

CASE SUMMARY

APPLICATION TYPE: REZONING

ONE YEAR PLAN AMENDMENT



File Number: 1-B-21-RZ

Related File Number: 1-B-21-PA

Application Filed: 8/15/2020

Date of Revision:

Applicant: TIM HOWELL

PROPERTY INFORMATION

General Location: South of Knott Ave., west of Pilkay Rd.

Other Parcel Info.:

Tax ID Number: 107 D A 01801 OTHER: 107DJ003-007, & 107DJ013 Jurisdiction: City

Size of Tract: 2.05 acres

Accessibility: Knott Road is a local road that terminates at Third Creek in front of this property. It has a pavement width of 16 feet inside a right-of-way that varies in width from 42 to 64 feet.

GENERAL LAND USE INFORMATION

Existing Land Use: Agricultural/forestry/vacant

Surrounding Land Use:

Proposed Use:

Density:

Sector Plan: Central City Sector Plan Designation: TDR (Traditional Neighborhood Residential)

Growth Policy Plan: Within City limits

Neighborhood Context: Third Creek runs adjacent to this property and forms a natural barrier visually and physically from the property to the west. The rest of the surrounding neighborhood is single family residential homes with smaller lots averaging approximately 5,000 square feet.

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

Street: 0 Knott Ave, 0 Pilkay Rd., & 3415 Pilkay Rd.

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-2 (Single-Family Residential Neighborhood) / F (Floodplain Overlay)

Former Zoning:

Requested Zoning: RN-6 (Multi-Family Residential Neighborhood) / F (Floodplain Overlay)

Previous Requests:

Extension of Zone: No

History of Zoning: None noted for this property

PLAN INFORMATION (where applicable)

Current Plan Category: TDR (Traditional Neighborhood 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: Michelle Portier

Staff Recomm. (Abbr.): Deny RN-6 (Multi-Family Residential Neighborhood District) zoning because it does not meet all of the criteria for a rezoning, is not consistent with surrounding development, and the higher density could result in adverse impacts for the surrounding single family neighborhood; retain the F (Floodplain Overlay) District.

Staff Recomm. (Full):

Comments:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.3, SUBSECTIONS 1-3:

THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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 GENERALLY:

1. There have been no recent, significant changes in this area that would prompt a rezoning.
2. The new zoning ordinance created opportunities elsewhere for large apartment developments, which are more appropriate on main thoroughfares close to transit opportunities.
3. There is an increased need for housing. However, the property is already zoned for residential use and the land could be subdivided into lots consistent in size with the existing neighborhood to meet this demand.

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

1. The RN-6 (Multi-Family Residential Neighborhood) District is intended to accommodate high density neighborhoods in the City of Knoxville characterized by a mixture of all housing types including single-family, two-family, townhouse, and multi-family.
2. This parcel does not meet the stated zoning intent as described above.
3. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses. The RN-6 zone allows multifamily developments by right, so an apartment development would not come to the Planning Commission for approval.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. RN-6 is one of the most dense and intense residential zones in the City's zoning ordinance, and this is not in character with the existing surrounding low-density zoning.
2. This intensity is not appropriate at the rear of a residential neighborhood where traffic would traverse through the neighborhood to reach the site.
3. Number of dwelling units allowed/anticipated by RN-6 zoning on the combined properties of 1-A-21-RZ and 1-B-21-RZ (rough calculations not including deductions for stormwater detention, which vary):
 - a. If the rezonings for both related cases were approved, the development could result in up to 201 dwellings. (This property is 89,298 square feet in area. The RN-6 zone requires a minimum of 5,000 square feet for the first dwelling unit, then 950 square feet for each additional dwelling unit, for a total of 91 dwellings allowed on this property. The property for the related case is 102,593.20 square feet in area,

for a total of 110 dwellings units allowed on that property.) The total for both properties is 201 units.

b. The application indicates multifamily use with a density of 40 du/ac. That calculation results in a maximum of 180 units [(2.47 ac + 2.05 ac) x 40 du/ac].

5. The type of structures needed to accommodate this many dwellings would likely result in development at a larger scale than that of the surrounding area.

6. There is a small apartment complex to the west, but it is across Third Creek, which is heavily vegetated and creates a physical and visual barrier between that development and this neighborhood. The two developments would not feel they were part of the same neighborhood. A multifamily development on this site could have adverse impacts on the surrounding single family residential properties.

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 existing TDR (Traditional Neighborhood Residential) designation is characterized by small lots. As such, the scale of the existing structures and character of the neighborhood has more of a traditional neighborhood feel than could be accommodated under the requested land use, zoning, and density, resulting in a development that is out of character with the surrounding area.

2. The Central City Sector Plan's current TDR designation does not support RN-6 zoning. Plan amendments to HDR (High Density Residential) for both the Central City Sector Plan and the City's One Year Plan would be required for the requested RN-6 zone to be in accordance with the plans.

3. The HDR land use classification is out of character with the existing subdivision.

4. The parcel does not meet all of the location criteria for the HDR land use class as specified in the Land Use Classification Table, which is utilized by both the One Year Plan and Central City Sector Plan. The table cites the following location criteria for HDR land use:

a. On major collector and arterial streets (all streets bordering the proposed developments are local roads;

the development is at the rear of an established neighborhood);

b. Adjacent to regional shopping and major office districts (the commercial development to the north is along

a different roadway, so this development would not function as a transition between that commercial

development and the single family residential development in Marble City Neighborhood);

c. Relatively flat sites with less than 10% slopes (the site meets this criteria; however, a significant portion of

the site is in FEMA floodplains);

d. Along or near corridors served by transit; densities above 12 du/ac to be served by sidewalks (none of

these roadways are served by transit, nor are they served by sidewalks).

Action: Denied

Meeting Date: 7/8/2021

Details of Action:

Summary of Action: Deny RN-6 (Multi-Family Residential Neighborhood District) zoning because it does not meet all of the criteria for a rezoning, is not consistent with surrounding development, and the higher density could result in adverse impacts for the surrounding single family neighborhood; retain the F (Floodplain Overlay) District.

Date of Approval:

Date of Denial: 7/8/2021

Postponements: 1/14/2021, 4/8/2021

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Date of Legislative Action:

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: