



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

▶ **FILE #:** 4-D-17-RZ
4-B-17-PA

AGENDA ITEM #: 37
AGENDA DATE: 5/11/2017

POSTPONEMENT(S): 4/13/2017

▶ **APPLICANT:** ECG MARTIN MILL LP
OWNER(S): ECG Martin Mill LP

TAX ID NUMBER: 109 A K 00202 & 007

[View map on KGIS](#)

JURISDICTION: Council District 1

STREET ADDRESS: 2712 E Martin Mill Pike

▶ **LOCATION:** Northeast side E. Martin Mill Pike, northwest side Lippencott St.

▶ **TRACT INFORMATION:** 6.4 acres.

SECTOR PLAN: South City

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

ACCESSIBILITY: Access is via E. Martin Mill Pike, a minor collector street with 22' of pavement width within 35-50' of right-of-way, or Lippencott St., a minor collector street with 20' of pavement width within 60' of right-of-way.

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

WATERSHED: Tennessee River

▶ **PRESENT PLAN DESIGNATION/ZONING:** SWMUD-2 (South Waterfront Mixed Use District II) / C-4 (Highway and Arterial Commercial)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** HDR (High Density Residential) / RP-2 (Planned Residential)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Apartments

DENSITY PROPOSED: 30 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Businesses / SWMUD-2 / C-4 (Highway & Arterial Commercial)
South: Lippencott St., apartments / MDR / R-2 (General Residential)
East: Vacant land / SWMUD-2 / R-2 (General Residential)
West: E. Martin Mile Pike, restaurants / SWMUD-2 / C-4 (Highway & Arterial Commercial)

NEIGHBORHOOD CONTEXT: This property is located between commercial business to the west along Chapman Hwy., zoned C-4, and residential development to the south and east, zoned R-2.

STAFF RECOMMENDATION:

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

This site is located in the vicinity of other attached multi-dwelling development and is close to Chapman Hwy., where transit service is available, as well as having commercial services within walking distance. The location is appropriate for high density residential development.

► **RECOMMEND that City Council APPROVE RP-2 (Planned Residential) zoning at the requested density of up to 30 du/ac, subject to 1 condition.**

1. Within the areas depicted on the attached map as non-disturbance areas, no clearing or grading shall occur, with the exception of kudzu removal, if desired.

With the recommended condition, this site is appropriate to be developed under RP-2 zoning at up to 30 du/ac. The property is currently zoned C-4, which could lead to extensive clearing and grading of the steeper portions of the site for any number of commercial uses, with no review required by MPC. The recommended rezoning will prevent further, unnecessary commercial development in the area, prevent the clearing and grading of the hillside, and allow compatible infill development at an appropriate location.

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** - There are no apparent errors in the plan. The current One Year Plan designates the site as SWMUD-2 (South Waterfront Mixed Use District 2). This district only allows consideration of planned zoning districts. The requested RP-2 zoning is a planned district, so the requested zoning is consistent with the One Year Plan. If approved, the requested amendment will bring the plan into consistency with the actual zoning and development of the site.

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 to E. Martin Mill Pike or Lippencott St., but the streets are adequate to serve the recommended commercial uses. There is a traffic signal at the intersection of Lippencott St. and Chapman Hwy. to allow easier access to the main thoroughfare in the area. Public water and sewer utilities are available to serve the site.

C. **A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN** - No change in public policy directly impacts this plan amendment, but the site is appropriate for the development of high density residential uses.

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 current zoning pattern of higher intensity residential uses has long been established in this area, making this site appropriate for high density residential uses.

Note: This report has been revised to correct the anticipated number of school aged children that would be generated with the proposed development. MPC's Development Services database application has a built-in function to calculate estimated student yield from proposed residential development. The calculator generates estimates for four housing types: single-dwelling detached, single-dwelling attached, multi-dwelling (apartment), and mobile home. Each of those four types has its own student yield rate. Those rates were tabulated from U.S. Census Bureau population and housing samples.

MPC staff partners with Knox County Schools to assist with the generation of enrollment projections. That effort relies on a computerized projection model, and in its calculations, that model uses student yield rates by housing type (different from those used by MPC's Development Services application). The yield rates used in the KCS projection model are derived from close examination of actual student counts at residential addresses, including multi-dwelling complexes. Based on the tabulation of local data, the student yield rate for apartments used in the computer model is much lower than that calculated from Census Bureau data.

Staff is in the process of updating the Development Services calculator to bring it inline with the student yield rates used in the KCS projection model. In so doing, the student yields for this proposal were recalculated with the yield rates used by KCS. The change is substantial, but it is much more representative of actual local student yields.

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-2 zoning at the recommended density is compatible with the scale and intensity of the surrounding development and zoning pattern.
2. Rezoning of the site for this planned residential development will prevent this site from being developed with C-4 commercial uses, which would likely involve extensive grading of the site, with no review by MPC.
3. Staff has produced the attached slope analysis for the site, showing steep slopes in the northwest and northeast portions of the site. Based on that slope analysis map and the attached topography map, staff has recommended that those steepest areas remain undisturbed. A condition is recommended that those areas remain undisturbed, with the exception of kudzu removal. There is significant kudzu growth on the hillsides of the site. The applicant has provided the attached conceptual drawing of the proposed development and it appears that no development is proposed within the recommended non-disturbance areas.
4. The RP-2 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-2 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-2 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. The recommended RP-2 zoning is compatible with the surrounding land uses and zoning pattern.
2. RP-2 zoning will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.
3. The existing minor collector streets with a traffic signal to access Chapman Hwy. are adequate to handle the additional traffic generated by allowing high density residential uses on the site.
4. The proposed RP-2 zoning at a density of up to 30 du/ac would allow for a maximum of 192 dwelling units to be proposed for the site. That number of detached units, as proposed, would add approximately 1715 vehicle trips per day to the street system and would add approximately 3 children under the age of 18 to the school system.
5. A traffic impact study will be required to be submitted along with the development plan if the proposed development is projected to generate 750 trips per day or more, which appears likely.
6. The RP-2 zoning district stipulates that the amount of land set aside for permanent usable open space and recreational use shall be 15 percent of the gross developable area. Staff will expect that the development will include some recreational space in addition to the open space that will be required within the recommended non-disturbance areas.

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 amendment to the City of Knoxville One Year Plan to high density residential on the accompanying application (4-B-17-PA), RP-2 zoning will accurately reflect the zoning and future development of the site.
2. With the recommended amendment to the South City Sector Plan to high density residential on the accompanying application (4-D-17-SP), RP-2 zoning at the requested density would be consistent with the plan.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This recommended RP-2 zoning does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: 1715 (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: 3 (public and private school children, ages 5-18 years)

Schools affected by this proposal: South Knoxville Elementary, South Doyle Middle, and South Doyle 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 6/6/2017 and 6/20/2017. 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.