

CASE SUMMARY

APPLICATION TYPE: REZONING

CENTRAL CITY SECTOR PLAN 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

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File Number: 9-E-12-RZ **Related File Number:** 9-D-12-SP
Application Filed: 7/26/2012 **Date of Revision:**
Applicant: MARTHA N. WATKINS

PROPERTY INFORMATION

General Location: North side Forest Ave., west side S. Twenty Third St.
Other Parcel Info.:
Tax ID Number: 94 O D 014, 016, 017, 018 **OTHER:** 01801, 01802 & 020 **Jurisdiction:** City
Size of Tract: 5.6 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Wholesale produce business
Surrounding Land Use:
Proposed Use: Apartments **Density:**
Sector Plan: Central City **Sector Plan Designation:** Medium Density Residential
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: I-2 (Restricted Manufacturing and Warehousing)
Former Zoning:
Requested Zoning: R-3 (High Density Residential)
Previous Requests: None noted
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.:

MPC ACTION AND DISPOSITION

Planner In Charge:

Michael Brusseau

Staff Recomm. (Abbr.):

RECOMMEND that City Council APPROVE RP-3 (Planned Residential) zoning at a density of 24-60 du/ac. (Applicant requested R-3.)

Staff Recomm. (Full):

The recommended zoning and density is a logical extension from the east, is consistent with the One Year Plan proposal for the area and requires development plan approval by MPC prior to development, unlike the requested R-3 zoning.

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-3 zoning at 24-60 du/ac will allow the subject property to be redeveloped with high density apartments, consistent with adjacent land uses and zoning to the east.
2. Since the majority of the newer apartment development in the area has been developed in a planned zoning district, staff recommends RP-3 zoning rather than the requested R-3. This will require use on review approval of a development plan by MPC, and will give the public and others the opportunity to review and comment on the proposed plans for the site. MPC staff will expect that the proposed development will include most of the same amenities that are in place in the apartments to the east, such as on-street parking and streetscaping, bicycle racks and sidewalks. Also, the developer should consider extending Grand Ave. and Forest Ave. west to the railroad right-of-way, similar to Highland Ave., Laurel Ave. and Clinch Ave. to the south.
3. If developed under RP-3 zoning, the site can be developed in such a way to be compatible and consistent with the adjacent development to the east.

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

1. RP-3 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-3 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. Potential negative impacts will be minimized with RP-3 zoning, as it requires development plan approval by MPC.
2. This area has been under development with medium to high density residential projects for many years, so the proposed zoning and use of this site is compatible with the surrounding area and will have very minimal impact.
3. The proposal will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.

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 plan amendment to HDR, RP-3 zoning at a density of 24 to 60 du/ac would be consistent with the Central City Sector Plan.
2. The City of Knoxville One Year Plan proposes medium or high density residential uses for the site,

- consistent with either the recommended RP-3 zoning and density or the requested R-3 zoning.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
 4. This proposal does not present any apparent conflicts with any other adopted plans.

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

Action: Approved **Meeting Date:** 9/13/2012

Details of Action:

Summary of Action: RP-3 (Planned Residential) zoning at a density of 24-60 dwelling units per acre

Date of Approval: 9/13/2012 **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: 10/16/2012

Date of Legislative Action, Second Reading: 10/30/2012

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: