

CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



File Number: 5-D-21-SU **Related File Number:**
Application Filed: 3/26/2021 **Date of Revision:**
Applicant: JIM MCDANIEL

PROPERTY INFORMATION

General Location: South side of Overton Place, west side of N. Fourth Ave.
Other Parcel Info.:
Tax ID Number: 81 L J 002 **Jurisdiction:** City
Size of Tract: 11827 square feet
Accessibility: This is accessed off of an alley that runs to the side of the property between Overton Place and E. Glenwood Avenue and running parallel to N. Fourth Avenue. The alley has a pavement width and a 11-ft right-of-way width and is accessed off of E. Glenwood Avenue.

GENERAL LAND USE INFORMATION

Existing Land Use: Depicted as a single Family Residential dwelling in KGIS; however, the structure was converted into a multifamily building at some point.
Surrounding Land Use:
Proposed Use: Two-family dwelling **Density:** 7.38 du/ac
Sector Plan: Central City **Sector Plan Designation:** TDR (Traditional Neighborhood Residential)
Growth Policy Plan: N/A
Neighborhood Context: This property is located in the Brownlow neighborhood between N. Hall of Fame Drive and First Creek. It lies to the northwest of the Fourth and Gill neighborhood, from which it is separated by N. Hall of Fame Drive.

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

Street: 1417 N. Fourth Ave.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-2 (Single-Family Residential Neighborhood)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Property was rezoned from R-2 (General Residential) to R-1A (Low Density Residential) as part of a general rezoning for the overall neighborhood (Case 9-B-85-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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Michelle Portier

Staff Recomm. (Abbr.):

APPROVE the request for a two-family dwelling in the RN-2 zone, subject to 3 conditions.

Staff Recomm. (Full):

1. Meeting all applicable requirements of the City of Knoxville Department of Engineering.
2. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance and zoning interpretations by the City's Plans Review and Inspections Department.
3. Clearing the alley right-of-way of all debris and vegetation.

With the conditions noted, this plan meets the requirements for approval in the RN-2 District and the criteria for approval of a special use.

Comments:

This request is for a two-family dwelling in a house that was originally constructed in 1956. Historical city directories show this property as having a business associated with it at that time. The structure was never addressed as a four-plex residence, nor is there a permit associated for a conversion to a four-plex. City staff completed a site visit and determined it had never been converted into a four-plex despite the site plans show conversion of an existing multifamily structure hosting four dwelling units into a duplex. The use of this structure is transitioning from a business to a duplex use.

Parking is proposed on a separate parcel across the alley (0 Overton Place, parcel 081LJ00107). Historical aeriols on KGIS shows that that parcel began being used for parking somewhere between 1996-98. However, that parking was never permitted. Parking on a separate lot from the primary use is considered shared parking on another lot by the City's Zoning Ordinance [11.3.A], and is not a permitted use in the RN-2 (Single Family Residential Neighborhood) District regardless of the primary use for which the spaces are provided. However, the City's Plans Review and Inspections Department has determined it is a pre-existing use and they will allow the parking pad on a separate parcel to continue. Four spaces would be required for the proposed development (1.25 spaces per 2-bedroom dwelling, plus guest parking) and four spaces are provided in the parking pad behind the alley.

At the same time the parking pad was added to the parcel across the alley (circa 1996-98), vegetation was added to the northern parcel boundary. This vegetation is thick and acts as a screening buffer. It crosses the right-of-way and acts as a conduit between the parcel across the alley used for parking and 1417 N. Fourth Avenue. This portion of the right-of-way is undeveloped and has never provided access directly to Overton Place; however, the right-of-way should be cleared of trees, brush, and/or bamboo plantings.

STANDARDS FOR EVALUATING A DUPLEX AS A SPECIAL USE (ARTICLE 16.2.F.2.)

1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.

A. The One Year Plan and Central City Sector Plan designation for this parcel is TDR (Traditional Neighborhood Residential). The proposed duplex is consistent with the TDR land use classification, which allows attached housing.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.

A. The RN-2 zone is intended to accommodate low-density single-family residential development on relatively small lots with smaller setbacks within the City of Knoxville. Two-family dwellings may also be allowed by special use approval.

B. The RN-2 zone requires a minimum lot size of 10,000 sq ft for two-family dwellings. The subject lot is approximately 11,827 sq ft.

C. Two-family dwellings that are new construction are subject to the principal use standards in Article 9.3.J. The subject structure already exists so it is not subject to the principal use standards for two-family dwellings.

D. Per Section 11.1.B.2 of the City's Ordinance, renovations that are less than 50% of the most recently appraised or assessed value of the lot would be required to comply with parking requirements with a change of use with the exceptions of sections 11.3, 11.5, 11.6, and 11.7. The applicant has supplied the assessed value of the property and the estimated cost of the renovation, which is less than 50% of the assessed property value. Therefore, they do not need to update parking to comply with these sections.

E. For two, two-bedroom units, a minimum of four parking spaces is required.

F. The City has determined it will allow the shared parking on a separate parcel in the RN-2 zone to continue.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. The majority of the other houses on this block and on surrounding blocks are one-story single family residences, though there are duplexes in the neighborhood. In the near vicinity, there are three duplexes across Oswald Place on this block and the adjacent house to the south is a duplex.

B. This proposal replaces three of the exterior doors on the north façade of the western wing of the property and replaces them with windows. This will give the existing structure more of an appearance of a single-family residence.

C. The duplex will have one dwelling unit on the square portion of the house facing N. Fourth Avenue and one dwelling unit on the western wing facing Overton Place.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.

A. The proposed two-family dwelling is considered a low-density residential use and is permitted in the RN-2 zone as a Special Use.

B. As stated previously, there are existing duplexes in this part of the neighborhood. An additional duplex is not expected to generate any of the aforementioned adverse impacts.

C. All properties are required to comply with the Article 10 of the City of Knoxville Zoning Ordinance, which regulates the aforementioned impacts. Section 10.2 regulates lighting, while noise, dust and pollution, odors, fire hazards, and other similar concerns are regulated in Section 10.5.

5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

A. Duplex uses are only anticipated to add 28 daily trips to the existing traffic pattern.

B. East Glenwood Avenue is one block to the south and is a major collector connecting N. Broadway Avenue and N. Sixth Avenue, two arterials to the east and west. Located as such, East Glenwood Avenue would provide a conduit for much of the traffic approaching this site. Traffic exiting off the interstate would approach the site via N. Broadway east to Grainger Avenue then south via N. Fourth Avenue to the property.

Action: Approved with Conditions **Meeting Date:** 5/13/2021

Details of Action:

Summary of Action: APPROVE the request for a two-family dwelling in the RN-2 zone, subject to 3 conditions.

Date of Approval: 5/13/2021 **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:**