

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 11-C-18-RZ

Related File Number:

Application Filed: 9/25/2018

Date of Revision: 12/14/2018

Applicant: CHRIS FORTUNE

PROPERTY INFORMATION

General Location: South side of Richmond Ave., east of Richmond Hill Rd and west of McTeer St.

Other Parcel Info.:

Tax ID Number: 94 H Q 002, 003, & 026.01

Jurisdiction: City

Size of Tract: 6.5 acres

Accessibility: Access from Richmond Ave., a local street with 40' right of way and 18' of pavement width.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land

Surrounding Land Use:

Proposed Use: Single family homes

Density: 6 du/ac

Sector Plan: Central City

Sector Plan Designation: LDR

Growth Policy Plan: Urban Growth Area (Inside City Limits)

Neighborhood Context: Vacant land with adjacent single family residential developed in the R-1A zone and nearby cemeteries in the R-2 zone.

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

Street: 512 Richmond Ave

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1A (Low Density Residential) and R-2 (General Residential District)

Former Zoning:

Requested Zoning: RP-1 (Planned Residential)

Previous Requests:

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.

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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Mike Reynolds

Staff Recomm. (Abbr.): RECOMMEND that City Council APPROVE RP-1 (Planned Residential) zoning at a density up to 4 du/acre. (Applicant requested 6 du/ac)

Staff Recomm. (Full): 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.

Action: Approved **Meeting Date:** 2/14/2019

Details of Action:

Summary of Action: RECOMMEND that City Council APPROVE RP-1 (Planned Residential) zoning at a density up to 4 du/acre. (Applicant requested 6 du/ac)

Date of Approval: 2/14/2019 **Date of Denial:** **Postponements:** 1/10/19

Date of Withdrawal: **Withdrawn prior to publication?:** ☐ **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 3/12/2019

Date of Legislative Action, Second Reading: 3/26/2019

Ordinance Number:

Other Ordinance Number References: O-40-2019

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: