# CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 11-C-19-RZ Related File Number:

**Application Filed:** 9/25/2019 **Date of Revision:** 

Applicant: CITY OF KNOXVILLE

#### PROPERTY INFORMATION

General Location: Northwest quadrant of the intersection of Beal Bourne Street and Martin Luther King, Jr. Avenue

Other Parcel Info.:

**Tax ID Number:** 82 F N 024, 023 & 022 **Jurisdiction:** City

Size of Tract: 0.57 acres

Accessibility: Vehicular access will be from the unnamed alley off of Beal Bourne Street. The alley has a payement

width of approximately 8 feet and a right-of-way width of 16 feet. Beal Bourne Street is a local road with a pavement width of 25 feet and a right-of-way width of 49 feet. Martin Luther King Jr. Avenue is a

major collector, but the properties will not be accessed by Martin Luther King Jr. Avenue.

#### GENERAL LAND USE INFORMATION

Existing Land Use: Public/Quasi-Public; vacant parcels

**Surrounding Land Use:** 

Proposed Use: Infill Housing (duplexes) Density: 11.53 du/ac

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

Growth Policy Plan: Urban Growth Area (Inside City Limits)

**Neighborhood Context:** This is a predominantly single family residential area, though a mortuary is to the south across Beal

Bourne Street and Austin East High School is to the southwest across Martin Luther King, Jr. Avenue.

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

Street: 2901, 2907, and 2909 Martin Luther King, Jr., Ave.

Location:

**Proposed Street Name:** 

**Department-Utility Report:** 

Reason:

# ZONING INFORMATION (where applicable)

Current Zoning: R-2 (General Residential) & C-1 (Neighborhood Commercial)

Former Zoning:

Requested Zoning: RN-4 (General Residential Neighborhood)

Previous Requests: 8-F-198-RZ

Extension of Zone: No

History of Zoning: 2907 Martin Luther King Jr. Avenue (middle parcel) was rezoned from R-2 (General Residential) to C-1

(Neighborhood Commercial) in September, 1998.

## PLAN INFORMATION (where applicable)

1/17/2020 04:10 PM Page 1 of 3

**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.:

#### PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Michelle Portier

Staff Recomm. (Abbr.): Approve RN-4 (General Residential Neighborhood) Zoning District subject to one condition.

Staff Recomm. (Full): Staff recommends approval of the RN-4 (General Residential Neighborhood) Zoning District upon

enactment of the new zoning code on January 1, 2020, subject to the condition that perimeter landscaping be installed around the parking pad per Section 12.5 of the new zoning ordinance, "Parking Lot Perimeter Landscape Yard", because it is consistent with the sector plan designation of

TDR (Traditional Neighborhood Residential).

**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. There is an increased need for both affordable housing and small-scale housing. The proposed development would help to meet both of those needs.

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

- 1. The RN-4 (General Residential Neighborhood) Zoning 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 front setback requirement for the RN-4 zone is the average of the houses on the same side of the road on the same block, or 10 feet, whichever is less.
- 3. ☐ As part of the City's newly adopted zoning code, this property was assigned the RN-2 (Single Family Residential) District designation, which will take effect January 1, 2020 if the property is not rezoned to RN-4. The RN-2 District allows duplexes by special use. The front setback requirement for the RN-2 zone is +/- 10 feet of the average of the block face, but must also be at least 25 feet.

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. The existing houses on Martin Luther King Jr. Avenue have an average front setback of 26 feet, so the proposed 19 feet meets the RN-4 setback requirement and is in character with the houses on the same block.
- 2. The existing house to the north on Beal Bourne Street is setback 11 feet from the property line, so the proposed 15-foot setback on Beal Bourne Street meets the RN-4 front setback requirement and is in character with the side of the block.
- 3. There are three structures proposed for the three existing parcels, which will be resubdivided and combined if this zoning request is approved. The proposed duplex structures have a footprint of approximately 1840 sq. ft. each (940 sq. ft. per dwelling unit), while the other three houses on the block have an average footprint of 1,932 sq. ft., so the scale of the proposed buildings will not be out of character with the neighborhood.
- 4. ☐ The development plans were reviewed by the City of Knoxville's Community Development Department's Infill Housing Committee as part of a grant funding requirement. As part of the Infill

1/17/2020 04:10 PM Page 2 of 3

Housing Committee approval, the applicants are required to provide landscaping (or fencing) around the parking area and shade trees in both the front and rear yards per the Heart of Knoxville Infill Housing Design Guidelines.

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. ☐This request is consistent with the sector plan's TDR designation.

- 2. The property is located in FEMA Flood Zone X, but it is not located in a floodway or a floodplain.
- 3. The requested zone is in compliance with all other plans.

Action: Approved with Conditions Meeting Date: 11/14/2019

**Details of Action:** 

Summary of Action: The Planning Commission approved RN-4 (General Residential Neighborhood) zoning for these

parcels upon enactment of the new zoning code on January 1, 2020, subject to the condition that perimeter landscaping be installed around the parking pad per Section 12.5 of the new zoning ordinance, "Parking Lot Perimeter Landscape Yard", because it is consistent with the sector plan

designation of TDR (Traditional Neighborhood Residential).

Date of Approval: 11/14/2019 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: 12/17/2019 Date of Legislative Action, Second Reading:

Ordinance Number: O-195-2019 Other Ordinance Number References:

Disposition of Case: Approved (Emergency) Disposition of Case, Second Reading:

If "Other":

Amendments: Amendments:

As amended on emergency

Date of Legislative Appeal: Effective Date of Ordinance:

1/17/2020 04:10 PM Page 3 of 3