennel Rd. are light industrial uses, zoned I-2 and I-3.

**STAFF RECOMMENDATION:**

▶ **DENY MDR (Medium Density Residential) One Year Plan designation.**

This property was designated for LDR uses on the One Year Plan prior to being rezoned from R-2 to R-1 as part of the Inskip general rezoning in 2013. LDR uses are compatible with the surrounding area and there is no justification to amend the plan.

► **RECOMMEND that City Council APPROVE R-1A (Low Density Residential) zoning. (Applicant requested R-2.)**

The recommended R-1A zoning will bring the existing use into compliance with zoning, and is compatible with the scale and intensity of surrounding development and zoning pattern. R-1A zoning is consistent with the current LDR plan designations on the site, eliminating the need for unnecessary plan amendments. The site is too small to accommodate any more than the two attached units on site. The requested R-2 zoning allows multi-dwelling attached development with no review by MPC.

**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 One Year Plan currently designates this site for LDR (Low Density Residential) uses, consistent with its current R-1 zoning. The LDR designation is appropriate, intentional and has been in place for quite some time, so there is no error in the plan.

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 recently made along this section of Fennel Rd. Public water and sewer utilities are available to serve the site. The adjacent properties on the same side of Fennel Rd. appear to be developed with detached dwellings on individual lots, consistent with the current LDR designation.

C. A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN - The plan has designated this site for LDR uses for quite some time. With the general rezoning to R-1 last year, MPC and City Council approved a zoning change to bring the zoning into conformance with the One Year Plan designation, establishing that low density residential uses are appropriate for the future development of this site.

D. NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT - No new information has become available to reveal the need for a plan amendment. The proposed land use pattern has long been established in this area.

**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. The recommended R-1A zoning for the subject property will bring the reported duplex use into compliance with zoning.
2. R-1A zoning is consistent with the current LDR plan designations on the property. The requested R-2 zoning requires that the One Year Plan and sector plan be amended to MDR, which is not warranted.
3. R-1A uses are compatible with the surrounding land use and zoning pattern.
4. The site is about a quarter acre, and is developed with a duplex. With the relatively small size of the site, the requested R-2 zoning is not appropriate. It would be difficult to develop additional units on the site while keeping it consistent with surrounding uses.

**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.
3. The requested R-2 zoning would potentially allow more than two units on the site, which would be out of character with the other properties along this section and side of Fennel Rd.

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 recommended R-1A zoning is compatible with the surrounding land uses and zoning pattern.
2. R-1A zoning will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.
3. There will be no impact on existing streets because the property is already developed with a duplex, which is the most that could be accommodated under the recommended R-1A zoning.

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:

