# CASE SUMMARY

#### APPLICATION TYPE: REZONING

File Number:	12-F-12-RZ	Related File Number:
Application Filed:	11/5/2012	Date of Revision:
Applicant:	MANORHOUSE MANAGEMENT, INC.	



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## PROPERTY INFORMATION

General Location:	Northwest side S. Northshore Dr., southwest side Wallace Rd.		
Other Parcel Info.:			
Tax ID Number:	133 08302 & 08303	Jurisdiction: City	
Size of Tract:	5.2 acres		
Accessibility:	Access is via S. Northshore Dr., a major arterial street with 20' of pavement width within 70' of right-of- way, or Wallace Rd., a minor collector street with 20' of pavement width within 55' of right-of-way. Access could also be gained from Branton Blvd., a local street with 2 lanes and a center median within 100' of right-of-way.		

#### GENERAL LAND USE INFORMATION

Existing Land Use:	Assisted living facility and vacant parcel		
Surrounding Land Use:			
Proposed Use:	Nursing home and assisted living facility		Density:
Sector Plan:	Southwest County	Sector Plan Designation:	Medium Density Residential
Growth Policy Plan:	Urban Growth Area (Inside City Limits)		
Neighborhood Context:	This area is developed primarily with residential uses under PR, RP-1 and RA zoning. An assisted living facility is located on the subject site, and there are two office developments nearby.		

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

Street:

Location:

**Proposed Street Name:** 

Department-Utility Report:

Reason:

#### ZONING INFORMATION (where applicable)

Current Zoning:	RP-1 (Planned Residential) (15 du/ac)
Former Zoning:	
Requested Zoning:	R-2 (General Residential)
Previous Requests:	12-K-88-RZ (rezoned to RP-1), 9-E-99-UR (Manorhouse)
Extension of Zone:	No
History of Zoning:	RP-1 was approved in 1988 (12-K-88-RZ).

#### PLAN INFORMATION (where applicable)

#### **Current Plan Category:**

Requested Plan Category:

### SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed:

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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 R-2 (General Residential) zoning, subject to 1 condition:
Staff Recomm. (Full):	1. Uses are limited to an assisted living facility and a nursing home.
	With the conditions noted above, the proposal will have a minimal impact on adjacent properties and is compatible with surrounding zoning. The proposed R-2 zoning is consistent with the sector plan proposal for the property.
Comments:	REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):
	<ul> <li>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:</li> <li>R-2 zoning will allow the subject property to be developed with a nursing home, which is a complementary use to the existing assisted living facility already in place on the site.</li> <li>With the recommended condition, R-2 zoning will be compatible with the surrounding development and zoning pattern.</li> <li>The R-2 zone allows nursing homes as a use permitted on review, so the project can be developed in such a way as to minimize the impact on surrounding residences. The condition limiting the uses will prevent the property from being developed with apartments or other R-2 permitted uses that may not be appropriate at this location.</li> <li>In 2010, MPC staff proposed an ordinance amendment that would have allowed a nursing home to be considered as a use on review in the RP-1, RP-2 and RP-3 zoning districts (5-A-10-OA). MPC recommended approval of the amendment to City Council on 7/8/10, per staff's recommendation, but the amendment was then denied by City Council on 8/10/10. Staff maintains that a nursing home is appropriate in the RP-1 zone, with use on review approval. If that ordinance amendment had been approved, this rezoning request would not have been necessary. The applicant could have just requested use on review approval for the nursing home in the RP-1 district. Staff's recommendation on this proposal basically accomplishes the same end result, except one extra step (rezoning) is required. The R-2 zone allows nursing homes as a use permitted on review, but the RP-1 zone does not permit them.</li> </ul>
	THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE: 1. The requested R-2 zoning is a residential district to provide for medium population density. The principal uses of land may range from houses to low density multi-dwelling structures and developments. Certain uses, which are more compatible functionally with intensive residential uses than with commercial uses are permitted. Some recreational, religious, educational facilities and other related uses in keeping with the residential character of the district may be permitted on review by the planning commission. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and usable open space for dwellings and related facilities, and through consideration of the proper functional relationship to each use permitted in this district. 2. Based on the above description and with the recommended condition, R-2 is an appropriate zone for this site. 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. The applicant proposes to develop a nursing home on the site in addition to the assisted living

No. of Lots Approved: 0

Date of Withdrawal:		Withdrawn prior to publication?:	_	
Date of Approval:	12/13/2012	Date of Denial:	Postponements:	
Summary of Action:	R-2 (k) (General Re	esidential) subject to 1 condition		
Details of Action:				
Action:	Approved		Meeting Date:	12/13/2012
	<ul> <li>the surrounding area and will have very minimal impact.</li> <li>The proposal will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.</li> <li>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:</li> <li>Both the Southwest County Sector Plan and the City of Knoxville One Year Plan propose medium density residential uses for the site, consistent with the proposed R-2 zoning.</li> <li>The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.</li> <li>This proposal does not present any apparent conflicts with any other adopted plans.</li> </ul>			
	the current RP-1 zo 2. This area is deviced condition to limit us	eloped primarily with low density reside es will insure that the proposed zoning	ntial houses. The reco	mmendation

## LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:	Knoxville City Council		
Date of Legislative Action:	1/8/2013	Date of Legislative Action, Second Reading: 1/22/2013	
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:	