

# CASE SUMMARY

**APPLICATION TYPE: REZONING**

## EAST CITY SECTOR PLAN AMENDMENT



**File Number:** 10-P-21-RZ      **Related File Number:** 10-H-21-PA  
**Application Filed:** 8/30/2021      **Date of Revision:**  
**Applicant:** NACI CORPORATION / REUBEN MITCHELL

### PROPERTY INFORMATION

**General Location:** Along Marble Hill Boulevard, south of the intersection of Delrose Drive and Riverside Drive  
**Other Parcel Info.:**  
**Tax ID Number:** 83 001      **Jurisdiction:** City  
**Size of Tract:** 22.38 acres  
**Accessibility:** Marble Hill Boulevard is a private road with a 20-ft pavement width inside a 41-ft right-of-way. Marble Hill is unstriped and the pavement is in poor condition.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:**      **Density:**  
**Sector Plan:** East City      **Sector Plan Designation:** LDR (Low Density Residential) / HP (Hillside Prote  
**Growth Policy Plan:** N/A (Within City limits)  
**Neighborhood Context:** This property is located behind a row of single family detached houses that front Delrose Drive. Historical aerials show the houses are older housing stock constructed between 1935 and 1953. A landfill is adjacent to the east.

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

**Street:** 0 Marble Hill Blvd.  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** RN-1 (Single-Family Residential Neighborhood) / HP (Hillside Protection)  
**Former Zoning:**  
**Requested Zoning:** RN-4 (General Residential Neighborhood) / HP (Hillside Protection)  
**Previous Requests:**  
**Extension of Zone:** No  
**History of Zoning:** The property was zoned R-1 upon its annexation in 1992 (Case 2-K-92-R).

### PLAN INFORMATION (where applicable)

**Current Plan Category:** LDR (Low Density Residential) / HP (Hillside Protection)

Requested Plan Category: MDR (Medium Density Residential) / HP (Hillside Protection)

### **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-4 (General Residential) zoning because it does not meet all of the criteria for a rezoning.

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 has been no change in conditions to warrant an amendment of the sector plan to the MDR land use.
2. There is an increased demand for housing, particularly in areas served by transit and near commercial nodes. There is a KAT stop to the north on Brooks Avenue, but the area is rural in character and is not near any commercial nodes. Multifamily development at the intensity proposed by the applicant is not in character with the surrounding area.

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

1. The RN-4 (General Residential Neighborhood) District is intended to accommodate mixed medium density residential development within the City of Knoxville. Single-family, two-family, and townhouse dwelling residential development is permitted with low-rise multi-family dwellings and new development forms such as pocket neighborhoods allowed by review and in some cases with special use approval. The RN-4 District is intended to be applied to neighborhoods that are characterized by such mixed residential development, or that have been identified as areas where such development would be suitable in the future. Limited nonresidential uses that are compatible with the character of the district may also be permitted.
2. The RN-4 zone has a maximum lot size of 40,000 square feet, which this property exceeds at 22.38 acres. The applicant is proposing apartments, so subdivision is not likely. Approving this rezoning to RN-4 would create a nonconforming lot size in the RN-4 zoning district.
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 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. There is no RN-4 zoning in the vicinity. There is RN-5 to the southeast. However, much of the RN-5 property remains developed, and the majority of the site is in the HP area with significant slope over 25% over a large portion of the property.
2. This property was annexed into the city as part of a larger swathe of land in 1992 and assigned the R-2 (General Residential) zone, which is the comparable zone to RN-5 zone in the new zoning code. The adjacent RN-3 property was developed with a complex of duplexes following that annexation; this portion of the property was never developed.
3. The R-2 (General Residential) zone was widely used across the city at that time and allowed a broad mix of residential uses. This broad application of the R-2 zone was problematic, allowing uses by right that could be potentially incompatible with adjacent properties depending on the character of the area. The new zoning ordinance takes greater care in assigning where mixed residential uses occur together. It follows a more fine-grained approach and allows planning staff to ensure greater

compatibility between zones than the previous zoning ordinance allowed.

4. The applicant has stated they would like a density of 12 du/ac (equates to 268 dwellings). However, the City's zoning ordinance no longer regulates density as a function of du/ac, instead using dimensional standards as a means to determine the number of dwellings that could be accommodated  
5. In looking at the maximum number of dwelling units that could be built with the requested RN-4 zone, using rudimentary calculations involving the minimum lot area of 2,000 square feet per multifamily dwelling, the maximum number of dwellings that could be built is 487, and the property would have to be subdivided accordingly to meet the maximum lot area allowed in RN-4.

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 requested RN-4 zoning would require a plan amendment to the MDR (Medium Density Residential) land use class, for which denial is recommended.

**Action:** Denied **Meeting Date:** 10/14/2021

**Details of Action:**

**Summary of Action:** Deny RN-4 (General Residential) zoning because it does not meet all of the criteria for a rezoning.

**Date of Approval:** **Date of Denial:** 10/14/2021 **Postponements:**

**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:**