

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 7-M-23-RZ **Related File Number:**
Application Filed: 5/24/2023 **Date of Revision:**
Applicant: BENJAMIN MULLINS

PROPERTY INFORMATION

General Location: Northeast quadrant of the intersection of Clinch Ave and 16th St
Other Parcel Info.:
Tax ID Number: 94 M J 017 **Jurisdiction:** City
Size of Tract: 11512 square feet
Accessibility: Access is via Sixteenth St, a minor collector street with a 25-ft pavement width within 68-ft of right-of-way, and via Clinch Ave, a minor collector with a 25-ft pavement width within 50-ft of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Office
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: Central City **Sector Plan Designation:** MU-SD (Mixed Use Special District)
Growth Policy Plan: N/A (Within City Limits)
Neighborhood Context: This property is at the corner of 2 collectors in the Fort Sanders neighborhood surrounded by multifamily residential uses including University of Tennessee student housing.

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

Street: 1547 CLINCH AVE
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-5 (General Residential Neighborhood), NC (Neighborhood Conservation Overlay)
Former Zoning:
Requested Zoning: C-N (Neighborhood Commercial); NC (Neighborhood Conservation Overlay)
Previous Requests:
Extension of Zone: No, this is not an extension.
History of Zoning: In 2000, the NC-1 (Neighborhood Conservation Overlay District) was adopted over a large area comprising the Fort Sanders neighborhood.

PLAN INFORMATION (where applicable)

Current Plan Category: MU-SD (Mixed Use Special District)

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:

Whitney Warner

Staff Recomm. (Abbr.):

Approve C-N (Neighborhood Commercial) district because it is consistent with the surrounding development and sector plan. The NC (Neighborhood Conservation Overlay) will be retained.

Staff Recomm. (Full):

Comments:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.3, SUBSECTIONS 1-3,
THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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 GENERALLY:

1. This property is located in the Fort Sanders Neighborhood, an area comprised predominantly of medium and high density residential uses and that also contains two hospitals. The main campus of University of Tennessee is to the south.
2. The neighborhood is home to a network of sidewalks and multiple bus routes. In recent years, Cumberland Avenue underwent a series of renovations as part of a road diet to increase pedestrian safety. It is a mixed-use corridor that abuts the Fort Sanders neighborhood to the south and serves the surrounding residential area while connecting the Fort Sanders neighborhood to the University of Tennessee. The subject property is approximately 0.5 miles from access to the Second Creek Greenway Trail and Worlds Fair Park both of which provide many recreational services.

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

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, predominantly serving nearby residential neighborhoods. Low-intensity mixed-use is encouraged within the C-N District, with dwellings permitted above the ground floor, as well as multi-family and townhouse development located alongside select commercial uses.
2. The NC (Neighborhood Conservation Overlay) zoning recognizes that older Knoxville neighborhoods need to be conserved or their cultural, historic, and housing values.
3. The subject property currently functions as an office. The requested rezoning to the C-N zoning district would enable mixed use development, which is consistent with surrounding development.

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. There are no adverse impacts anticipated with the proposed rezoning. The requested C-N (Neighborhood Commercial) zoning is compatible with the existing surrounding multifamily residential and the nearby college environment.

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 proposed C-N district is consistent with the Central City Sector Plan and City of Knoxville One Year Plan's MU-SD (Mixed Use Special District) MU-CC15 land use designation, which recommends a mix of uses including residential, office, retail and restaurants, while specifically calling for commercial uses to be located along 16th Street and 11th Street.
2. The General Plan Development Policy 9.3 – calls for ensuring that the context of new development,

including scale and compatibility, does not impact existing neighborhoods and communities. The C-N (Neighborhood Commercial) district would allow for development of a similar character as the surrounding area.

3. The proposed zoning is consistent with the Fort Sanders Neighborhood Plan, which encourages primarily medium/high density residential development in this area.

4. There are no other adopted plans that conflict with the rezoning recommendation of C-N at this location.

Action: Approved

Meeting Date: 7/13/2023

Details of Action:

Summary of Action: Approve C-N (Neighborhood Commercial) district because it is consistent with the surrounding development and sector plan. The NC (Neighborhood Conservation Overlay) will be retained.

Date of Approval: 7/13/2023

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: 8/8/2023

Date of Legislative Action, Second Reading: 8/22/2023

Ordinance Number:

Other Ordinance Number References: O-136-2023

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: