

**TO: Knoxville-Knox County Planning Commissioners**  
**FROM: Fountain City Town Hall, Inc.**  
**DATE: 7-2-21**

**RE: Item 12: File Nos. 7-A-21 (Sector Plan Amendment from LDR to MDR), 7-A-21-PA (One Year Plan Amendment from LDR to MDR), 7-A-21-RZ (Rezoning from RN-2 to RN-4)**

The Board of Fountain City Town Hall, Inc., asks that you **deny** the request to amend the Sector Plan and One Year Plan from Low Density Residential to Medium Density Residential, and to deny the rezoning from RN-2, Single-Family Residential, to RN-4 General Residential.

We ask that you deny these requests for these reasons:

1. The requests **fail** to meet the legally-required standards for plan amendments and rezonings. **We strongly disagree with the staff's position that these applications meet the legally-required standards that must be met in order to amend the plans or rezone property.**

The following language is quoted directly from the General Plan, Page 60. **Please note that the paraphrased General Plan language provided to you in the Staff Report is materially different from the language that actually appears in the General Plan.**

**GENERAL PLAN:**

*"Changes of Conditions Warranting Amendment of the Land Use Plan*

*Usually, **conditions that have changed sufficiently** to warrant a rezoning contrary to the plan's recommendation should result in an amendment to the land use map. Administrative procedures are in place to allow the Planning Commission to recommend minor plan amendments accompanied by rezoning applications. The Planning Commission reserves the authority to recommend land use plan changes **based on substantially changed conditions**. **Substantially changed conditions include:***

- Introduction of **significant** new roads or utilities that were not anticipated in the plan and make development more feasible.*
- An obvious and **significant** error or omission in the plan.*
- Changes in government policy, such as a decision to concentrate development in certain areas.*
- Trends in development, population, or traffic that warrant reconsideration of the original plan proposal."*

The Staff Report acknowledges that there are **no changes in the four substantial conditions** quoted above, from the General Plan. Given that fact, the Staff Report instead bases their recommendation on the idea that ***"There are plans for an Accelerated Bus Corridor along N. Broadway Avenue that will likely extend north into Fountain City."***

Again, the General Plan states that ***"The Planning Commission reserves the authority to recommend land use plan changes based on substantially changed conditions."***

***"...plans* for an Accelerated Bus Corridor along N. Broadway Avenue that will likely extend north into Fountain City", **do not** rise to the standard of a "substantially changed condition" as contemplated in the General Plan.**

**This is similar to amending a land use plan and rezoning property based on an existing PILOT Store's plan to introduce a new coffee flavor, rather than basing the amendment on a new PILOT Store having located in an area. Durable land use changes in a community should not be based on transient changes that may, or may not, materialize and that are easily changed.**

The rezoning request **fails** to meet the five standards required to be met in order to rezone property. There are no changed or changing conditions in the area that warrant a rezoning. The requested rezoning will indeed adversely affect the surrounding neighborhood that has experienced reinvestment in existing older single-family dwellings. This is an affordable neighborhood that deserves to be protected.

The Staff Report refers to this as an extension of a land use class and states that it is compatible with development in the area. We disagree. The "extension" is a destabilizing intrusion into the single-family low density RN-2 area. The medium density residential and office uses in the area are located in very different settings. For example, the area cited to the east, along Fountain, forms the backdrop of the Fountain City Lake and faces Broadway.

2. Given the constraints on this lot, it is unlikely that the intent of the Medium Density Residential designation can be realized on this property.

This 1.7 acre lot has significant constraints including a blue line stream, large drainage easement and buffer zone. These features occupy more than half of the lot. The development of this property is substantially limited by the small lot size (1.7 acres), and the presence of a blue line stream, large drainage easement and buffer zone.

3. Amending the plans and rezoning the property risk destabilizing this older neighborhood by jumping a significant natural topological feature that presently delineates the medium density area from the low density development in this neighborhood.

It is important to note that the major difference between RN-2 and RN-4 is that **multi-family dwellings and townhouses are allowed in RN-4, but are not allowed in RN-2. Single-family homes and duplexes are allowed in both RN-2 and RN-4.**

4. This neighborhood has experienced reinvestment in the existing single-family homes in recent years. These homes and investments should be respected. Given the constraints of this lot, it is unlikely that multi-family or townhouse development built under the RN-4 district regulations will be built in such a way as to complement the adjacent, older single-family RN-2 development.

For these reasons, we ask that you deny the Plan Amendment and Rezoning Requests.

Thank you.

Charlotte Davis, Carlene Malone, Land Use Co-Chairs, Fountain City Town Hall, Inc.  
865-687-8148