

REZONING REPORT

▶ **FILE #:** 11-C-18-RZ (REVISED) **AGENDA ITEM #:** 23
 POSTPONEMENT(S): 1/10/19 **AGENDA DATE:** 2/14/2019
 ▶ **APPLICANT:** CHRIS FORTUNE
 OWNER(S): Chris Fortune

TAX ID NUMBER: 94 H Q 002, 003, & 026.01 [View map on KGIS](#)
 JURISDICTION: City Council District 3
 STREET ADDRESS: 512 Richmond Ave
 ▶ **LOCATION:** South side of Richmond Ave., east of Richmond Hill Rd and west of McTeer St.
 ▶ **APPX. SIZE OF TRACT:** 6.5 acres
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ACCESSIBILITY: Access from Richmond Ave., a local street with 40' right of way and 18' of pavement width.
 UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
 WATERSHED: Third Creek

▶ **PRESENT ZONING:** R-1A (Low Density Residential) and R-2 (General Residential District)
 ▶ **ZONING REQUESTED:** RP-1 (Planned Residential)
 ▶ **EXISTING LAND USE:** Vacant land
 ▶ **PROPOSED USE:** Single family homes
DENSITY PROPOSED: 6 du/ac
 EXTENSION OF ZONE: Yes - residential surrounding (R-2 and R-1A)
 HISTORY OF ZONING: Original application included approximately 3.45 acres. Applicant has since included the 3 acre property to the west.
 SURROUNDING LAND USE AND ZONING: North: Vacant, cemetery / R-2 (General Residential)
 South: Detached residential / R-1A (Low Density Residential)
 East: Vacant / R-1A (Low Density Residential)
 West: Vacant, cemetery / R-2 (General Residential)
 NEIGHBORHOOD CONTEXT: Vacant land with adjacent single family residential developed in the R-1A zone and nearby cemeteries in the R-2 zone.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE RP-1 (Planned Residential) zoning at a density up to 4 du/acre. (Applicant requested 6 du/ac)**
 The RP-1 (Planned Residential) zoning at a density of up to 4 du/ac is consistent with the sector plan and One Year Plan, and will allow uses compatible with the surrounding development and zoning pattern. RP-1 zoning requires a public review of a development at a future Planning Commission meeting that will address site development issues such as slope protection, drainage, and open space treatment.

COMMENTS:

This request for Planned Residential (RP-1) is intended to allow development of the site as shown in the attached "Concept Plan" (Exhibit A). The images shown in Exhibit B are the current design intent for the houses. The exhibits are for informational purposes only and are not to be approved as part of this rezoning. If the RP-1 zone is approved, a development plan must be approved by the Planning Commission at a future meeting and will include more detailed plans. This future review will provide an opportunity for the Planning Commission and the community to comment on the plan before obtaining approval for construction. The applicant's intent is to construct a neighborhood that has a similar scale as the Richmond Orchard development that is located to the east on Richmond Ave.

The existing zoning on the site is approximately 3 acres of R-2 and 3.5 acres of R-1A. The current R-2 zoning allows approximately 24 du/ac without public review before permitting. Also, both existing zones allow clearing of the site without public review. The proposed RP-1 zoning will allow a development plan similar to the attached Concept Plan to be considered for approval by the Planning Commission. The recommended density of 4 du/ac is similar to the existing neighborhood to the southeast which is built at a gross density of 3-4 du/ac. The Richmond Orchard development to the east has an approved development plan at approximately 4.2 du/ac.

This site is entirely within the Hillside Protection area with the steepest slopes located in the southeast corner of the site. The attached Concept Plan shows the intention of developing the flatter portions of the site, which includes slopes less than 15 percent, and proposes using the steeper areas as open space with trails and other low impact amenities. The Hillside and Ridgetop Protection Plan does not recommend density or grading restrictions on slopes less than 15 percent. The amount of grading and clearing of the site will be reviewed when the development plan is considered for approval.

