

CASE SUMMARY

APPLICATION TYPE: REZONING

KNOXVILLE-KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N

T E N N E S S E E

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File Number: 1-P-17-RZ **Related File Number:**
Application Filed: 11/29/2016 **Date of Revision:**
Applicant: WANDA MOODY

PROPERTY INFORMATION

General Location: South side Middlebrook Pike, east side Broome Rd.
Other Parcel Info.:
Tax ID Number: 106 O A 039-042 **Jurisdiction:** City
Size of Tract: 20.44 acres
Accessibility: Access is via Middlebrook Pike, a major arterial street with four lanes and a center median within 130' of right-of-way, or Broome Rd., a major collector street with 18' of pavement width within 50' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Dwelling and vacant land
Surrounding Land Use:
Proposed Use: Residential development **Density:** <6 du/ac
Sector Plan: Northwest City **Sector Plan Designation:** LDR
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This area is developed with low density residential uses under R-1, R-1E and RP-1 zoning.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 800 Broome Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RP-1 (Planned Residential) with conditions
Former Zoning:
Requested Zoning: RP-1 (Planned Residential) at less than 6 du/ac
Previous Requests: 7-F-05-RZ
Extension of Zone: The subject property is zoned RP-1 with conditions and the property to the north is zoned RP-1 at 1-5 du/ac.
History of Zoning: Property was rezoned RP-1 with conditions in 2007 (7-F-05-RZ)

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

MPC ACTION AND DISPOSITION

Planner In Charge: Michael Brusseau

Staff Recomm. (Abbr.): RECOMMEND that City Council APPROVE RP-1 (Planned Residential) zoning at a density of up to 5.99 du/ac.

Staff Recomm. (Full): RP-1 zoning at the requested density is consistent with the sector plan designation and will allow uses compatible with the surrounding land uses and zoning pattern.

Comments: In 2007, the subject property was rezoned from R-1 (Low Density Residential) to RP-1 (Planned Residential) with specific conditions on development. The conditions read as follows: Development limited to senior citizen housing with up to 68 villas and an assisted living facility for up to 80 individuals. A Memorandum of Agreement from the property owner, dated August 30, 2007, was also attached to the 2007 rezoning. A copy of that memorandum is attached to this staff report. The current applicant is requesting that the conditions be eliminated, allowing any type of residential development to be proposed, as long as within the assigned density.

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 either Broome Rd. or Middlebrook Pike, is in the vicinity of other properties that are zoned RP-1 at similar densities. These are located on the north side of Middlebrook Pike, directly across from the subject property.
2. The property is located in the City Limits of Knoxville on the Growth Policy Plan and is proposed for low density residential uses on the sector plan, consistent with the proposal.
3. The proposed low density residential zoning and development is compatible with the scale and intensity of the surrounding development and zoning pattern, which includes attached residential development to the north, also zoned RP-1.
4. The site is appropriate to be developed under RP-1 zoning at the maximum permissible density in the LDR category. The site does not have significant slope or other environmental constraints.
5. The RP-1 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-1 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-1 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. At the requested density of up to 5.99 du/ac on the 20.44 acres reported, up to 122 dwelling units could be proposed for the site. Developed with attached residential units, this would add approximately 1141 trips to the street system and about 13 children to the school system.

2. RP-1 zoning at the requested density is compatible with surrounding development and should have a minimal impact on adjacent properties.
3. The approval of this request will allow the applicant to submit a development plan with up to 122 dwelling units for MPC's consideration.
4. Public water and sewer utilities are available to serve the site, and the proposal is consistent with other zoning and density in the immediate area.

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 Northwest City Sector Plan proposes low density residential uses for this property, consistent with the proposed RP-1 zoning at up to 5.99 du/ac.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This proposal does not present any apparent conflicts with any other adopted plans.

Upon final approval of the rezoning, the developer will be required to submit a development plan for MPC consideration of use on review approval prior to the property's development. The plan will show the property's proposed development, landscaping and street network and will also identify the types of residential units that may be constructed. Grading and drainage plans may also be required at this stage, if deemed necessary by Knoxville Engineering and MPC staff.

Action: Approved **Meeting Date:** 2/9/2017

Details of Action:

Summary of Action: RP-1 (Planned Residential) zoning at a density up to 5.99 dwelling units per acre

Date of Approval: 2/9/2017 **Date of Denial:** **Postponements:** 1/12/2017

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:	Knoxville City Council	Date of Legislative Action, Second Reading:	3/28/2017
Date of Legislative Action:	3/14/2017	Other Ordinance Number References:	
Ordinance Number:		Disposition of Case, Second Reading:	Approved
Disposition of Case:	Approved	If "Other":	
If "Other":		Amendments:	
Amendments:		Effective Date of Ordinance:	
Date of Legislative Appeal:			