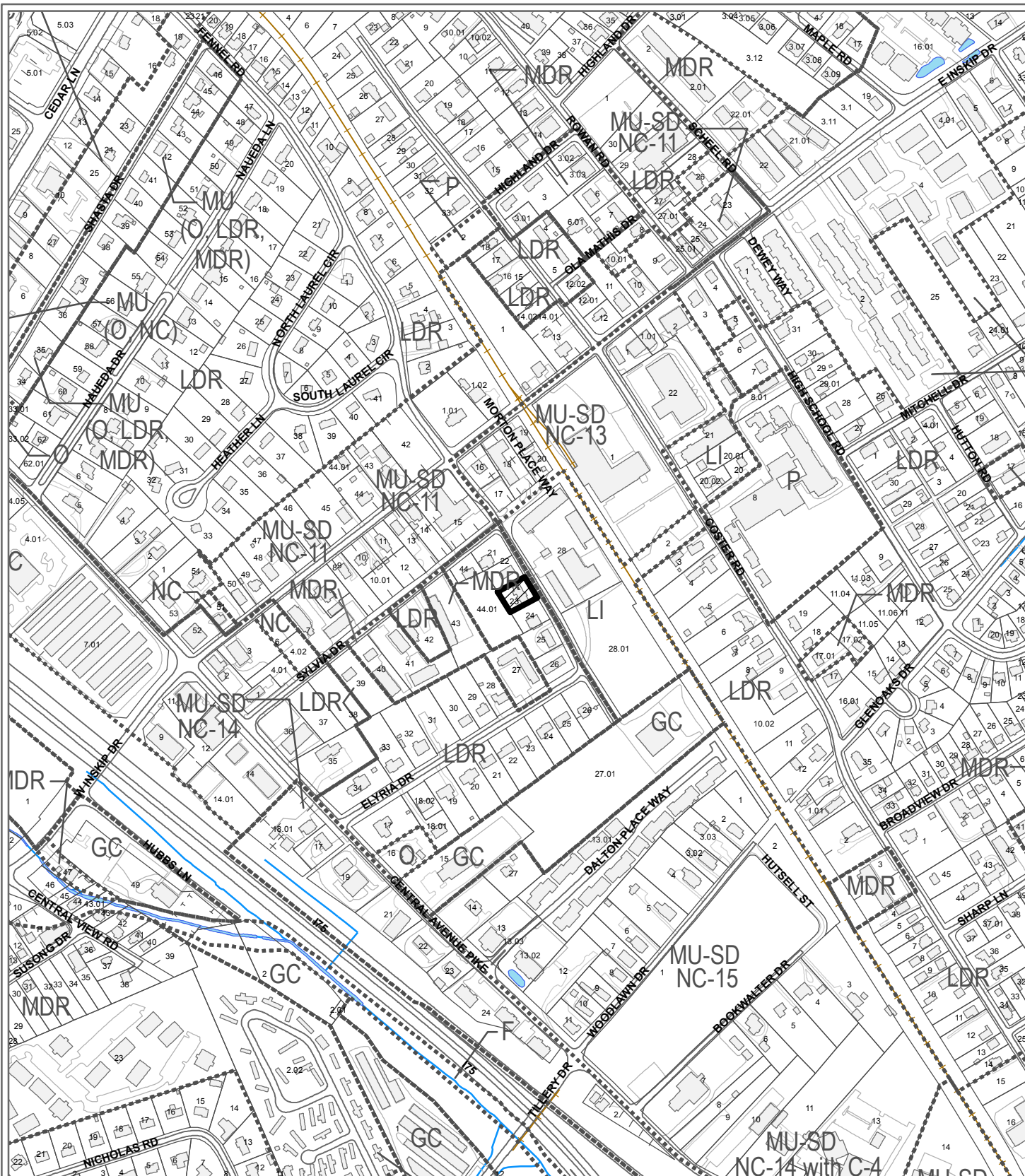
1. The City of Knoxville One Year Plan and the North City sector plan both propose LDR uses for the site, consistent with the recommended R-1A zoning, but not with the requested R-2 zoning.
2. The applicant has requested amendments to the above plans to MDR, which accompany this rezoning request. However, staff recommends to deny the MDR requests. The current LDR designation allows consideration of R-1A zoning, whci gives the applicant reasonable uses of the property.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This recommended R-1A zoning does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 5/10/2016 and 5/24/2016. 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-A-16-PA / 4-A-16-RZ  
PLAN AMENDMENT**

From: LDR (Low Density Residential)

To: MDR (Medium Density Residential)



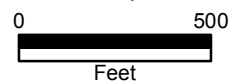
Original Print Date: 3/21/2016  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Revised:

Petitioner: Sarasu, John

Map No: 68

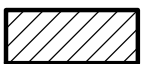
Jurisdiction: City





**4-A-16-RZ  
REZONING**

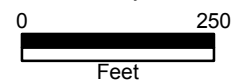
From: R-1 (Low Density Residential)  
To: R-2 (General Residential)



Petitioner: Sarasu, John

Map No: 68

Jurisdiction: City



Original Print Date: 3/21/2016 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902