To the west and southwest of the site are old cemeteries that had been unkempt for many years and had become overgrown. In 2012, the West View Community requested design assistance from the Community Design Center to plan for use and linkages of the historic cemeteries to their neighborhood (see Exhibit C). The applicant has expressed interest in connecting the internal trails of the development to those proposed in the cemeteries. If connections are proposed, it will be considered as part of the development plan.

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 is surrounded by properties zoned R-2 and R-1A, which allow residential densities that are equal to or greater than the recommended 4 du/ac. The portion of this property that is zoned R-2 is currently allowed to construct approximately 24 du/ac (72 units) which is substantially more than the recommended 4 du/ac for the entire lot (26 units). In addition, the existing zoning does not require conservation of any of the existing vegetation on the steeper slopes.
2. The proposed density of 4 du/ac is consistent with the development pattern of the surrounding area and the Low Density Residential (LDR) sector plan and One Year Plan land use designations.
3. The RP-1 zone requires development plan (use-on-review) approval by the Planning Commission prior to construction. This provides the opportunity for staff to review the plan and address issues such as topography, traffic circulation, lot layout, recreational amenities, drainage, types of units and other potential development concerns. The public will also have an opportunity to review and comment on the development plan at a future Planning Commission 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 flexibility in how residential developments are constructed and encourages 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 a development plan.

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. Public water and sanitary sewer utilities are available to serve the site.
2. At a density of 4 du/acres on 6.5 acres a maximum of 26 dwelling units can be proposed. If developed with detached residential units, this would add approximately 9 children to the school system.
3. RP-1 zoning at 4 du/acres is similar to the surrounding development density and should have minimal impact on adjacent properties. For instance, several of the existing contiguous blocks to the southeast have a gross density of 3.75 du/ac (71 lots on 19 acres), assuming each lot only has one dwelling unit.

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 Central City Sector Plan and the One Year Plan propose LDR (Low Density Residential) which allows consideration of a maximum of 6 du/acre.
2. The site is located within the Urban Growth Area (Inside City) on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. The site is entirely within the Hillside Protection area because it includes steep slopes and is uphill from steep slopes that are located off-site; however, there are areas on the site that are less steep and better suited for development. During the development plan review, the Planning Commission will determine how much of the site can be disturbed.
4. This proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: 301 (average daily vehicle trips)

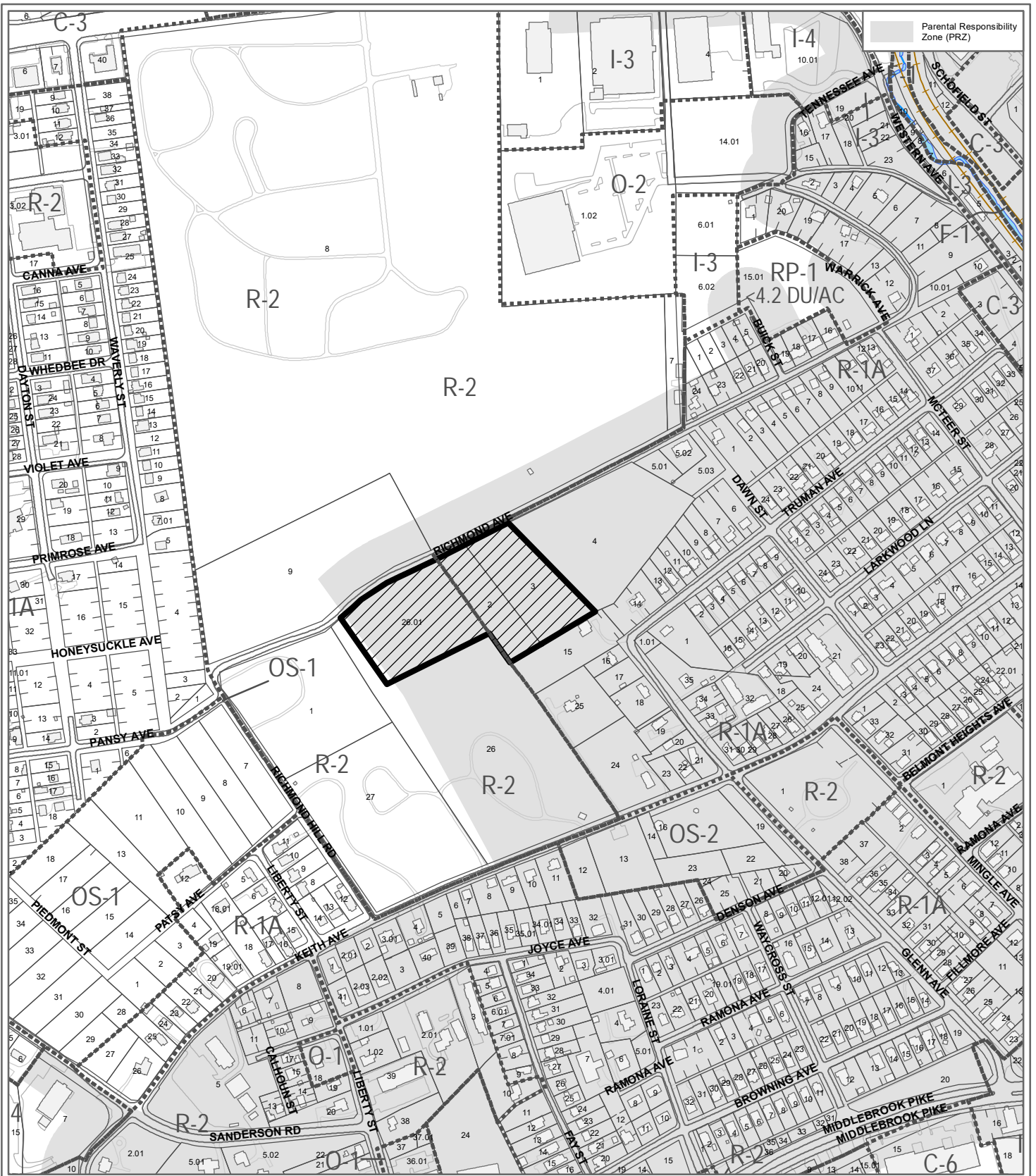
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 9 (public school children, ages 5-18 years)

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

- School-age population (ages 5–18) is estimated 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 3/12/2019 and 3/26/2019. If denied, Knoxville-Knox County Planning Commission'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 a Planning Commission decision in the City.



**11-C-18-RZ
REZONING**

From: R-1A (Low Density Residential)
To: RP-1 (Planned Residential)



Petitioner: Fortune, Chris

Map No: 94

Jurisdiction: City

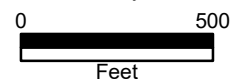


EXHIBIT A

CONCEPTUAL DEVELOPMENT PLAN -- NOT TO BE APPROVED WITH REZONING

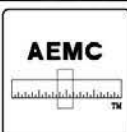
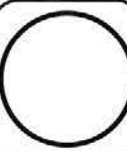


NOTES:

- Future walking trail
- Future fire pit / gathering area
- Treehouse
- Lookout tower
- Stormwater collection at each home eliminating the need of a large detention
- Gravel with grid underlayment for all access areas and walkways



FOR REVIEW ONLY
NOT FOR CONSTRUCTION



APPLIED ENGINEERING
& MANAGEMENT CORPORATION
2117 WOODSON DRIVE, SW
KNOXVILLE, TN 37920
(615) 585-6355

CONCEPT PLAN
THE BURROWS
A SMALL HOUSE COMMUNITY
KNOX COUNTY
TENNESSEE

DATE:	12/18
SCALE:	1"=50'
DRAWN BY:	JT
CHECKED BY:	JBT

REVISIONS:	

DRAWING NO: TBRA-001

SHEET:
CP1

of 1

Example of proposed house style



Example of proposed house style





WEST VIEW HISTORIC CEMETERY DISTRICT

The West View Community requested design assistance from the CDC to create a plan for use and linkage of the historic cemeteries in their neighborhood. The design team was comprised of the CDC staff and volunteer Landscape Architect Sara Hedstrom Pinnell, Principal with Hedstrom Designs. We first studied linkages between all of the historic cemeteries including Lonas, Jewish Cemetery, Middlebrook, Crestview, Longview, and Southern Chain Cemeteries. We then focused our design efforts on improving Crestview, Longview, and Southern Chain Cemeteries. We studied security, defining edges, and entrances.





Jeff Archer <jeff.archer@knoxmpc.org>

Chris Fortune Richmond Avenue postponement

2 messages

Chris <food4worms33@gmail.com>
To: jeff.archer@knoxmpc.org

Thu, Nov 29, 2018 at 1:24 PM

Jeff,

I would like to postpone our rezoning request for 512 Richmond Ave. and the adjacent parcel until the February 14 meeting. Let me know if you have any questions please.

Thank you,
Chris Fortune
865-237-0482

Sent from my iPhone

Jeff Archer <jeff.archer@knoxmpc.org>
Draft To: commission@knoxmpc.org

Thu, Nov 29, 2018 at 1:27 PM

[Quoted text hidden]

*** Revised ***

KNOXVILLE-KNOX COUNTY

M P C

METROPOLITAN
PLANNING
COMMISSION

T E N N E S S E E

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
www.knoxmpc.org

REZONING **PLAN AMENDMENT**

Name of Applicant: Chris Fortune

Date Filed: 9/24/18 Meeting Date: 11/8/2018

Application Accepted by: Mike Reynolds

Fee Amount: 600.⁰⁰ File Number: Rezoning 11-C-18-R2
755.⁰⁰

Fee Amount: _____ File Number: Plan Amendment _____



PROPERTY INFORMATION

Address: 512 Richmond and tract to East

General Location: 2 parcels total
South side Richmond Ave,
East of Richmond Hill Rd!

Parcel ID Number(s): 094 HQ 002 & 003
802601

Tract Size: ± 4 acres 7 acres

Existing Land Use: Vacant land

Planning Sector: Central City Sector Plan

Growth Policy Plan: Inside City Limits

Census Tract: 27

Traffic Zone: 101

Jurisdiction: City Council 3 District
 County Commission _____ District

Requested Change

REZONING

FROM: R1A & R2

TO: RP-1 (6 units/acre)

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____

TO: _____

PROPOSED USE OF PROPERTY

single family homes

Density Proposed 6 dupl unit Units/Acre

Previous Rezoning Requests: _____

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT

Name: Chris Fortune - representative

Company: Kathleen Christie

Address: 1909 Duncan Rd

City: Knoxville State: TN Zip: 37919

Telephone: 865-237-0482

Fax: _____

E-mail: food4worms33@gmail.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: same

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

Fax: _____

E-mail: _____

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: Chris Fortune - Representative

