

CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



File Number: 1-A-23-SU
Application Filed: 11/28/2022
Applicant: AMY SHERRILL

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: Southeast side of E. Scott Ave, southwest of Harvey St
Other Parcel Info.:
Tax ID Number: 81 L Q 015.01 **Jurisdiction:** City
Size of Tract: 18633 square feet
Accessibility: Access is via E Scott Ave, a local road with a pavement width of 30-ft within a right-of-way width of 46-ft.

GENERAL LAND USE INFORMATION

Existing Land Use: Wholesale
Surrounding Land Use:
Proposed Use: Remove previously approved planned district designation (C) **Density:**
Sector Plan: Central City **Sector Plan Designation:** TDR (Traditional Neighborhood Residential)
Growth Policy Plan: N/A (Within City Limits)
Neighborhood Context: This area is primarily residential and is characterized by a mix of detached and attached houses, smaller lots and alleys.

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

Street: 428 E SCOTT AVE
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-5 (General Residential Neighborhood), H (Historic Overlay)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: In 2018, the site was rezoned from R-1A (Low Density Residential) / H-1 (Historic Overlay) to the current RP-1 (Planned Residential) / H-1 (Historic Overlay).

PLAN INFORMATION (where applicable)

Current Plan Category: TDR (Traditional Neighborhood Residential)

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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Whitney Warner

Staff Recomm. (Abbr.):

APPROVE the request to remove the previously approved planned district (C) designation from this parcel.

Staff Recomm. (Full):

Comments:

Prior to adoption of the new zoning ordinance, this parcel was zoned RP-1 (Planned Residential) / H-1 (Historic Overlay). Per Article 1.4.G. (Previously Approved Planned Districts) of the City of Knoxville Zoning Ordinance, all previously approved planned districts remain in effect and are subject to all plans, regulations, and/or conditions of their approval.

In 2018, the property was rezoned RP-1 (Planned Residential) / H-1 (Historic Overlay) and staff could not find any previous applications for development plan approval on this site. The former RP-1 zoning allows flexibility in the types of residential uses that can be considered (attached and detached houses and multi-family) and commercial/office and community facilities as uses permitted on review. If the former RP-1 zoning is removed from the site, the new RN-5/H-1 zoning will apply to the property. That allows similar residential uses and similar commercial/office uses as a permitted use on review as RP-1. When this site was rezoned in 2018, it was commercial and is still commercial use today.

STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2.)

1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.

A. The One Year Plan and Central City Sector Plan designation for this site is TDR (Traditional Neighborhood Residential).

B. RN-5/H-1 zoning that the applicant is requesting to develop under is consistent with the plans.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.

A. Any proposed new uses will be required to be consistent the general purpose and intent of the zoning code.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. The permitted uses in the RN-5 zone are compatible with the character of the neighborhood.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.

A. The permitted uses in the RN-5 zone should not injure the value of adjacent property.

5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

A. The site is located just off West Glenwood Ave, a collector street, so it will not draw substantial additional traffic through residential streets.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for future uses on this site.

Action: Approved **Meeting Date:** 1/12/2023

Details of Action:

Summary of Action: APPROVE the request to remove the previously approved planned district (C) designation from this parcel.

Date of Approval: 1/12/2023

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: 2/7/2023

Date of Legislative Action, Second Reading: 2/7/2023

Ordinance Number:

Other Ordinance Number References: O-45-2023

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: