

CASE SUMMARY

APPLICATION TYPE: ORDINANCE AMENDMENT

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

Suite 403 • City County Building
4 0 0 M a i n S t r e e t
Knoxville, Tennessee 37902
8 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
w w w • k n o x m p c • o r g

File Number: 5-B-10-OA **Related File Number:**
Application Filed: 4/27/2010 **Date of Revision:**
Applicant: METROPOLITAN PLANNING COMMISSION

PROPERTY INFORMATION

General Location:
Other Parcel Info.:
Tax ID Number: 999 999 **Jurisdiction:**
Size of Tract:
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use:
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: **Sector Plan Designation:**
Growth Policy Plan:
Neighborhood Context:

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

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason: Amendment to the City of Knoxville Zoning Ordinance, Article 4, Section 3.1, RP-1, RP-2, and RP-3 (Planned Residential) districts, to add nursing home as a use permitted on review in these districts

ZONING INFORMATION (where applicable)

Current Zoning:
Former Zoning:
Requested Zoning:
Previous Requests:
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.: Amendment to the City of Knoxville Zoning Ordinance, Article 4, Section 3.1, RP-1, RP-2, and RP-3 (Planned Residential) districts, to add nursing home as a use permitted on review in these districts

MPC ACTION AND DISPOSITION

Planner In Charge: Dan Kelly

Staff Recomm. (Abbr.): approval of the proposed amendment to add nursing home, with the proposed standards, as a use permitted on review in the RP-1, RP-2 and RP-3 zone districts of the City of Knoxville Zoning Ordinance

Staff Recomm. (Full):

Comments:

REQUEST

After conversations with developers that wish to provide a variety of elderly housing and services within the same development, MPC staff requests that MPC and City Council consider amending the City of Knoxville Zoning Ordinance, Article IV, Section 3.1, RP-1, RP-2, and RP-3 (Planned Residential) district, to add nursing home as a use permitted on review, with appropriate standards, in these districts.

BACKGROUND

The developers of property in the Deane Hill area are trying to create a community that offers a variety of housing, including housing and services that are oriented toward the fastest growing segment of our population, people over the age of 55. Previously, developers in East Knoxville have planned a similar community. The RP-1 (Planned Residential) zone district is the district of choice for many developers and MPC staff. Developers appreciate knowing the overall density that can be achieved within the district and the flexibility to provide a variety of products; while staff favors the zone because it requires development plan approval.

Senior oriented housing developments often provide a variety of housing and services within the same community, ranging from houses on large lots, house on small lots, duplexes, single-level condominiums, apartments, and assisted living facilities. More recently, many companies have been linking assisted living facilities with nursing homes.

Currently, within the RP-1 district, a developer can provide a variety of housing, including assisted living, but the district does not allow the development of a nursing home. The proposed amendment adds nursing homes to the list of uses permitted on review that may be considered under the RP-1, RP-2 and RP-3 zone districts.

ANALYSIS

Other residential zone districts in the Knoxville Zoning Ordinance already make the link between assisted living facilities and nursing homes. R-1A (Low Density Residential) and R-2 (General Residential) districts list assisted living facilities and nursing homes as uses permitted on review. The RP-1, RP-2 and RP-3 districts currently only list assisted living facilities as a use permitted on review.

Many communities list nursing homes as a permitted type of residential use – as the name nursing HOME implies - and many communities allow nursing homes as a conditional or special use (comparable to our use on review) in all or many residential zone districts. More and more communities are using the term “elderly housing”, which includes assisted living and nursing homes, as a land use category.

At the request of the planning commission MPC staff met with the City of Knoxville Neighborhood Advisory Council on June 9th to discuss the proposed amendment. See Exhibit B. The Council, after taking a vote to advise further public meetings and a vote to support the proposed amendment, was unable to make a recommendation.

Since the planning commission first saw this proposed amendment, standards have been added for consideration with nursing homes as a use permitted on review. Paragraph h of the standards addresses the concept of linking assisted living facilities with nursing homes and a variety of other

housing. See Exhibit A

In addition to the specific standards associated with the proposed amendment, any use on review must satisfy the general standards listed at Article V, Section 3:

1. The use must be consistent with adopted policies and plans, including the General Plan;
2. The use must be in harmony with the general purpose and intent of the zoning regulations;
3. The use must be compatible with the character of the neighborhood where it is proposed, and with the size and location of buildings in the vicinity;
4. The use will not significantly injure the value of adjacent property or detract from the immediate environment;
5. The use must not be of a nature or so located as to draw substantial additional traffic through residential streets; and
6. The nature of the development in the surrounding area must not be such as to pose a potential hazard to the proposed use or to create an undesirable environment for the use.

Action: Approved **Meeting Date:** 7/8/2010

Details of Action:

Summary of Action: Approve the amendment

Date of Approval: 7/8/2010 **Date of Denial:** **Postponements:** 5/13/2010

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 8/10/2010

Ordinance Number:

Disposition of Case: Denied

If "Other":

Amendments:

Failed for lack of second

Date of Legislative Appeal:

Date of Legislative Action, Second Reading:

Other Ordinance Number References:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: