

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: 10-E-08-RZ **Related File Number:** 10-E-08-PA
Application Filed: 9/2/2008 **Date of Revision:**
Applicant: KENT AND STEVE COPELAND

PROPERTY INFORMATION

General Location: Northwest side Hillwood Dr., north of Dexter Ln.
Other Parcel Info.:
Tax ID Number: 95 O D 021 & 022 **Jurisdiction:** City
Size of Tract: 5.68 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Apartments **Density:**
Sector Plan: South City **Sector Plan Designation:** MDR and SLPA
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context:

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

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-3 (General Commercial)
Former Zoning:
Requested Zoning: R-3 (High Density Residential)
Previous Requests: None noted
Extension of Zone:
History of Zoning:

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:

Ken Pruitt

Staff Recomm. (Abbr.):

RECOMMEND that City Council APPROVE RP-3 (Planned Residential) zoning. The applicant requested R-3 (High Density Residential) zoning.

Staff Recomm. (Full):

The staff recommendation of RP-3 zoning does not require a One Year Plan amendment since the plan allows consideration of planned zones in this area. However, approval of the requested R-3 zone would require a plan amendment to HDR (High Density Residential). The staff recommended RP-3 zone provides the means to publicly address the following identified issues as part of any proposal for the site's development:

1. The site is within the proposed South Waterfront Plan expansion area and requires only planned zone consideration for any rezoning request made prior to its inclusion in the South Waterfront zone boundary. The applicant is seeking HDR (High Density Residential) plan designation and R-3 (High Density Residential) zoning which is not a planned zone.
2. The site has severe topographic constraints over 62% of its area.
3. Mature tree cover exist over much of the site and should largely be retained, although it may be necessary to thin some tree cover to provide water views from development on the site. However, the site should be protected from being completely cleared for development.
4. The development goals of the South Waterfront Plan, such as maximum building height (50 foot maximum), street scape and parking appearance, and building build to lines, be applied to this site's development due to its visibility from, and proximity to, the South Waterfront development area. The recommended RP-3 zone will allow this consideration through the site plan review process.
5. The site's proximity to the James White Parkway/ Anita Dr. interchange could make mixed use development of this site more desirable than the proposed residential use. Although RP-3 (Planned Residential) does not allow mixed use consideration, the site plan approval process could require high ground floor ceilings and window treatment that would allow building conversion to mixed use in the future.
6. A gated community would be out of character with the goals of the South Waterfront Plan and could negatively impact the plan's implementation in this area. RP-3 zoning would ensure that such a proposal at this site received public review and approval before occurring.
7. The proposed Hillwood Dr./Island Home Dr. realignment and improvement project may be impacted by this residential rezoning and development. RP-3 will allow that this realignment is considered as part of any development proposal.

Comments:

REZONING REQUIREMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. The residential proposal is an extension of residential zoning from the south and west.
2. There is an established residential zoning pattern on both sides of Hillwood Dr. in this area including R-3 zoning.
3. This zoning pattern is acceptable for this area.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The site has areas of steep slope that the required site plan approval process of RP-3 zoning can ensure are adequately addressed, as well as the compatibility with established residential uses.

EFFECTS OF THE PROPOSAL:

1. Public water and sewer utilities are available to serve the site.
2. The proposal is compatible with surrounding development and zoning.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS:

1. Approval of the One Year Plan amendment to HDR (High Density Residential) for the proposed RP-3 zoning would not be consistent with the South City Sector Plan, but could be compatible with the South Waterfront Development Plan.

2. This site is located within the Urban Growth Area (inside City) of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.

MPC Action: Approved **MPC Meeting Date:** 11/13/2008
Details of MPC action:
Summary of MPC action: RP-3 (Planned Residential)
Date of MPC Approval: 11/13/2008 **Date of Denial:** **Postponements:** 10/9/08
Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council
Date of Legislative Action: 12/16/2008 **Date of Legislative Action, Second Reading:** 12/30/2008
Ordinance Number: **Other Ordinance Number References:**
Disposition of Case: Approved **Disposition of Case, Second Reading:** Approved
If "Other": **If "Other":**
Amendments: **Amendments:**
Date of Legislative Appeal: **Effective Date of Ordinance:**