

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 7-F-18-RZ
Application Filed: 5/29/2018
Applicant: SEAN SUDES

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: North side Forest Ave., east side Nineteenth St.
Other Parcel Info.:
Tax ID Number: 94 N C 027 & 028 **Jurisdiction:** City
Size of Tract: 0.22 acres
Accessibility: Access is via Forest Ave., a local street with 27' of pavement width within 50' of right-of-way, or Nineteenth St., a local street with 26' of pavement width within 50' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Industrial building
Surrounding Land Use:
Proposed Use: Residential development **Density:**
Sector Plan: Central City **Sector Plan Designation:** MU-SD (CC-17)
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This site is located in the Ft. Sanders area and is surrounded primarily by medium to high density residential uses, zoned R-2 and R-3. Ft. Sanders Hospital and other offices are also located in the area, zoned O-1 and O-2.

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

Street: 1833 Forest Ave
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: I-2 (Restricted Manufacturing and Warehousing)
Former Zoning:
Requested Zoning: R-2 (General Residential)
Previous Requests: None noted
Extension of Zone: Yes, extension of R-2 from the east
History of Zoning: None noted

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:

Michael Brusseau

Staff Recomm. (Abbr.):

RECOMMEND that City Council APPROVE R-2 (General Residential) zoning, subject to one condition.

Staff Recomm. (Full):

1. Use on review approval of a development plan by MPC will be required prior to issuance of occupancy permits for the project.

With the recommended condition, R-2 is a logical extension of zoning from the east, is consistent with the adopted plan designation for the area and would allow uses compatible with the scale and intensity of the surrounding development and zoning pattern.

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. R-2 zoning will allow the subject property to be developed with medium density residential uses, similar to surrounding development in the area.
2. The site is located in the Ft. Sanders neighborhood, within walking/biking distance from the University of Tennessee campus. Public transit service is available, making it more appropriate for the proposed more intense R-2 zoning.
3. Under R-2 zoning, the site could be developed with residential uses. These would not be permitted under the current I-2 zoning.
4. The MU-SD (MU-CC17) special district within the Central City sector plan allows consideration of medium density residential uses, but states that these uses should be conditioned to require development plan review to ensure infill development is compatible with the surrounding neighborhood; including, but not limited to, building setbacks, height and parking location and screening. The MU-SD (MUCC-17) description from the sector plan is attached.
5. The staff recommended condition above is included to address the sector plan stipulation to require development plan approval if the desired zone district is not a planned district, which would require MPC plan approval.

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 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 applicant proposes residential development for the property, if the site is rezoned to R-2.
2. Since the development pattern of medium to high density residential uses has been well established in the area, the impact of development of this small area to the neighborhood should be minimal.
3. The proposal will not create any direct or indirect adverse effects in the surrounding area or any

other part of the County.

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. Both the City of Knoxville One Year Plan and the Central City Sector Plan designate this site as part of a Mixed Use Special District (MU-CC17). This district allows consideration of R-2 zoning, as long as it is conditioned upon the required development plan review, as recommended.

2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.

3. This proposal does not present any apparent conflicts with any other adopted plans.

Action: Approved **Meeting Date:** 7/12/2018

Details of Action:

Summary of Action: RECOMMEND that City Council APPROVE R-2 (General Residential) zoning, subject to one condition.

Date of Approval: 7/12/2018 **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: 8/14/2018 **Date of Legislative Action, Second Reading:** 8/28/2018

Ordinance Number: **Other Ordinance Number References:** O-127-2018

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

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

Amendments: **Amendments:**

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