

# CASE SUMMARY

APPLICATION TYPE: REZONING

ONE YEAR PLAN AMENDMENT



File Number: 7-B-18-RZ                      Related File Number: 7-B-18-PA  
Application Filed: 4/25/2018              Date of Revision:  
Applicant: ELMINGTON CG, LLC

## PROPERTY INFORMATION

General Location: West side Hollywood Rd., south side I-40  
Other Parcel Info.:  
Tax ID Number: 107 F G 04101 & 04103                      Jurisdiction: City  
Size of Tract: 5.11 acres  
Accessibility:

## GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land  
Surrounding Land Use:  
Proposed Use: Attached multi-dwelling residential                      Density: 30 du/ac  
Sector Plan: West 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-4 (Highway and Arterial Commercial)  
Former Zoning:  
Requested Zoning: RP-2 (Planned Residential)  
Previous Requests: Property was rezoned from C-3 to C-4 in 1987 (2-B-87-RZ)  
Extension of Zone:  
History of Zoning:

## PLAN INFORMATION (where applicable)

Current Plan Category: MDR (Medium Density Residential)  
Requested Plan Category: HDR (High Density Residential)

## **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:** Michael Brusseau

**Staff Recomm. (Abbr.):** RECOMMEND that City Council APPROVE RP-2 (Planned Residential) zoning at a density of up to 30 du/ac, subject to one condition.

**Staff Recomm. (Full):** 1. The rear, westernmost portion of the site must remain undisturbed, consistent with the hatched area depicted on the attached map labeled 'No Disturbance Area'. This boundary is defined by the 980' elevation on the topography map.

With the recommended condition, this site is appropriate to be developed under RP-2 zoning at up to 30 du/ac. The property is currently zoned C-4, which could lead to extensive clearing and grading of the steeper portions of the site for any number of commercial uses, with no review required by MPC. The recommended rezoning will prevent further clearing and grading of the hillside, and allow compatible infill development at an appropriate location. Transit service (KAT) is not currently available at the site, but is available to the north at Lonas Dr. or to the south at Kingston Pike.

**Comments:**

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. RP-2 zoning at the recommended density is compatible with the scale and intensity of the surrounding development and zoning pattern.
2. Rezoning of the site for this planned residential development will prevent this site from being developed with C-4 commercial uses, which would likely involve extensive grading of the site, with no review by MPC.
3. Staff has produced the attached slope analysis for the site, showing steep slopes in the western portions of the site. Based on that slope analysis map and the attached topography map, staff has recommended that those steepest areas remain undisturbed. A condition is recommended that that steeper area (1.78 acres) remain undisturbed. The proposed dwelling units should be clustered on the remaining, flatter portion of the site (3.32 acres).
4. The RP-2 zone requires use on review approval of a development plan by MPC prior to construction. This will provide the opportunity for staff to review the plan and address issues such as traffic circulation, lot layout, recreational amenities, drainage, types of units and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.

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

1. RP-2 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 RP-2 is the most appropriate zone for this development.

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 recommended RP-2 zoning is compatible with the surrounding land uses and zoning pattern.
2. RP-2 zoning will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.
3. The proposed RP-2 zoning at a density of up to 30 du/ac would allow for a maximum of 153 dwelling units to be proposed for this 5.11 acre site. That number of attached multi-dwelling units, as

proposed. would add approximately 1399 vehicle trips per day to the street system and would add approximately 2 children under the age of 18 to the school system.

4. Hollywood Rd. is a minor collector street that is adequate to handle the additional traffic generated by allowing high density residential uses on the site. There are traffic signals at the two closest intersection at Lonas Dr. to the north and at Sutherland Ave. to the south. Adequate sight distance will have to be certified from the proposed development entrance as part of the development plan review process.

5. A traffic impact study will be required to be submitted along with the development plan if the proposed development is projected to generate 750 trips per day or more, which appears likely.

6. With the number of units possible, and the close proximity to a school and commercial areas, staff will expect that sidewalks will be installed along Hollywood Rd. in front of the site. Pedestrian connections from the site to this sidewalk will also be expected.

7. The RP-2 zoning district stipulates that the amount of land set aside for permanent usable open space and recreational use shall be 15 percent of the gross developable area. Staff will expect that the development will include some recreational space in addition to the open space that will be required within the recommended non-disturbance areas.

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. With the recommended amendment to the City of Knoxville One Year Plan to high density residential on the accompanying application (7-B-18-PA), RP-2 zoning will accurately reflect the zoning and future development of the site.

2. With the recommended amendment to the West City Sector Plan to high density residential on the accompanying application (7-B-18-SP), RP-2 zoning at the requested density would be consistent with the plan.

3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.

4. This recommended RP-2 zoning does not present any apparent conflicts with any other adopted plans.

**Action:** Approved **Meeting Date:** 7/12/2018

**Details of Action:** RECOMMEND that City Council APPROVE RP-2 (Planned Residential) zoning at a density of up to 24 du/ac, subject to one condition.  
1. The rear, westernmost portion of the site must remain undisturbed, consistent with the hatched area depicted on the attached map labeled 'No Disturbance Area'. This boundary is defined by the 980' elevation on the topography map.

**Summary of Action:** RECOMMEND that City Council APPROVE RP-2 (Planned Residential) zoning at a density of up to 24 du/ac, subject to one condition.  
1. The rear, westernmost portion of the site must remain undisturbed, consistent with the hatched area depicted on the attached map labeled 'No Disturbance Area'. This boundary is defined by the 980' elevation on the topography map.

**Date of Approval:** 7/12/2018 **Date of Denial:** **Postponements:**

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

## LEGISLATIVE ACTION AND DISPOSITION

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 8/14/2018

**Date of Legislative Action, Second Reading:** 8/28/2018

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:** Approved

**Disposition of Case, Second Reading:** Approved  
(Emergency)  
amended

**If "Other":**

**If "Other":** Approve RP-1 up to 24 du/ac subject to 1 condition

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**