

# CASE SUMMARY

**APPLICATION TYPE: REZONING**



**File Number:** 11-F-18-RZ                      **Related File Number:**  
**Application Filed:** 9/28/2018              **Date of Revision:**  
**Applicant:** LAURENCE EATON

## **PROPERTY INFORMATION**

**General Location:** South side of E. Scott Ave., west of Harvey St  
**Other Parcel Info.:**  
**Tax ID Number:** 81 L Q 01501                      **Jurisdiction:** City  
**Size of Tract:** 0.4 acres  
**Accessibility:** Access is from E. Scott Ave., a local street with 50' of right-of-way and 30' of pavement width.

## **GENERAL LAND USE INFORMATION**

**Existing Land Use:** Office  
**Surrounding Land Use:**  
**Proposed Use:** Residential - 10 unit multi-dwelling                      **Density:**  
**Sector Plan:** Central City                      **Sector Plan Designation:** TDR  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** Old North Knoxville Historic District includes a mixture of single family, duplex, and multi-family housing inventory.

## **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:** R-1A (Low Density Residential) / H-1 (Historic Overlay)  
**Former Zoning:**  
**Requested Zoning:** RP-1 (Planned Residential) / H-1 (Historic Overlay)  
**Previous Requests:**  
**Extension of Zone:** No, maintains existing residential pattern of surrounding area  
**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.:

**PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge:

Jeff Archer

Staff Recomm. (Abbr.):

RECOMMEND that City Council APPROVE RP-1 (Planned Residential District) / H-1 (Historic Overlay)

Staff Recomm. (Full):

Staff recommends RP-1 consistent with the Central City Sector Plan and the One Year Plan Traditional Neighborhood Residential (TDR) land use designation. TDR recommends RP-1 zoning when there is a Historic Overlay. The layout of the parking, density, and other site plan issues will be reevaluated through the RP-1 process which requires the applicant to submit a Development Plan. The design of the building will be reviewed by the Historic Zoning Commission.

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. Old North Historic District has seen reinvestment in residential buildings over the years. RP-1 zoning would allow the applicant to redevelop the buildings into multi-family housing, fostering the continued reinvestment in the neighborhood. There are other multi-family dwelling units located to the west, along Scott Ave.
2. The Old North Knoxville Historic District designates this property as a property that is non-contributing to the historic significance of the neighborhood. However, the applicant has expressed interest in seeking to change the designation to contributing. The main advantage of this designation is to seek federal income tax credits for the rehabilitation. However, tax credits can only be used for income producing uses such as apartments and not condominiums for the first five years.
3. The R-1A does not permit the historical uses of the property or the building form; however, they are legal non-conforming. The following general rezoning cases that impacted this property were done on a neighborhood wide basis; including R-2 to R-1A (1987) and Historic Overlay (1992).

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

1. RP-1 regulations are intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Reuse of the existing structures brings on a set of issues that need more imaginative solutions. The RP-1 and Historic Overlay processes will ensure that redevelopment fits into the surrounding area.
2. Multi-family development within existing and historical buildings meet the purpose of the plan and associated ordinance.

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

1. The proposed zoning is compatible with surrounding development pattern, and there should be minimal impact to the surrounding area and no adverse affect to any other part of the City/County. There will be additional review through the RP-1 and Historic Overlay processes to further ensure there is no adverse impact.
2. Public water and sewer utilities are available in the area.
3. No other area of the City/County will be impacted by this rezoning request.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OR KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR

ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Central City Sector Plan and One Year Plan both designate TDR (Traditional Neighborhood Residential) proposed land use for this property with a condition that it has an Infill Housing or Historic

Overlay.

2. The site is located within the Urban Growth Area (inside the City) on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved **Meeting Date:** 12/13/2018

**Details of Action:**

**Summary of Action:** RECOMMEND that City Council APPROVE RP-1 (Planned Residential District) / H-1 (Historic Overlay)

**Date of Approval:** 12/13/2018 **Date of Denial:** **Postponements:** 12/13/2018

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 1/15/2019 **Date of Legislative Action, Second Reading:** 1/29/2019

**Ordinance Number:** **Other Ordinance Number References:** O-13-2019

**Disposition of Case:** Approved **Disposition of Case, Second Reading:** Approved

**If "Other":** **If "Other":**

**Amendments:** **Amendments:**

**Date of Legislative Appeal:** **Effective Date of Ordinance:**