Company: Kathleen Christie

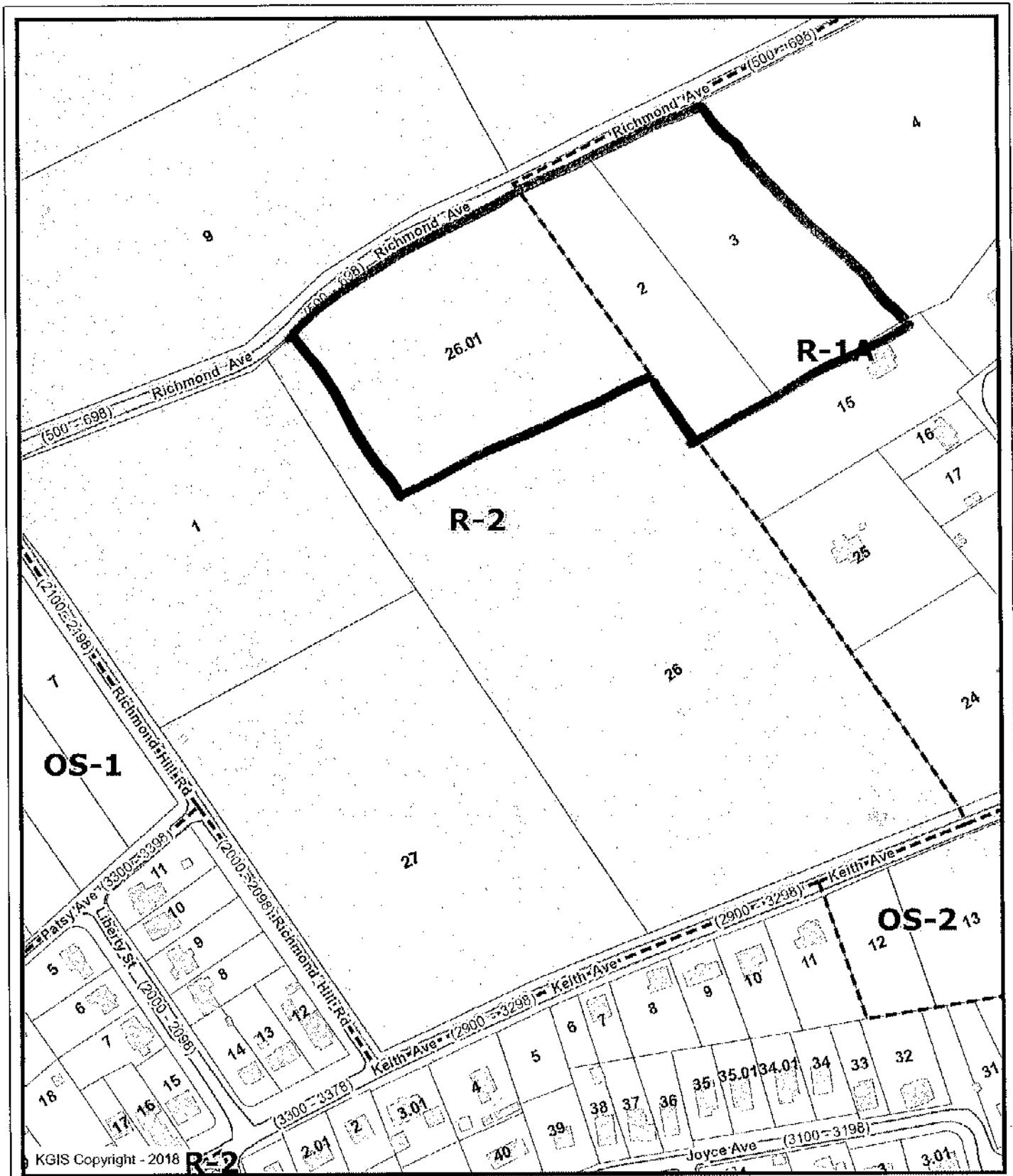
Address: 1909 Duncan Rd

City: Knoxville State: TN Zip: 37919

Telephone: 865-237-0482

E-mail: food4worms33@gmail.com

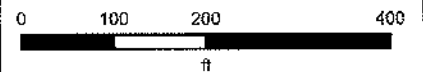
Revised Map



Letter Portrait



Printed: 12/17/2018 at 9:08:23 AM



Knoxville - Knox County - KUB Geographic Information System

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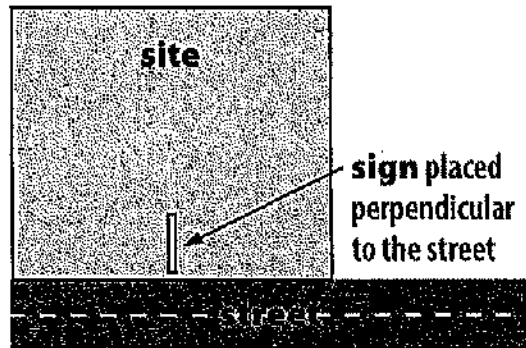
REQUIRED SIGN POSTING AGREEMENT

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:

October 24, 2018 and November 9, 2018
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: 

Printed Name: Chris Feature

Phone: 866 237 0482 Email: feed4worms33@gmail.com

Date: 9/24/18

MPC File Number: 11-C-18-RZ