

# CASE SUMMARY

**APPLICATION TYPE: USE ON REVIEW**

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:** 3-D-07-UR                      **Related File Number:**  
**Application Filed:** 2/5/2007                      **Date of Revision:**  
**Applicant:** CITY OF KNOXVILLE PARKS AND RECREATION DIVISION AND OLD NORTH KN

## PROPERTY INFORMATION

**General Location:** Southeast side of E. Oklahoma Ave., southwest of Harvey St.  
**Other Parcel Info.:** 412 & 416 E. Oklahoma Ave.  
**Tax ID Number:** 81 L P 011 & 012                      **Jurisdiction:** City  
**Size of Tract:** 0.249 acres  
**Accessibility:** Access is via E. Oklahoma Ave., a local street with 80' of right of way and 30' of pavement width.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant  
**Surrounding Land Use:**  
**Proposed Use:** Neighborhood Park                      **Density:**  
**Sector Plan:** Central City                      **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Urban Growth Area  
**Neighborhood Context:** These two parcels are located within the Old North Knoxville historic residential neighborhood, most of which is zoned R-1A/H-1.

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

**Street:**  
**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:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** H-1 Overlay was established in 2003 (10-B-03-RZ)

## 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:

Kelley Schlitz

Staff Recomm. (Abbr.):

APPROVE the request for a neighborhood park in the R-1A/H-1 zoning district, subject to the following 6 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Meeting all applicable requirements of the Knoxville Health Department.
4. Obtaining approval of a variance from the Knoxville Board of Zoning Appeals (see comments below).
5. Receiving a Certificate of Appropriateness from the Historic Zoning Commission.
6. Approval of a subdivision plat combining the existing parcels into one development tract and meeting all other applicable subdivision regulations.

With the conditions noted above, this request meets all requirements for approval of a neighborhood park in the R-1A/H-1 zoning district, as well as other criteria for approval of a use on review.

Comments:

The Old North Knoxville Homeowners Association is partnering with the City of Knoxville Parks and Recreation Division in this request for a neighborhood park to be located on E. Oklahoma Ave. The property is zoned R-1A/H-1 and neighborhood parks are a use on review in the R-1A, zoning district. The park is being funded by a grant from the Rohn & Haas 2006 Community Partnership Initiative. Once complete, the City of Knoxville has agreed to maintain the park as a public park.

In order to comply with standards set forth by the Knoxville Zoning Ordinance, the applicant has applied for a variance to the Knoxville Board of Zoning Appeals (BZA) to reduce the lot width from 75' to 70'. There are two substandard lots included in this request that fail to meet the minimum lot width requirement of 75'. The variance is scheduled for consideration at the March 15, 2007 BZA meeting. If approved, the applicant(s) will then be able to submit a survey to combine the two lots and record them as one development tract.

The site is located within the H-1 (Historic Overlay) district of the Old North Knoxville neighborhood. Since these lots are located within this overlay, the applicant(s) will be required to submit a development plan to the Historic Zoning Commission and obtain a Certificate of Appropriateness.

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

1. The request will have a minimal impact on street traffic since this park will serve mainly pedestrians. On-street parking is also available at this location.
2. The request will not place any additional demand on schools.
3. Public water and utilities are in place to serve the site.

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

1. The proposal is consistent with all requirements for the R-1A/H-1 zoning district, as well as other criteria for approval of a use on review.
2. The proposed neighborhood park is consistent with the following general standards for uses permitted on review: The proposal is consistent with the adopted plans and policies of the 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.

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

1. The City of Knoxville One Year Plan and the Central City Sector Plan propose low density residential uses for the subject property.

2. The current R-1A/H-1 zoning of the property permits consideration of parks as a use on review.

**MPC Action:**

Approved

**MPC Meeting Date:** 3/8/2007

**Details of MPC action:**

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Meeting all applicable requirements of the Knoxville Health Department.
4. Obtaining approval of a variance from the Knoxville Board of Zoning Appeals (see comments below).
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With the conditions noted above, this request meets all requirements for approval of a neighborhood park in the R-1A/H-1 zoning district, as well as other criteria for approval of a use on review.

**Summary of MPC action:**

APPROVE the request for a neighborhood park in the R-1A/H-1 zoning district, subject to the following 6 conditions:

**Date of MPC Approval:**

3/8/2007

**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":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**