

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 7-J-25-RZ

Related File Number: 7-D-25-PA

Application Filed: 5/23/2025

Date of Revision:

Applicant: DANIEL LEVY

PROPERTY INFORMATION

General Location: Corner of Sevier Ave and McCormick St

Other Parcel Info.:

Tax ID Number: 109 B D 006

Jurisdiction: City

Size of Tract: 6287 square feet

Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land

Surrounding Land Use:

Proposed Use:

Density:

Planning Sector: South City

Plan Designation: LDR (Low Density Residential)

Growth Policy Plan: N/A (Within City Limits)

Neighborhood Context:

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

Street: 2301 SEVIER AVE

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

Former Zoning:

Requested Zoning: C-N (Neighborhood Commercial), HP (Hillside Protection Overlay)

Previous Requests:

Extension of Zone:

History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)

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: Kelsey Bousquet

Staff Recomm. (Abbr.): Deny the C-N (Neighborhood Commercial) zoning district because it does not meet all of the criteria for a rezoning. The HP (Hillside Protection) overlay would be retained.

Staff Recomm. (Full):

Comments:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

THE PROPOSED AMENDMENT IS NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY GENERALLY.

1. Since the late 1990s, zoning in the surrounding area has largely remained residential, comprising the RN-1 (Single-Family Residential Neighborhood), RN-2 (Single-Family Residential Neighborhood), RN-4 (General Residential Neighborhood), and RN-5 (General Residential Neighborhood) districts. Limited commercial zoning has occurred to the southeast, consisting of the C-G-1 (General Commercial) and C-N (Neighborhood Commercial) districts.
2. While there are significant changes occurring along the South Waterfront district, such as the streetscape project, they do not support a rezoning to the C-N district at this site, as the subject property is within a residential subdivision along Sevier Avenue that is isolated from the mixed uses to the north and south.
3. City building permit records show that all permits pulled for this section of the neighborhood, between Sterling Hill Way and Getrude Avenue, where the subject property is located, have been exclusively for residential development.

THE PROPOSED AMENDMENT IS CONSISTENT WITH THE INTENT AND PURPOSES OF THIS CODE.

1. The C-N (Neighborhood Commercial) zoning district is intended to provide for an environment of integrated residential development and small-scale commercial and service uses. Though the C-N district is typically compatible with a residential area, the zoning district is not appropriate at this location as it would be a nonresidential district encroaching into an established neighborhood that is separated from the wide mix of uses along the northwestern and southeastern sections of Sevier Avenue.
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. The C-N district permits residential development, select commercial uses, and low-intensity mixed-use development. The subject property is surrounded by single-family residential districts such as RN-1 and RN-2.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. The CN district requires additional design standards for nonresidential developments abutting single-family residential zoning districts that are intended to mitigate adverse impacts on residential areas, such as increased setbacks, decreased building height, and noise and lighting requirements. Nonresidential development must adhere to Section 5.3.B of the City of Knoxville's Zoning Ordinance and Article 12.8, which requires a buffer yard between residential and nonresidential districts for any new construction. The subject property is roughly 6,287 sq ft and due to the lot's small size and unique layout, meeting all applicable design standards and landscaping requirements may be challenging.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE

KNOXVILLE-KNOX COUNTY GENERAL PLAN AND ITS COMPONENT PARTS, INCLUDING ADOPTED SECTOR PLANS, CORRIDOR PLANS, AND RELATED DOCUMENTS.

1. The C-N district is not supported by the existing LDR (Low Density Residential) land use classification in the One Year Plan and South City Sector Plan. Plan amendments are not recommended to accommodate this rezoning request.
2. The proposed rezoning does not comply with the General Plan's Development Policies 8.2, to locate neighborhood commercial so that it will enhance, rather than hinder, the stability of residential areas, and Development Policy 8.4, to protect residential areas from encroaching commercial development. As mentioned, the subject property lies at the entrance of an established residential neighborhood that has historically only featured residential uses and one church.
3. Other nearby areas have been identified as more appropriate for commercial and mixed-use development, such as the established South Waterfront district encompassing the mixed-use corridor along Sevier Avenue to the west.

WHETHER ADEQUATE PUBLIC FACILITIES ARE AVAILABLE, INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, STORM SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED.
1. This is an urbanized area with ample utility and facility infrastructure to support a rezoning of this site.

Action: Denied

Meeting Date: 7/10/2025

Details of Action:

Summary of Action: Deny the C-N (Neighborhood Commercial) zoning district because it does not meet all of the criteria for a rezoning. The HP (Hillside Protection) overlay would be retained.

Date of Approval:

Date of Denial: 7/10/2025

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: ☐ **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 8/5/2025

Date of Legislative Action, Second Reading: 8/19/2025

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: