

▶ **FILE #:** 11-G-18-RZ

AGENDA ITEM #: 35

AGENDA DATE: 11/8/2018

▶ **APPLICANT:** ELMINGTON CG, LLC

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

TAX ID NUMBER: 109 O A 007

[View map on KGIS](#)

JURISDICTION: City Council District 1

STREET ADDRESS: 121 E Young High Pike

▶ **LOCATION:** Northwest side E. Young High Pike, northeast side Chapman Highway

▶ **APPX. SIZE OF TRACT:** 5.28 acres

SECTOR PLAN: South City

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

ACCESSIBILITY: Access is via E. Young High Pike, a major collector street with 23' of pavement width within 35-45' of right-of-way, or Chapman Hwy., a major arterial street with 4 lanes and a center turning lane within 100' of right-of-way

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Goose Creek

▶ **PRESENT ZONING:** RP-2 (Planned Residential) with condition

▶ **ZONING REQUESTED:** RP-2 (Planned Residential)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Attached multi-dwelling residential, without condition

DENSITY PROPOSED: 30 du/ac

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Sam Duff Memorial Park / PP / OS-2 (Parks & Open Space)

South: E. Young High Pike, AT&T facility, office and residences / MU-SD (SC-5), LDR / O-1 (Office, Medical & Related Services) and R-1 (Low Density Residential)

East: U.S. Post Office / MU-SD (SC-5) / C-3 (General Commercial)

West: Retail businesses / MU-SD (SC-5) / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT: This site is located to the rear of commercial businesses on the east side of Chapman Hwy. This site and the businesses are currently zoned C-3. Other uses in the area include an AT&T facility, a post office, residential uses and a park, zoned C-3, O-1 and OS-2.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE RP-2 (Planned Residential) zoning at the requested density of up to 30 du/ac, removing the previously approved condition of 7-A-18-RZ that stated that no access shall be permitted to Chapman Hwy.**

This site is appropriate to be developed under RP-2 zoning at up to 30 du/ac without the condition of limited access to Chapman Highway, since an adjacent property owner has an access easement through the property

to the intersection of E. Young High Pike and Chapman Highway. The required use on review for RP-2 will allow for design issues to be addressed through staff review and discussions between the Tennessee Department of Transportation (TDOT), City of Knoxville Engineering and MPC staff.

COMMENTS:

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. 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 does not create any direct or indirect adverse effects in the surrounding area or any other part of the County.
3. The existing major collector street with a traffic signal to access Chapman Hwy., a major arterial street, is adequate to handle the additional traffic generated by allowing high density residential uses on the site.
4. The RP-2 zoning at a density of up to 30 du/ac would allow for a maximum of 158 dwelling units to be proposed for the site. That number of attached, multi-dwelling units, as proposed, would add approximately 1440 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 has been submitted along with the development plan.
6. Staff recommends removing the condition that "no access shall be permitted to Chapman Highway," since the adjacent property owner has an access easement through the site to the intersection of E. Young High Pike and Chapman Highway.
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/open space to address this requirement.

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 previously approved amendment to the City of Knoxville One Year Plan to high density residential (7-A-18-PA), RP-2 zoning continues to accurately reflect the zoning and future development of the site.
2. With the previously approved amendment to the South City Sector Plan to high density residential (7-A-18-SP), RP-2 zoning at the requested density is 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.

