

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: 12-K-17-RZ **Related File Number:**
Application Filed: 10/30/2017 **Date of Revision:**
Applicant: EVELYN KEITH

PROPERTY INFORMATION

General Location: Northwest side E. Emory Rd., northeast of Bishop Rd.
Other Parcel Info.:
Tax ID Number: 47 07504 & 07508 **Jurisdiction:** County
Size of Tract: 7 acres
Accessibility: Access is via E. Emory Rd., a major arterial street with 4 lanes and a center turning lane within 85' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residences and vacant land
Surrounding Land Use:
Proposed Use: Senior housing **Density:** 12 du/ac
Sector Plan: North County **Sector Plan Designation:** MDR/O
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This section of E. Emory Rd., is developed with a mix of residential, office and commercial uses under A, PR, RA, CA, CB and PC zoning.

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

Street: 961 E Emory Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
Former Zoning:
Requested Zoning: PR (Planned Residential)
Previous Requests: None noted
Extension of Zone: Yes, extension of PR zoning from the north and west
History of Zoning: None noted

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 County Commission APPROVE PR (Planned Residential) zoning at a density of up to 5 du/ac. (Applicant requested 12 du/ac.)

Staff Recomm. (Full):

The requested density of up to 12 du/ac is not necessary for the proposed development of an assisted living facility. The recommended zoning and density will allow MPC consideration of an assisted living facility as a use on review. The recommended density will eliminate the potential for the development of 84 independent apartment units, which may or may not be supported by residents of neighboring detached residential homes.

Comments:

Although the sector plan proposed medium density residential and office uses for the site, the requested density of up to 12 du/ac is not necessary for the proposed development of senior housing. If shared dining, transportation, medical and other services are provided for the residents as part of the project, then the use may be classified as an assisted living facility, which does not need the requested density. As recommended, the PR zoning at up to 5 du/ac will allow use on review consideration of the proposed senior housing project, without creating the potential for up to 84 standard apartment units. The applicant has indicated that 104 units are proposed, which, if classified as standard apartment development, would only allow up to 84 units. So, the proposed use must be classified as an 'assisted living facility' by the Knox County Administration Department, in order to be considered for use on review approval by MPC. The applicant has also indicated that only 24 of the proposed units would have a full kitchen, which demonstrates that there will be shared services. The applicant may also have to restrict the ages of residents to 55 and over, consistent with the definition of an assisted living facility in the Knox County Ordinance. The definition of an assisted living facility from the Ordinance is attached. If the site is approved for an assisted living facility, the area of the project may not be counted toward the overall density of the property. Any remaining area that is not included in the assisted living project may be developed with residential uses at a density of up to 5 du/ac.

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. PR is the most appropriate residential zone that can be considered for this site. The recommended density is compatible with the surrounding development and zoning pattern.
2. PR zoning at either the proposed or recommended density would be consistent with the recommended MDR/O sector plan proposal for the site, but the requested density of 12 du/ac is not necessary for the proposed use.
3. Limiting the density to 5 du/ac will also provide for better compatibility with surrounding residential land uses and zoning.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. PR 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 PR is the most appropriate zone for proposed development of 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. PR zoning at the recommended density will allow reasonable use of the property for residential development, while maintaining compatibility with surrounding development and zoning. The requested 12 du/ac is more intense than the prevailing densities in the area.
2. Based on the reported acreage of 7 acres, the recommended PR zoning at a density of up to 5 du/ac would allow for a maximum of 35 independent, detached dwelling units to be proposed for the site. That number of detached units would add approximately 395 vehicle trips per day to the street system and would add approximately 14 children under the age of 18 to the school system. The requested density of 12 du/ac would allow for a maximum of 84 attached dwelling units to be proposed for the site. That number of attached units would add approximately 816 vehicle trips per day to the street system and would add approximately 1 child under the age of 18 to the school system.
3. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.
4. Public water and sanitary sewer utilities are available in the area, but may need to be extended to serve the site.
5. This proposal does not present any apparent conflicts with any other adopted plans.

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 North County Sector Plan designates this site for medium density residential and office uses, consistent with PR zoning at up to 12 du/ac.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This request may lead to future requests for PR zoning in the future on other A-zoned properties in the area, consistent with the sector plan proposal.

Upon final approval of the rezoning, the developer will be required to submit a concept plan/use on review development plan prior to the property's development. The plan will show the property's proposed lot pattern 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 Knox County Engineering and MPC staff.

Action: Approved **Meeting Date:** 12/14/2017

Details of Action:

Summary of Action: Recommend the Knox County Commission approve PR (Planned Residential) zoning at a density up to 5 dwelling units per acre.

Date of Approval: 12/14/2017 **Date of Denial:** **Postponements:**

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 1/22/2018 **Date of Legislative Action, Second Reading:**

Ordinance Number: **Other Ordinance Number References:**

Disposition of Case: Approved **Disposition of Case, Second Reading:**

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**