

▶ **FILE #:** 1-P-17-RZ **AGENDA ITEM #:** 39
 POSTPONEMENT(S): 1/12/2017 **AGENDA DATE:** 2/9/2017
 ▶ **APPLICANT:** WANDA MOODY
 OWNER(S): Wanda Moody

TAX ID NUMBER: 106 O A 039-042 [View map on KGIS](#)
 JURISDICTION: City Council District 2
 STREET ADDRESS: 800 Broome Rd
 ▶ **LOCATION:** South side Middlebrook Pike, west side Broome Rd.
 ▶ **APPX. SIZE OF TRACT:** 20.44 acres
 SECTOR PLAN: Northwest City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ACCESSIBILITY: Access is via Middlebrook Pike, a major arterial street with four lanes and a center median within 130' of right-of-way, or Broome Rd., a major collector street with 18' of pavement width within 50' of right-of-way.
 UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
 WATERSHED: Ten Mile Creek

▶ **PRESENT ZONING:** RP-1 (Planned Residential) with conditions
 ▶ **ZONING REQUESTED:** RP-1 (Planned Residential) at less than 6 du/ac
 ▶ **EXISTING LAND USE:** Dwelling and vacant land
 ▶ **PROPOSED USE:** Residential development
DENSITY PROPOSED: <6 du/ac
 EXTENSION OF ZONE: The subject property is zoned RP-1 with conditions and the property to the north is zoned RP-1 at 1-5 du/ac.
 HISTORY OF ZONING: Property was rezoned RP-1 with conditions in 2007 (7-F-05-RZ)
 SURROUNDING LAND USE AND ZONING: North: Middlebrook Pike, condominiums / RP-1 (Planned Residential) at 1-5 du/ac
 South: Houses / R-1E (Single Family Exclusive)
 East: Houses / R-1E (Single Family Exclusive)
 West: Broome Rd., houses and church / R-1 (Low Density Residential)
 NEIGHBORHOOD CONTEXT: This area is developed with low density residential uses under R-1, R-1E and RP-1 zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE RP-1 (Planned Residential) zoning at a density of up to 5.99 du/ac.**

RP-1 zoning at the requested density is consistent with the sector plan designation and will allow uses compatible with the surrounding land uses and zoning pattern.

COMMENTS:

In 2007, the subject property was rezoned from R-1 (Low Density Residential) to RP-1 (Planned Residential)

with specific conditions on development. The conditions read as follows: Development limited to senior citizen housing with up to 68 villas and an assisted living facility for up to 80 individuals. A Memorandum of Agreement from the property owner, dated August 30, 2007, was also attached to the 2007 rezoning. A copy of that memorandum is attached to this staff report. The current applicant is requesting that the conditions be eliminated, allowing any type of residential development to be proposed, as long as within the assigned density.

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. This site, which is accessed from either Broome Rd. or Middlebrook Pike, is in the vicinity of other properties that are zoned RP-1 at similar densities. These are located on the north side of Middlebrook Pike, directly across from the subject property.
2. The property is located in the City Limits of Knoxville on the Growth Policy Plan and is proposed for low density residential uses on the sector plan, consistent with the proposal.
3. The proposed low density residential zoning and development is compatible with the scale and intensity of the surrounding development and zoning pattern, which includes attached residential development to the north, also zoned RP-1.
4. The site is appropriate to be developed under RP-1 zoning at the maximum permissible density in the LDR category. The site does not have significant slope or other environmental constraints.
5. The RP-1 zone requires use on review approval of a development plan by MPC prior to construction. This will provide the opportunity for staff to review the plan and address issues such as traffic circulation, lot layout, recreational amenities, drainage, types of units and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.

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 RP-1 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. At the requested density of up to 5.99 du/ac on the 20.44 acres reported, up to 122 dwelling units could be proposed for the site. Developed with attached residential units, this would add approximately 1141 trips to the street system and about 13 children to the school system.
2. RP-1 zoning at the requested density is compatible with surrounding development and should have a minimal impact on adjacent properties.
3. The approval of this request will allow the applicant to submit a development plan with up to 122 dwelling units for MPC's consideration.
4. Public water and sewer utilities are available to serve the site, and the proposal is consistent with other zoning and density in the immediate area.

