

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 5-M-20-RZ **Related File Number:**
Application Filed: 4/3/2020 **Date of Revision:**
Applicant: HOUSTON SMELCER

PROPERTY INFORMATION

General Location: North side of Essary Drive on the west side of its intersection with Glenhaven Road
Other Parcel Info.:
Tax ID Number: 58 E A 002 **Jurisdiction:** City
Size of Tract: 0.9 acres
Accessibility: Essary Drive is a major collector with a pavement width of 20 feet and a right-of-way width of 103 feet.

GENERAL LAND USE INFORMATION

Existing Land Use: Multifamily residential designation, vacant building that was previously a counseling center
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: North City **Sector Plan Designation:** MDR (Medium Density Residential)
Growth Policy Plan: Within City Limits
Neighborhood Context: Surrounding development is a mix of medical/dental offices, professional offices, multifamily residential, and single family residential. This building is located between a small multifamily development and a school. Fountain City library and Litton's restaurant are nearby, and this parcel is located a little over 1/3 of a mile from N. Broadway Avenue.

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

Street: 3105 Essary Drive
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: O (Office)
Former Zoning:
Requested Zoning: RN-5 (General Residential Neighborhood)
Previous Requests:
Extension of Zone: No
History of Zoning: Rezoned from R-2 (General Residential) to O-1 (Office, Medical, and Related Services) in April, 2002 (#2-G-02-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 RN-5 (General Residential Neighborhood District) zoning because it is consistent with the North City Sector Plan's MDR (Medium Density Residential) designation as described at the time of the applicant's initial request.

Staff Recomm. (Full):

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. The nature of the area supports a higher density due to the multifamily, medical, and office uses in the area, beginning at the school adjacent to the east and continuing about 1/3 a mile to the west to N. Broadway Avenue.

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

1. The proposed amendment to RN-5 (General Residential Neighborhood District) zoning is intended to accommodate medium density residential neighborhoods in the City of Knoxville comprising a heterogeneous mix of single-family, two-family, townhouse, and multi-family dwellings. The RN-5 District may also serve as a functional transition between traditionally single-family and two-family residential neighborhoods within the City, and more intensely developed residential or commercial areas. Limited nonresidential uses that are compatible with the character of the district may also be permitted.

2. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

a. Uses allowed by right in RN-5 include community centers, day cares, domestic violence centers, various

types of dwellings (including multifamily), educational facilities, community gardens, group homes,

independent living facilities, and public parks.

b. The proposed use is a residential care facility, which would require special use review and approval by

the Planning Commission.

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. Due to the mix of uses in the area (medical/dental offices, professional offices, multifamily residential), staff finds RN-5 to be compatible with the area. The single family residential dwellings in the area are off of side streets or face away from Essary Drive, and the parcel is not at the entry or gateway into a neighborhood. This site is located between a small multifamily development and a school.

2. The property is located in FEMA Flood Zone X but does not contain any floodplain areas.

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 North City Sector Plan's MDR designation supported RN-5 zoning in the Planned Growth Area

of Knox County when the applicant submitted his application on April 3, 2020. Since that time, City Council has voted to adopt a previous version of the Land Use Classification Table approved by Council in November, 2019 as part of its annual review and approval of the City's One Year Plan update. This version of the Land Use Table does not support RN-5 in the MDR land use designation. However, The Planning Commission should vote according to the Land Use Table in place at the time of the applicant's submission, which listed RN-5 as one of the allowed zones within the MDR land use class.

Action: Approved **Meeting Date:** 5/14/2020

Details of Action:

Summary of Action: The Planning Commission approved RN-5 (General Residential Neighborhood District) zoning because it is consistent with the North City Sector Plan's MDR (Medium Density Residential) designation as described at the time of the applicant's initial request.

Date of Approval: 5/14/2020 **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: 6/16/2020 **Date of Legislative Action, Second Reading:** 6/30/2020

Ordinance Number: **Other Ordinance Number References:** O-111-2020

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

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

Amendments: **Amendments:**

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