

CASE SUMMARY

APPLICATION TYPE: REZONING

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: 4-O-18-RZ **Related File Number:**
Application Filed: 2/26/2018 **Date of Revision:**
Applicant: DANIEL MERCADO

PROPERTY INFORMATION

General Location: North side Joyce Ave, south side Keith Ave., east of Liberty St.
Other Parcel Info.:
Tax ID Number: 94 I A 005,006&039 **Jurisdiction:** City
Size of Tract: 0.6 acres
Accessibility: Access is via Keith Ave., a major collector street with 24' of pavement width within 45' of right-of-way, or Joyce Ln., a local street with 20' of pavement width within 30-50' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: One house
Surrounding Land Use:
Proposed Use: Multi-dwelling attached residence **Density:**
Sector Plan: Central City **Sector Plan Designation:** TDR
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This area is developed primarily with detached dwellings under R-1A zoning. There are a few apartments in the area, zoned R-2.

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

Street: 3211 Joyce Ave
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1A (Low Density Residential)
Former Zoning:
Requested Zoning: R-2 (General Residential)
Previous Requests: 1-I-89-RZ, 8-L-85-RZ
Extension of Zone: Yes, extension of R-2 zoning from the north and south
History of Zoning: In 1989, the City of Knoxville initiated a general rezoning from R-2 to R-1A for 47 acres in this neighborhood, which included the subject property (1-I-89-RZ). This request was approved by MPC and City Council. (See attached MPC report.)

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: Michael Brusseau

Staff Recomm. (Abbr.): DENY R-2 (General Residential) zoning.

Staff Recomm. (Full): Although the property was previously zoned R-2, a 1989 general rezoning to R-1A brought the zoning into conformance with the plan, which, at the time proposed low density residential. The current plan proposes TDR (Traditional Neighborhood), which allows consideration of R-2 zoning. The current R-1A zoning also conforms with the TDR plan designations on the property, is appropriate for the area, and allows reasonable use of the site for future development. Since Keith Ave. is classified as a major collector street, attached multi-family development may be considered by MPC as a use on review. Duplexes are also permitted in the current R-1A zone. The applicant may pursue a use on review for the proposed multi-dwelling use without the need to change the zoning to R-2.

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. Conditions remain relatively unchanged in the area since the 1989 rezoning to R-1A, so the proposed rezoning to R-2 is not warranted.
2. R-2 uses are not compatible with the majority of the surrounding land uses and zoning pattern, which consists primarily of detached dwellings on individual lots.
3. The current R-1A zoning allows reasonable use of the site for future development. Because of the site's frontage on Keith Ave., which is classified as a major collector street, apartments may be considered by MPC as a use on review. The use on review will allow the opportunity for MPC staff to address landscape screening, appropriate lighting, access control and other development strategies that will minimize the impact on neighboring properties. It will also provide the opportunity for input from citizens at a public hearing.

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

1. The requested R-2 zoning is a residential district to provide for medium population density. The principal uses of land may range from houses to low density multi-dwelling structures and developments. Certain uses, which are more compatible functionally with intensive residential uses than with commercial uses are permitted. Some recreational, religious, educational facilities and other related uses in keeping with the residential character of the district may be permitted on review by the planning commission. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and usable open space for dwellings and related facilities, and through consideration of the proper functional relationship to each use permitted in this district.
2. Based on the above description, R-2 is not an appropriate zone for this site.

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 proposed R-2 zoning is not compatible with the most of the surrounding land uses and zoning pattern.
2. Without MPC development plan review, there are few regulations under R-2 to maximize compatibility with surrounding land uses. Through the recommended use on review process, MPC can eliminate or minimize any possible negative impacts that may result from the development of this site.

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 Central City Sector Plan and the Knoxville One Year Plan propose TDR (Traditional Neighborhood) uses for the site, which allows consideration of R-2 zoning.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. R-1A zoning is consistent with adopted plans and allows reasonable use of the property for future development.

Action: Denied **Meeting Date:** 4/12/2018

Details of Action:

Summary of Action: DENY R-2 (General Residential) zoning.

Date of Approval: **Date of Denial:** 4/12/2018 **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:**