# CASE SUMMARY

## APPLICATION TYPE: USE ON REVIEW

File Number: 2-G-05-UR Related File Number:

**Application Filed:** 1/10/2005 **Date of Revision:** 

Applicant: ROBERTA E. JONES

Owner:



Suite 403 • City County Building 4 0 0 M a i n S t r e e t Knoxville, Tennessee 37902 8 6 5 • 2 1 5 • 2 5 0 0 F A X • 2 1 5 • 2 0 6 8 w w w • k n o x m p c • o r g

### PROPERTY INFORMATION

General Location: Northwest side of E. Anderson Av., southwest side of Hellerd Pl.

Other Parcel Info.:

Tax ID Number: 81 L P 036 & 037 Jurisdiction: City

Size of Tract: 16000 sq. ft.

Accessibility: Access is via Anderson Av., a local street with a pavement width of 36' within a 50' right-of-way and

Hellered Pl., a local street with a pavement width of 21' within a 40' right-of-way.

#### GENERAL LAND USE INFORMATION

Existing Land Use: Commercial buildings

**Surrounding Land Use:** 

Proposed Use: Residence Density:

Sector Plan: Central City Sector Plan Designation:

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

**Neighborhood Context:** The site is located on the southern boundary of the Old North Knoxville neighborhood. Mid rise

apartments for the elderly are located on the south side of E. Anderson Av. The site adjoins other commercial uses. Zoning in the area consist of C-3 commercial, R-1A, R-2 and R-3 residential and I-2

industrial.

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

Street:

Location:

**Proposed Street Name:** 

**Department-Utility Report:** 

Reason:

# ZONING INFORMATION (where applicable)

Current Zoning: C-3 (General Commercial)

Former Zoning:

Requested Zoning:

Previous Requests:

**Extension of Zone:** 

History of Zoning: None noted

# PLAN INFORMATION (where applicable)

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**Current Plan Category:** 

**Requested Plan Category:** 

## SUBDIVISION INFORMATION (where applicable)

**Subdivision Name:** 

Surveyor:

Comments:

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: Dan Kelly

Staff Recomm. (Abbr.): APPROVE the request to permit one dwelling unit in each of the two subject buildings subject to 3

conditions

**Staff Recomm. (Full):**1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

2. Meeting all applicable requirements of the City of Knoxville Dept. of Operations with particular emphasis placed on meeting the appropriate building codes

3. Meeting all applicable requirements of the Knox County Health Dept

With the conditions noted, this plan meets the requirements for approval in the C-3 district and the other criteria for approval of a use on review

criteria for approval of a use on review.

The applicant is requesting to convert two exiting commercial buildings for use as dwellings. This is the first time, that staff can recall, that a request such as this has been requested. The buildings are currently zoned C-3 commercial. Rather than request rezoning to one of the residential zones, the applicant has requesting consideration of a use on review to permit the dwellings. The C-3 zoning district regulations will allow, as a permitted use, a dwelling when it on the same premises and it is occupied by the owner or an employee of an ongoing business. This applicant would like to have the option to have a stand alone dwelling in the C-3 district.

One of the existing buildings is a warehouse type structure. The other building was a grocery store at one time that is presently being used by a vending company to prepare food products that are placed in vending machines. If this request is approved, the applicant will have to work with the City of Knoxville Operations Dept to make sure the structures meet the necessary building codes for dwellings. Each building will have to be altered to meet the required codes. A certificate of occupancy will not be issued until all of the required renovations are completed.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND THE COMMUNITY AS A WHOLE

- 1. Public water and sewer utilities are in place to serve the site.
- 2. The proposal will have a minimal impact on the street and school systems.
- 3. The proposed dwellings are compatible with the scale and intensity of the surrounding development and zoning pattern.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

- 1. The proposal meets all requirements of the C-3 zoning district of the Knoxville Zoning Ordinance.
- 2. The proposed dwellings are consistent with the following general standards for uses permitted on review: The proposal is consistent with the adopted plans and policies of the One Year Plan, General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw substantial additional traffic through residential areas. No surrounding land uses will pose a hazard or create and unsuitable environment for the proposed use.

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#### CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The City of Knoxville One Year Plan proposes mixed uses consisting of general commercial and office uses for the area. The Central City Sector Plan proposes office use for this site and the adjoining

property.

MPC Action: Approved MPC Meeting Date: 2/10/2005

**Details of MPC action:** 1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

2. Meeting all applicable requirements of the City of Knoxville Dept. of Operations with particular

emphasis placed on meeting the appropriate building codes

3. Meeting all applicable requirements of the Knox County Health Dept

With the conditions noted, this plan meets the requirements for approval in the C-3 district and the other

criteria for approval of a use on review.

Summary of MPC action: APPROVE the request to permit one dwelling unit in each of the two subject buildings subject to 3

conditions

Date of MPC Approval: 2/10/2005 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: Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Disposition of Case, Second Reading:

If "Other":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

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