

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

► **FILE #:** 7-B-18-RZ

**AGENDA ITEM #:** 33

7-B-18-PA

**AGENDA DATE:** 7/12/2018

► **APPLICANT:** ELMINGTON CG, LLC

OWNER(S): Hunter Nelson Ellington CG, Inc.

TAX ID NUMBER: 107 F G 04101 & 04103

[View map on KGIS](#)

JURISDICTION: Council District 2

STREET ADDRESS:

► **LOCATION:** West side Hollywood Rd., south side I-40

► **TRACT INFORMATION:** 5.11 acres.

SECTOR PLAN: West City

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

ACCESSIBILITY: Access is via Hollywood Dr., a major collector street with 25' of pavement width within 75-85' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

► **PRESENT PLAN DESIGNATION/ZONING:** MDR (Medium Density Residential) / 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:** Attached multi-dwelling residential

**DENSITY PROPOSED:** 30 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: Property was rezoned from C-3 to C-4 in 1987 (2-B-87-RZ).

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: I-40 right-of-way / ROW / R-1 (Low Density Residential)

South: Residential subdivision / TDR / R-1 (Low Density Residential)

East: Hollywood Dr., residences and vacant land / MDR / R-2 (General Residential)

West: Residential subdivision / LDR / R-1 (Low Density Residential)

NEIGHBORHOOD CONTEXT: This area is developed primarily with residential uses under R-1 and R-2 zoning. The subject property is currently zoned C-4, but has not been developed with commercial uses.

## STAFF RECOMMENDATION:

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

This site is already designated for medium density residential uses and is located in the vicinity of other attached multi-dwelling development along Sutherland Ave. and to the north, along Lonas Dr., 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 a density of up to 30 du/ac, subject to one condition.**

1. The rear, westernmost portion of the site must remain undisturbed, consistent with the hatched area depicted on the attached map labeled 'No Disturbance Area'. This boundary is defined by the 980' elevation on the topography map.

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 clearing and grading of the hillside, and allow compatible infill development at an appropriate location. Transit service (KAT) is not currently available at the site, but is available to the north at Lonas Dr. or to the south at Kingston Pike.

## 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 plan does not recognize the existing C-4 zoning of the site. The current One Year Plan designates the site for medium density residential uses. With the requested planned zone of RP-2, staff is of the opinion that the site is also appropriate for high density residential use, especially considering that it is currently zoned C-4, an intense, unplanned commercial zoning district.

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 Hollywood Rd., but the street is adequate to serve the recommended high density residential uses. 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 general area, making this site more appropriate for high density residential uses.

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 western 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 that steeper area (1.78 acres) remain undisturbed. The proposed dwelling units should be clustered on the remaining, flatter portion of the site (3.32 acres).
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 proposed RP-2 zoning at a density of up to 30 du/ac would allow for a maximum of 153 dwelling units to be proposed for this 5.11 acre site. That number of attached multi-dwelling units, as proposed, would add approximately 1399 vehicle trips per day to the street system and would add approximately 2 children under the age of 18 to the school system.
4. Hollywood Rd. is a minor collector street that is adequate to handle the additional traffic generated by allowing high density residential uses on the site. There are traffic signals at the two closest intersection at Lonas Dr. to the north and at Sutherland Ave. to the south. Adequate sight distance will have to be certified from the proposed development entrance as part of the development plan review process.
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. With the number of units possible, and the close proximity to a school and commercial areas, staff will expect that sidewalks will be installed along Hollywood Rd. in front of the site. Pedestrian connections from the site to this sidewalk will also be expected.
7. 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 (7-B-18-PA), RP-2 zoning will accurately reflect the zoning and future development of the site.
2. With the recommended amendment to the West City Sector Plan to high density residential on the accompanying application (7-B-18-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: 1399 (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: 2 (public school children, ages 5-18 years)

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

- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- 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.

If approved, this item will be forwarded to Knoxville City Council for action on 8/14/2018 and 8/28/2018. 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.