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 Northwest City Sector Plan proposes low density residential uses for this property, consistent with the proposed RP-1 zoning at up to 5.99 du/ac.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This proposal does not present any apparent conflicts with any other adopted plans.

Upon final approval of the rezoning, the developer will be required to submit a development plan for MPC consideration of use on review approval prior to the property's development. The plan will show the property's proposed development, landscaping and street network and will also identify the types of residential units that may be constructed. Grading and drainage plans may also be required at this stage, if deemed necessary by Knoxville Engineering and MPC staff.

ESTIMATED TRAFFIC IMPACT: 1141 (average daily vehicle trips)

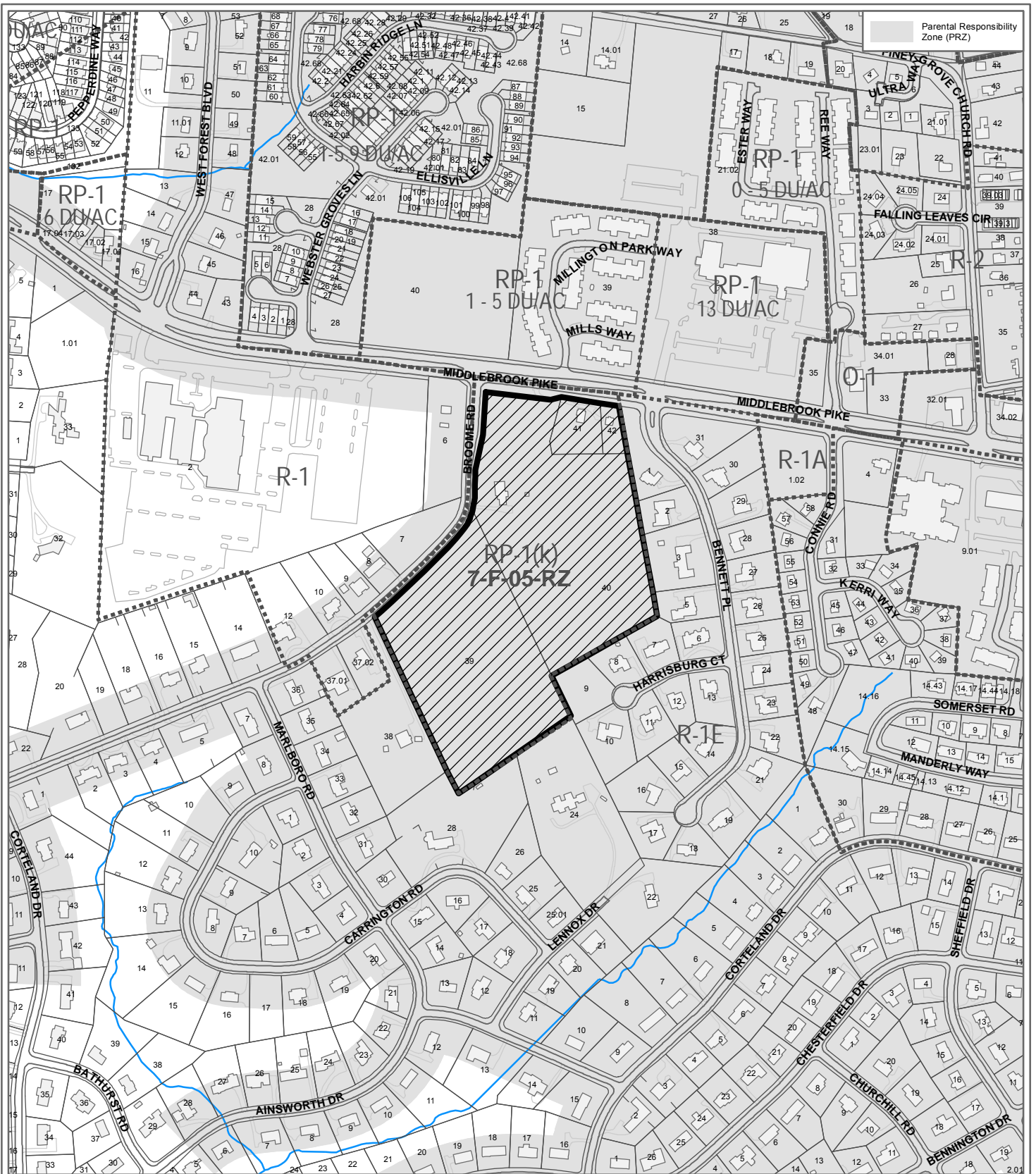
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 13 (public and private school children, ages 5-18 years)

Schools affected by this proposal: West Hills Elementary, Bearden Middle, and Bearden 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 3/14/2017 and 3/28/2017. 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.



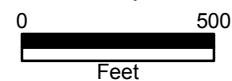
**1-P-17-RZ
REZONING**

From: RP-1 (Planned Residential) with conditions
 To: RP-1 (Planned Residential) at less than 6 du/ac



Petitioner: Moody, Wanda

Map No: 106
 Jurisdiction: City



Original Print Date: 12/21/2016 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Wanda Moody
705 Broome Road
Knoxville, Tennessee 37909
Telephone 865 690-2766
Fax 865 470-2731



**To: Mark Donaldson, Executive Director
Metropolitan Planning Commission**

From: Wanda Moody

**Subject: Agenda Item September 13 Meeting
7-F-05-RZ Shorewalker Place LLC**

Date: August 20, 2007

As you recall this item was removed from the table by the Planning Commission at its meeting on August 9 and is scheduled to be heard at the meeting on September 13. In this request I also asked that it be listed in my name as the property owner and known as Park at West Hills.

The request is to re-zone the 20.5 acre tract on the Southeast corner of Middlebrook Pike and Broome Road from R-1 to RP-1 Planned Residential. Plans are for the 5acre tract fronting on Middlebrook Pike to include an Assisted Living Facility that would accommodate 60-80 individuals. On the 15.5-acre tract fronting Broome Road up to 68 villas for senior citizens would be constructed with a price range of \$210,000 to \$330,000.

The developers and I have worked closely with the West Hills Home Owners Association in the development of the plans for the project, which should maintain the prevalent character of the neighborhood. A final copy of these agreements will be made available prior to the planning commission meeting.

Signed,

A handwritten signature in cursive script that reads "Wanda Moody". The signature is written in black ink and is positioned above the printed name.

Wanda Moody

CC: Kenneth Pruitt

7-F-05-RZ

KNOXVILLE-KNOX COUNTY

MPC

METROPOLITAN
PLANNING
COMMISSION
TENNESSEE

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Knoxville, Tennessee 37902
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REZONING PLAN AMENDMENT

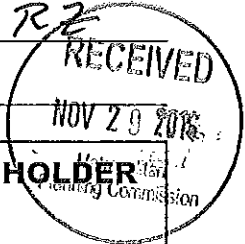
Name of Applicant: Wanda Moody

Date Filed: 11/29/16 Meeting Date: 1/12/17

Application Accepted by: [Signature]

Fee Amount: 1620.00 File Number: Rezoning 1-P-17-RZ

Fee Amount: _____ File Number: Plan Amendment _____



PROPERTY INFORMATION

Address: _____

General Location: E/S Brooks Rd
S/S Middlebrook Pk

Parcel ID Number(s): 139 OA 039-042

Tract Size: 20.44 ac

Existing Land Use: dwelling + vacant land

Planning Sector: NW City

Growth Policy Plan: Future City

Census Tract: _____

Traffic Zone: _____

Jurisdiction: City Council 2 District
 County Commission _____ District

Requested Change

REZONING

FROM: RP-1 (K)

TO: RP-1 26 DU/A

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____

TO: _____

PROPOSED USE OF PROPERTY

Residential development

Density Proposed 5.99 DU/A Units/Acre

Previous Rezoning Requests: _____

7-F-05-RZ

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT Name: Wanda Moody

Company: ?

Address: 205 Brooks Rd

City: KNOXVILLE State: TN Zip: 37909

Telephone: 690-2766

Fax: _____

E-mail: _____

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT Name: Arthur G. Seymour Jr

Company: FRESITZ, McCONNER, STEWART

Address: P.O. BOX 39

City: KNOXVILLE State: TN Zip: 37909

Telephone: 546-9321

Fax: 637-5249

E-mail: ASSEYMOUR@RUSHNET.COM

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request, or holders of option on same, whose signatures are included on the back of this form.

Signature: [Signature]

PLEASE PRINT Name: same as above

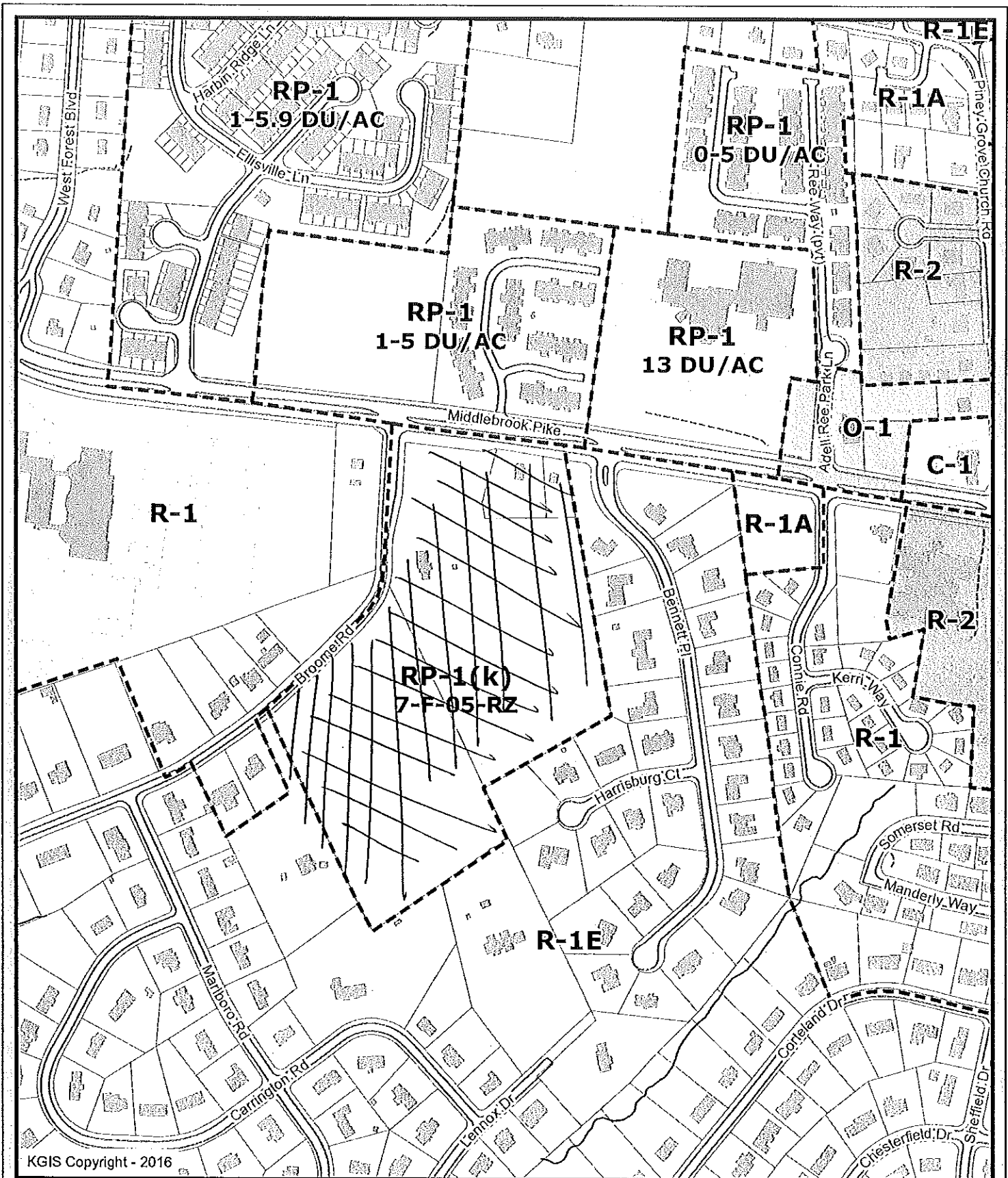
Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

E-mail: _____

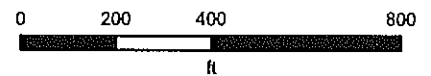


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Letter Portrait

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