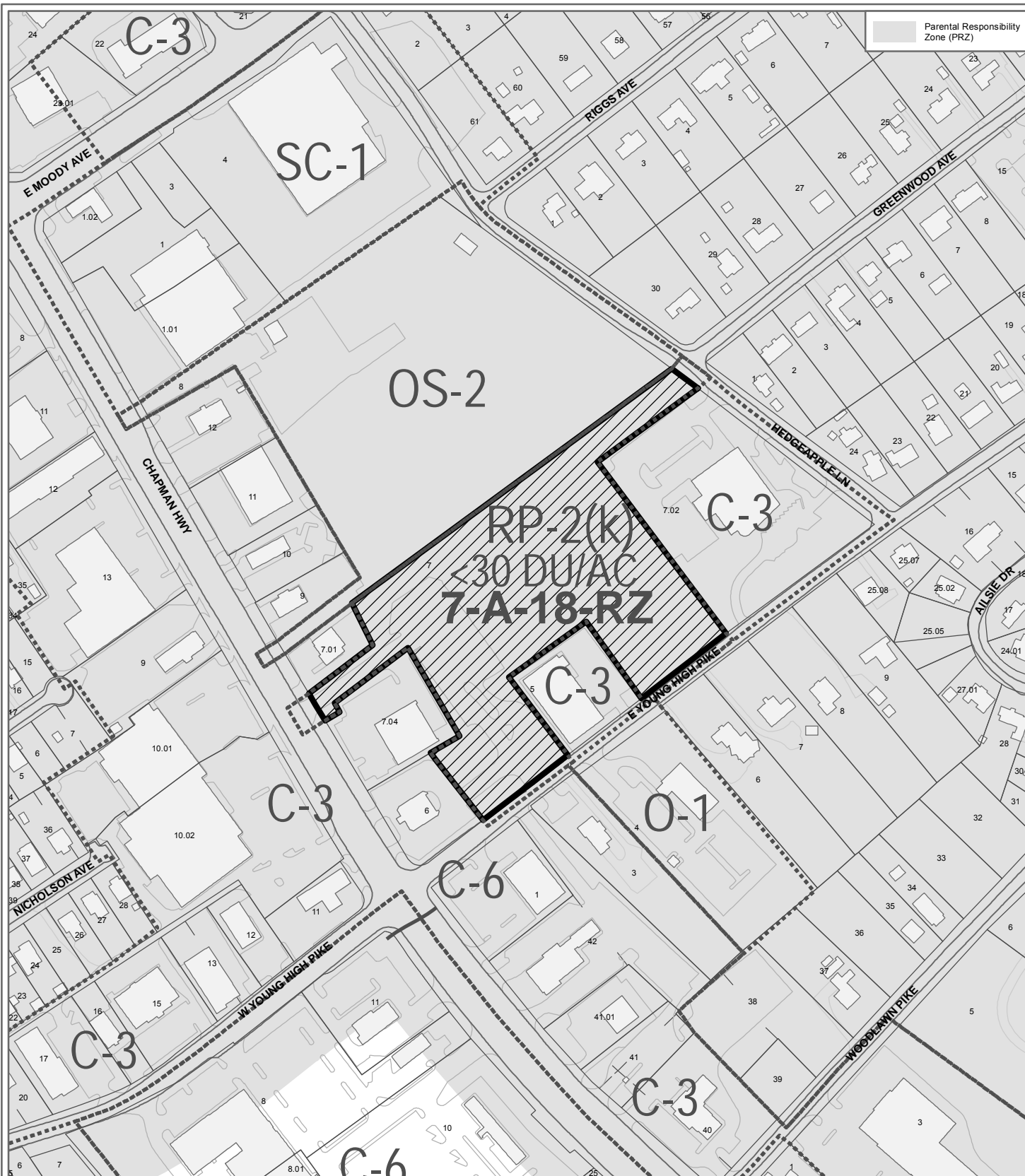
ESTIMATED TRAFFIC IMPACT: A traffic impact study was prepared by the applicant. The findings of that study were used in formulating the recommendations of this staff report.

ESTIMATED STUDENT YIELD: 3 (public school children, ages 5-18 years)

Schools affected by this proposal: Mooreland Heights 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.
- 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 12/4/2018 and 12/18/2018. 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.



**11-G-18-RZ
REZONING**

From: RP-2 (Planned Residential) with condition

To: RP-2 (Planned Residential)



Original Print Date: 10/16/2018 Revised: Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Elmington CG, LLC

Map No: 109

Jurisdiction: City



REZONING **PLAN AMENDMENT**

Name of Applicant: ELWINGTON CG, INC

Date Filed: 9/27/18 Meeting Date: 11/8/18

Application Accepted by: M. Payne

Fee Amount: \$600 File Number: Rezoning 11-G-18-RZ

Fee Amount: File Number: Plan Amendment



PROPERTY INFORMATION

Address: 21 E. YOUNG HIGH AVE

General Location: YOUNG HIGH AVE AT CLASPAN HIGHWAY

Parcel ID Number(s): 109 02 007

Tract Size: 5.28 ACRES

Existing Land Use: VACANT

Planning Sector: SOUTH CITY

Growth Policy Plan: CITY OF KNOXVILLE

Census Tract: 23

Traffic Zone:

Jurisdiction: City Council 1ST District
 County Commission District

Requested Change

REZONING

FROM: P/R w/ CONDITION

TO: P/R WITHOUT CONDITION

PLAN AMENDMENT

One Year Plan Sector Plan

FROM: N/A

TO: A

PROPOSED USE OF PROPERTY

Removal of Condition

Density Proposed Units/Acre

Previous Rezoning Requests:

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT Name: HUNTER NELSON

Company: ELWINGTON CG, INC

Address: 18 GIB AVE SOUTH, SUITE 20

City: NASHVILLE State: TN Zip: 37203

Telephone: 615-982-6492

Fax:

E-mail:

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT Name: ANTHONY G. SEYMOUR

Company: FANNING, LEONARD & SEYMOUR

Address: P.O. BOX 39

City: KNOXVILLE State: TN Zip: 37901

Telephone: 546-9821

Fax: 637-5049

E-mail: AJ.Seymour@FUSHA.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

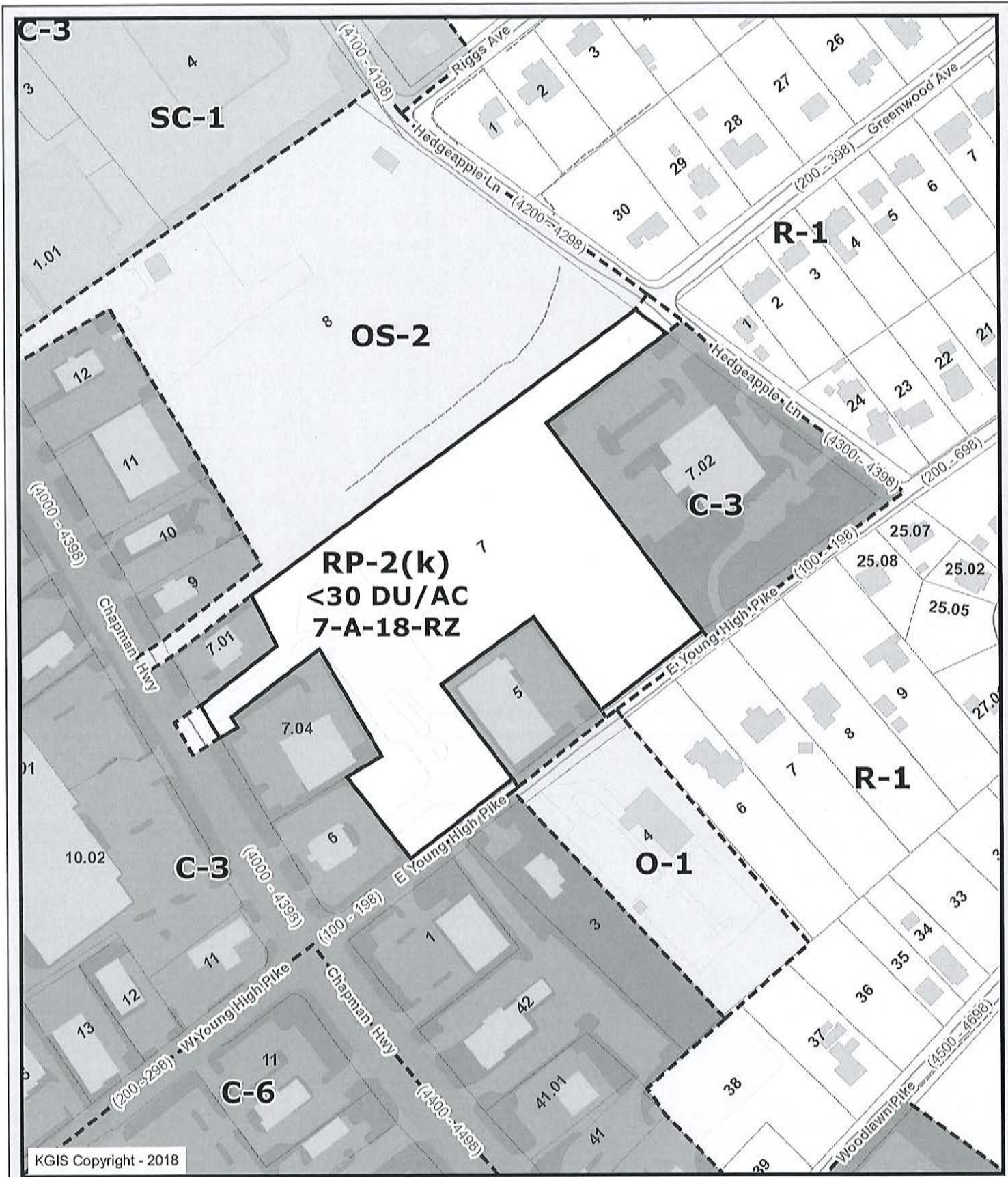
Company:

Address:

City: State: Zip:

Telephone:

E-mail:

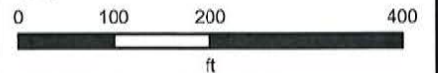


KGIS Copyright - 2018

Letter Portrait



Printed: 9/27/2018 at 1:51:37 PM



Knoxville - Knox County - KUB Geographic Information System

KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

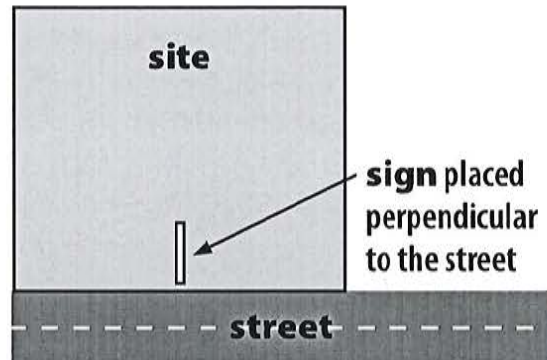
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled MPC public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

10/24/18 and 11/9/18
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: [Handwritten Signature]

Printed Name: ARTHUR G. SEXMOUR, Jr

Phone: 546 9301 Email: ARTSEXMOUR@KUSKAWA.COM

Date: 9/27/18

MPC File Number: 11-G-18-RZ