

# CASE SUMMARY

## APPLICATION TYPE: REZONING

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:** 10-F-09-RZ      **Related File Number:** 10-C-09-SP  
**Application Filed:** 8/24/2009      **Date of Revision:**  
**Applicant:** CITY OF KNOXVILLE-DEPARTMENT OF COMMUNITY DEVELOPMENT

### PROPERTY INFORMATION

**General Location:** Southwest side Johnston St., southeast of Heiskell Ave.  
**Other Parcel Info.:**  
**Tax ID Number:** 81 I G 003      **Jurisdiction:** City  
**Size of Tract:** 0.16 acres  
**Accessibility:**

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant  
**Surrounding Land Use:**  
**Proposed Use:** Single detached dwelling      **Density:**  
**Sector Plan:** Central City      **Sector Plan Designation:** Commercial  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:**

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

**Street:** 3139 Johnston St  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** C-1 (Neighborhood Commercial) / IH-1 (Infill Housing Overlay)  
**Former Zoning:**  
**Requested Zoning:** R-1A (Low Density Residential) / IH-1 (Infill Housing Overlay)  
**Previous Requests:** None noted  
**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.:

**MPC ACTION AND DISPOSITION**

Planner In Charge:

Michael Brusseau

Staff Recomm. (Abbr.):

RECOMMEND that City Council APPROVE R-1A (Low Density Residential) / IH-1 (Infill Housing Overlay) zoning.

Staff Recomm. (Full):

The recommended R-1A/IH-1 zoning is compatible with surrounding development and zoning and is consistent with the mixed use proposal of the City of Knoxville One Year Plan.

Comments:

REZONING REQUIREMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. R-1A zoning is compatible with surrounding development and zoning.
2. The subject property has houses located on 3 of 4 sides.
3. R-1A zoning will allow the proposed house to be constructed on the lot, consistent with adjacent uses.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The requested R-1A zone provides for low to medium population density. The principal uses of land may range from houses to low density multi-dwelling structures or developments.
2. Based on the above description, R-1A is an appropriate zone for this site.
3. The IH-1 overlay will be maintained on this site. The IH-1 guidelines apply to residential development, so a Certificate of Appropriateness from Infill Housing Board will be required before construction can commence.

THE EFFECTS OF THIS PROPOSAL:

1. Public water and sewer utilities are available to serve the site.
2. R-1A zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS:

1. With the recommended amendment to LDR, the recommended R-1A zoning is consistent with the Central City Sector Plan.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. The City of Knoxville One Year Plan proposes mixed Uses, limited to low and medium density residential and neighborhood commercial uses, consistent with R-1A zoning.

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. New law 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: 10/8/2009

Details of Action:

Summary of Action:

R-1A (Low Density Residential) / IH-1 (Infill Housing Overlay)

Date of Approval: 10/8/2009

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:** 11/3/2009

**Date of Legislative Action, Second Reading:** 11/17/2009

**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:**