

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

KNOXVILLE-KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N

T E N N E S S E E

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www.knoxmpc.org

File Number: 8-D-07-UR **Related File Number:**
Application Filed: 7/2/2007 **Date of Revision:**
Applicant: TRICIA STUTH & TED SHELTON

PROPERTY INFORMATION

General Location: North side of Gill Ave., east side of Stewart St.
Other Parcel Info.:
Tax ID Number: 81 M R 017 **Jurisdiction:** City
Size of Tract: 0.26 acres
Accessibility: Access is via Gill Ave., and Stewart St., both local two-lane streets with 20' pavements within 40' rights-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residence
Surrounding Land Use:
Proposed Use: Three residential structures with a total of 5 dwelling units. **Density:**
Sector Plan: Central City **Sector Plan Designation:** MU, O, GC & LDR
Growth Policy Plan: Urban Growth Area
Neighborhood Context: This historic residence is part of an older mixed use business/residential area that has occurred under C-3 and O-1 zoning.

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

Street: 109 Gill Ave
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RP-1 (Planned Residential)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Property was rezoned to RP-1 (24 du/ac) in April of 2007 (4-R-07-RZ/4-D-07-PA).

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.:

MPC ACTION AND DISPOSITION

Planner In Charge:

Kelley Schlitz

Staff Recomm. (Abbr.):

APPROVE the development plan for up to 5 dwellings in the RP-1 (Planned Residential) zoning district, subject to the following 5 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Connection to sanitary sewer and meeting all other requirements of the Knox County Health Department.
4. Installing landscaping as shown on the development plan within six months of the issuance of occupancy permits for this project.
5. Meeting all setbacks as shown on the development plan and as approved by the Knoxville Board of Zoning Appeals.

With the conditions noted, this plan meets the requirements for approval of a use-on-review in the RP-1 zoning district.

Comments:

The applicant is proposing to redevelop this property with three residential structures as they existed in the early 1900's. There is an existing house located on the property that contains two residential units. This structure will remain and two new structures are being proposed, one which will contain one residential unit and one which will contain two residential units. There will be a total of five residential units located in the three structures. Due to the size of the lot, the applicant was required to receive a number of subdivision and zoning variances. MPC approved four variances at the 5/10/2007 meeting (5-SJ-07-F). The Knoxville Board of Zoning Appeals approved two variances at the 7/19/2007 meeting to reduce the periphery boundary setback and reduce the minimum required parking space (7-F-07-VA). The applicant has also received a Certificate of Appropriateness from the Historic Zoning Commission regarding this request on 7/20/2007.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE

1. The proposed development will have minimal impact on local services since all utilities are in place to serve this site.
2. The proposed duplexes and residence will place minimal additional demand on schools and streets.
3. The proposed development is consistent with the existing use of the site and other uses found in the area.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. The proposed residential structures, with the approved subdivision and zoning variances are consistent with all requirements of the RP-1 zoning district, as well as other criteria for approval of a use on review.
2. The development is consistent with the following general standards for uses permitted on review: The proposal is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The proposed use will not significantly injure the value of adjacent property. The proposal will allow for redevelopment which is consistent with the historical character of the subject property. The use will not draw substantial additional traffic through residential areas.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The City of Knoxville One Year Plan proposes general commercial, office, and medium density residential uses for this property.
2. The Central City Sector Plan proposes low density residential use for this area.

2. The current RP-1 zoning of the property permits consideration of up to 24 residential units per acre on this property.

MPC Action:

Approved

MPC Meeting Date: 8/9/2007

Details of MPC action:

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Connection to sanitary sewer and meeting all other requirements of the Knox County Health Department.
4. Installing landscaping as shown on the development plan within six months of the issuance of occupancy permits for this project.
5. Meeting all setbacks as shown on the development plan and as approved by the Knoxville Board of Zoning Appeals.

With the conditions noted, this plan meets the requirements for approval of a use-on-review in the RP-1 zoning district.

Summary of MPC action:

APPROVE the development plan for up to 5 dwellings in the RP-1 (Planned Residential) zoning district, subject to the following 5 conditions:

Date of MPC Approval:

8/9/2007

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: