

# REZONING REPORT

► **FILE #:** 11-C-18-RZ (REVISED) **AGENDA ITEM #:** 20

POSTPONEMENT(S): 11/08/18

**AGENDA DATE:** 1/10/2019

► **APPLICANT:** CHRIS FORTUNE

OWNER(S): Chris Fortune

TAX ID NUMBER: 94 H Q 002 003 & 02601

[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:** 7 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 20' 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:

SURROUNDING LAND North: Vacant / R-1 (General residential district)

USE AND ZONING: South: Low density residential / R-1A (Low density residential district)

East: Vacant / R-1 (General residential district)

West: Vacant / R-1 (General residential district)

NEIGHBORHOOD CONTEXT: Vacant land with adjacent single family residential and nearby cemeteries.

## STAFF RECOMMENDATION:

► **POSTPONE** until the February 14th MPC meeting, as requested by the applicant

Staff received a request via email on 11/29/2018 to postpone the application until the February 14th MPC meeting.

## 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. This site, which is accessed from Richmond Ave., in the vicinity of other properties that are zoned R-2 and R-1A.
2. The proposed low density (2 du/ac) residential zoning is less than the surrounding area. The recommended density is associated with applying the standards set forth in Knoxville-Knox County Hillside and Ridgetop Protection Plan.
3. The PR 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. PR 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 PR 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. Public water and sanitary sewer utilities are available to serve the site.
2. At the requested density of up to 2 du/ac on the 4 acres reported, up to 8 dwelling units could be proposed for the site. If developed with detached residential units, this would add approximately 2 children to the school system.
3. PR zoning at the recommended density is less than with surrounding development and should have a minimal impact on adjacent properties.

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 proposes low density residential uses for this property, consistent with PR zoning at up to 2 du/ac.
2. The site is located within the Urban Growth Area (Inside City) on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: 54 (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.

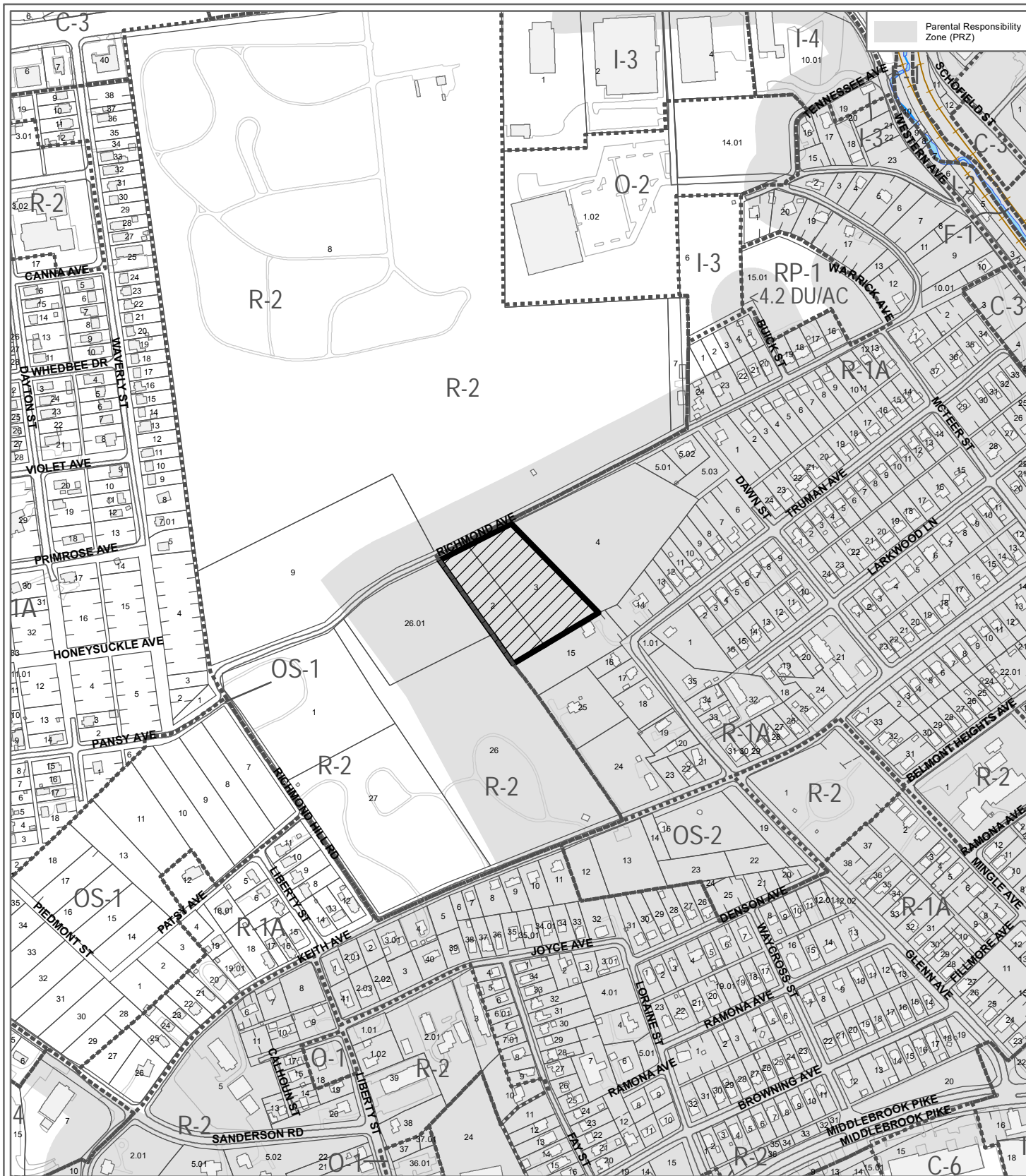
ESTIMATED STUDENT YIELD: 2 (public school children, ages 5-18 years)

Schools affected by this proposal: 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 12/4/2018 and 12/18/2018. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to

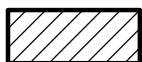
Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



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

From: R-1A (Low Density Residential)

To: RP-1 (Planned Residential)



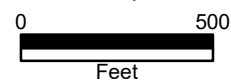
Original Print Date: 10/16/2018  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Revised:

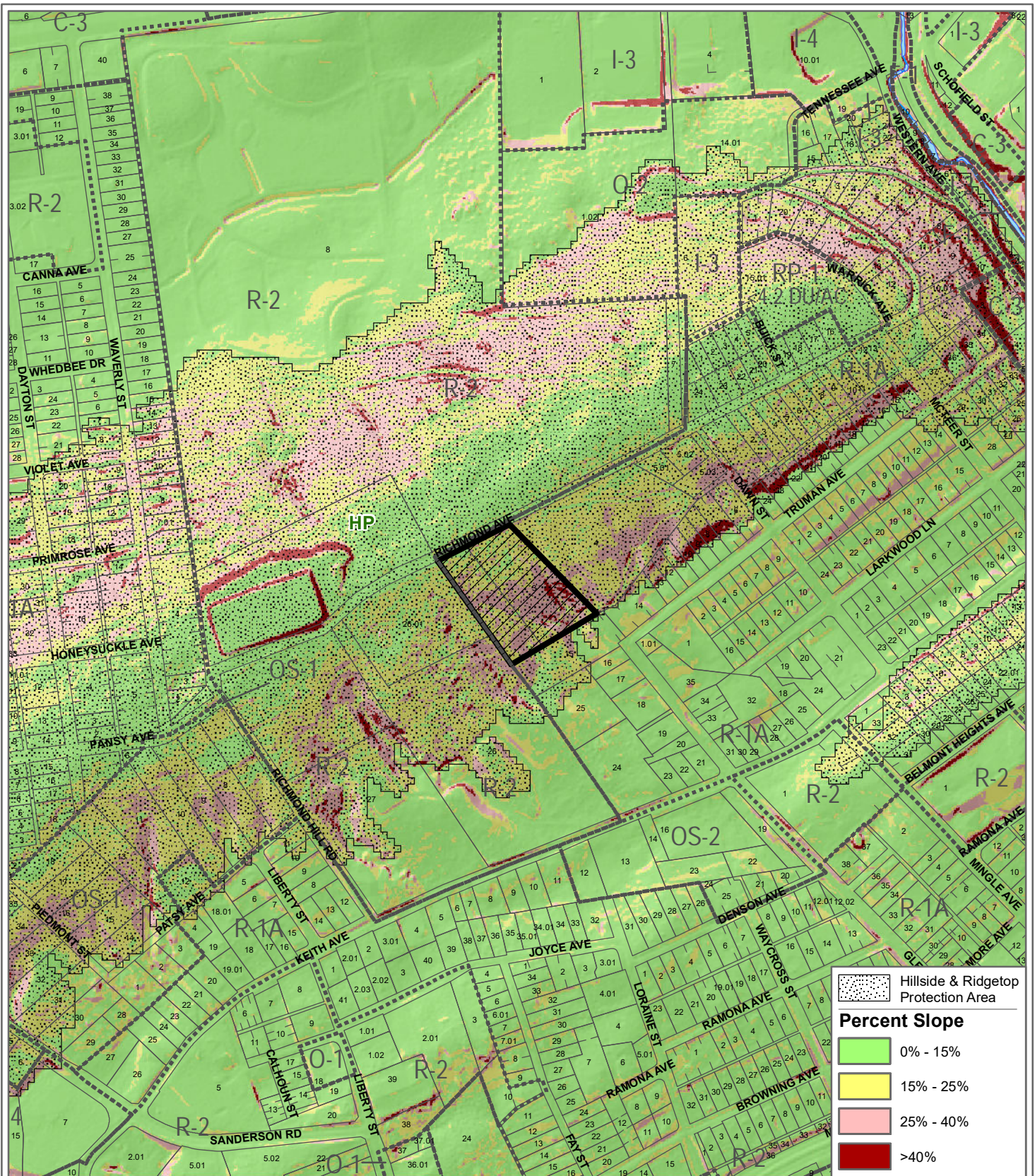
Petitioner: Fortune, Chris

Map No: 94

Jurisdiction: City







# **11-C-18-RZ** **REZONING - SLOPE ANALYSIS**

From: R-1A (Low Density Residential)

To: RP-1 (Planned Residential)



Original Print Date: 10/1/2018  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Revised:

Petitioner: Fortune, Chris

Map No: 94

Jurisdiction: City

0 500  
Feet





**MPC STAFF - SLOPE / DENSITY ANALYSIS**  
**11-C-18-RZ / CHRIS FOTUNE / R-1A to PR (6 DUA)**

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	0	6.00	0.0
0-15% Slope	0.36	6.00	2.2
15-25% Slope	1.56	2.00	3.1
25-40% Slope	1.42	0.50	0.7
Greater than 40% Slope	0.13	0.20	0.0
Ridgetops	0	0.00	0.0
Subtotal: Sloped Land	3.47		6.0
<b>Maximum Density Guideline</b> (Hillside & Ridgetop Protection Plan)	<b>3.47</b>	<b>1.73</b>	<b>6.0</b>
<b>Proposed Density (Applicant)</b>	<b>3.47</b>	<b>6.00</b>	<b>20.8</b>

**From Hillside & Ridgetop Protection Plan, page 33**

**LOW DENSITY AND RURAL RESIDENTIAL USES**

**Density and Land Disturbance Guidelines**

As proposals for changes to the zoning map and development plans/concept plans are considered, the following factors are recommended to determine the overall allowable density for residential rezonings and the overall land disturbance allowable in new development or subdivisions for those portions of parcels that are within the Hillside and Ridgetop Protection Area. These factors should be codified as regulations in the future. The areas of the Growth Policy Plan referenced below are presented on page 18.

**Table 3: Residential Density and Land Disturbance Guidelines**  
for Recommendations on Changes to the Zoning Map and Development Plan/  
Concept Plan Review within the Hillside and Ridgetop Protection Area  
that is within the Urban Growth and the Planned Growth Area

<i>Percent of Slope</i>	<i>Recommended Maximum Density Factor*</i>	<i>Recommended Maximum Land Disturbance Factor**</i>
0 - 15	Knox County: 5 dua City of Knoxville: 6 dua	100%
15 - 25	2 dua	50%
25 - 40	0.5 dua	20%
40 or more	0.2 dua	10%
Ridgetops***	***	***

*dua: dwelling units per acre*

\* These factors should be considered guidelines to determine an overall recommended residential density for requests for changes to the zoning map to planned residential (RP-1 in the city and PR in the county) zone districts that are considered by the Metropolitan Planning Commission prior to being considered by the appropriate legislative body. The resulting zone district development right would be considered a budget for dwelling units to be applied over the entire proposed development.

\*\* Until such time as regulations are codified by the appropriate legislative body, these factors should be considered guidelines to determine an overall recommended land disturbance area for development plans and concept plans that are considered for approval by the Metropolitan Planning Commission. The overall land disturbance area would be considered a budget for land disturbance to be applied over the entire proposed development.

\*\*\* Ridgetops are generally the more level areas on the highest elevations of a ridge. Because the shapes of Knox County ridges are so varied (see pages 8 – 9), the ridgetop area should be determined on a case-by-case basis with each rezoning and related development proposal.



Jeff Archer <jeff.archer@knoxmpc.org>

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## Chris Fortune Richmond Avenue postponement

2 messages

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**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

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

Thu, Nov 29, 2018 at 1:27 PM

[Quoted text hidden]

11/7/2018



11-C-18-RZ-PP-11-8-18

Knox MPC Mail: Fwd: Chris Fortune rezoning postpone

Sherry Michienzi <sherry.michienzi@knoxmpc.org>

RECEIVED

NOV 07 2018

Metropolitan  
Planning Commission

**Fwd: Chris Fortune rezoning postpone**

1 message

**Jeff Archer** <jeff.archer@knoxmpc.org>

Wed, Nov 7, 2018 at 8:58 AM

To: Sherry Michienzi <sherry.michienzi@knoxmpc.org>, Dori Caron  
<dori.caron@knoxmpc.org>

See postponement request below...

*- request 60 days -*

----- Forwarded message -----

From: **Chris Fortune** <food4worms@icloud.com>

Date: Wed, Nov 7, 2018 at 8:55 AM

Subject: Chris Fortune rezoning postpone

To: <jeff.archer@knoxmpc.org>

Jeff,



We want to postpone the requested rezoning until the January MPC meeting. Our case number is 11-C-18-RZ. Address is 512 Richmond Avenue and adjacent parcel. If you have any questions please let me know.

Thanks,  
Chris

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**Chris Fortune**  
(865) 237-0482  
food4worms33@gmail.com

Sent from my iPhone

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Jeff Archer, AICP  
Principal Planner  
Knoxville / Knox Metropolitan Planning Commission  
400 Main St, Suite 403



**\* Revised \***

KNOXVILLE-KNOX COUNTY

**M P C**

METROPOLITAN  
PLANNING  
COMMISSION

TE 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  
755.00

File Number: Rezoning 11-C-18-R2

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 du/s acre 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

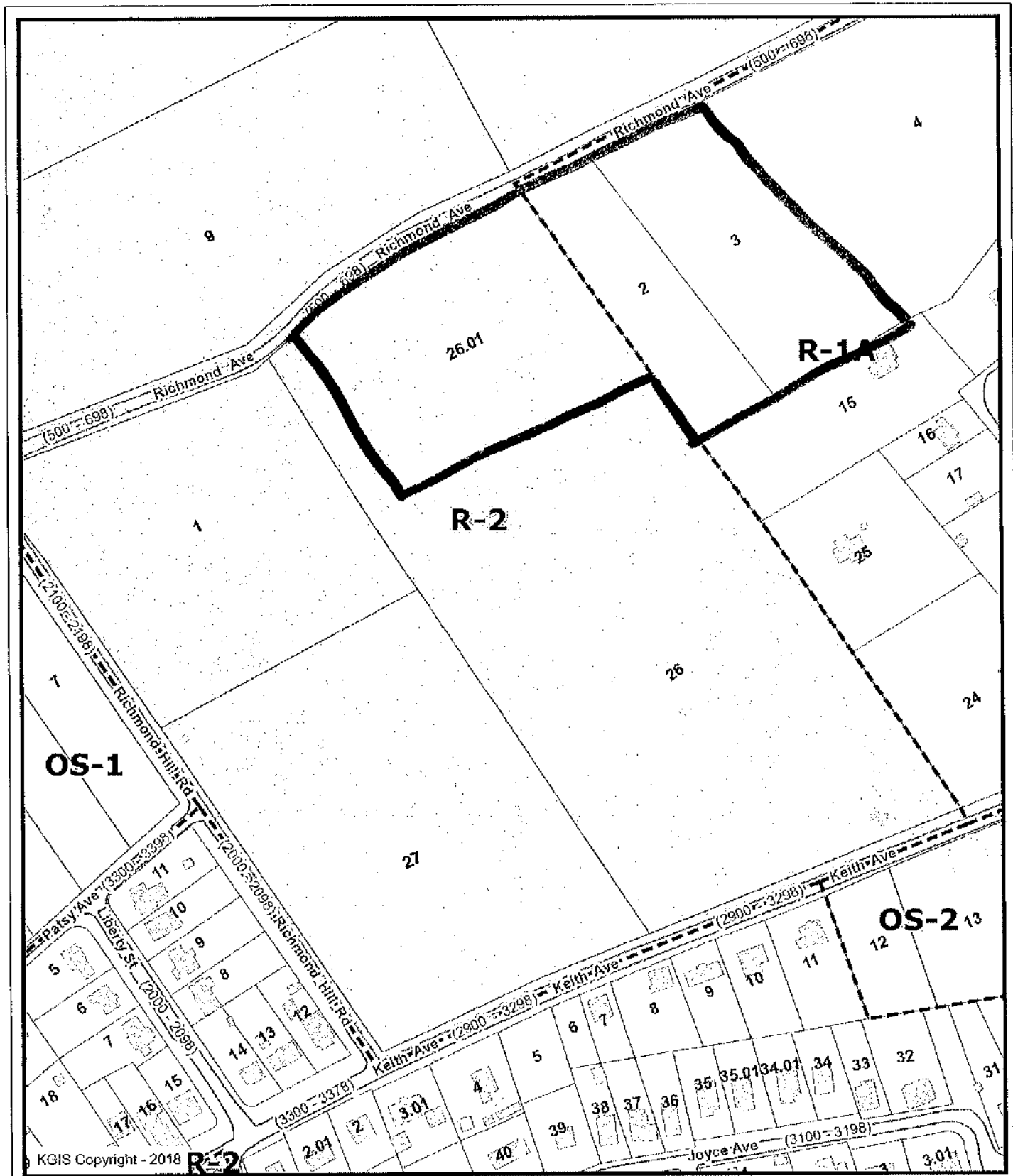
Address: 1909 Duncan Rd

City: Knoxville State: TN Zip: 37919

Telephone: 865-237-0482

E-mail: food4worms33@gmail.com

# Revised Map

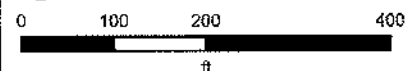


Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



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



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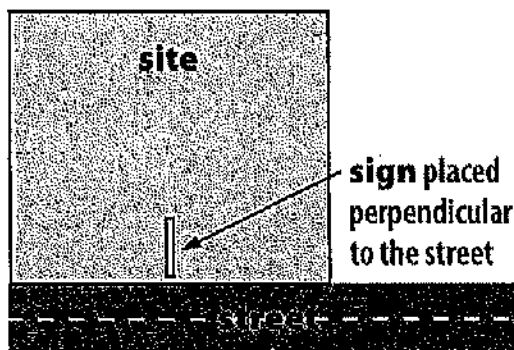
## REQUIRED SIGN POSTING AGREEMENT

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

(15 days before the MPC meeting)

and

November 9, 2018

(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