

# CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



**File Number:** 9-A-23-SU                      **Related File Number:**  
**Application Filed:** 8/1/2023                      **Date of Revision:**  
**Applicant:** DAVID HUTCHINS

## PROPERTY INFORMATION

**General Location:** Northwest side of Martin Luther King Jr. Ave, southeast side of N Hembree St

**Other Parcel Info.:**

**Tax ID Number:** 82 K D 016                      **Jurisdiction:** City

**Size of Tract:** 17143 square feet

**Accessibility:** Vehicular access will be from the alley behind the property, which has a pavement width of approximately 9 ft within a right-of-way that varies from 11 ft to 14 ft. The one-way alley connects local roads North Hembree Street and North Harrison Street, with a travel direction from northeast (Hembree St) to southwest (Harrison St). North Hembree Street has a pavement width of approximately 23 ft within a 47-ft right-of-way, while North Harrison Street has a pavement width of approximately 26 ft within a 50-ft right-of-way. The property will have pedestrian access from Martin Luther King Jr. Avenue, which is a major collector with a pavement width of approximately 30 ft within a 65-ft right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Public/Quasi Public Land (vacant)

**Surrounding Land Use:**

**Proposed Use:** Multifamily development with five or more units                      **Density:**

**Sector Plan:** East City                      **Sector Plan Designation:** TDR (Traditional Neighborhood Residential)

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

**Neighborhood Context:** The property is located in the Cold Spring Neighborhood in east Knoxville, southwest of Austin East High School across Martin Luther King Jr. Avenue. The area is a predominantly single family residential area with several multifamily units and commercial uses.

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

**Street:** 2735 MARTIN LUTHER KING JR AVE

**Location:**

**Proposed Street Name:**

**Department-Utility Report:**

**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** RN-4 (General Residential Neighborhood)

**Former Zoning:**

**Requested Zoning:**

**Previous Requests:**

**Extension of Zone:**

**History of Zoning:** The property was rezoned from RN-2 (R-2 before 1/1/2020) to RN-4 in 2020 [1-B-20-RZ].

**PLAN INFORMATION (where applicable)**

**Current Plan Category:** TDR (Traditional Neighborhood 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:** Samiul Haque

**Staff Recomm. (Abbr.):** Approve the request for a multifamily development with six units in the RN-4 (General Residential Neighborhood) zoning district, subject to 3 conditions.

**Staff Recomm. (Full):**  
1. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance, including but not limited to Section I.1 of Article 9.3 (Principal Use Standards) that requires all façades to be designed with consistent materials and treatments and calls for a unifying architectural theme for the entire development.  
2. Installing all landscaping, as shown on the landscape plan, within six months of issuance of occupancy permits for the project, or posting a bond with the Knox County Department of Engineering and Public Works, to guarantee such installation.  
3. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance, including Article 12.8 pertaining to landscape buffers.  
4. Meeting all applicable requirements of the City of Knoxville Department of Plans Review and Inspections.  
5. Meeting all applicable requirements of the City of Knoxville Department of Engineering.

**Comments:** This special use request is for a multifamily development with six units on a 17,143-sf vacant parcel at the southwest corner of Hembree Street and Martin Luther King Jr. Avenue. With the exception of one 3-bedroom unit on the ground floor, all units on the three-storied flat-roofed structure have 2 bedrooms.

**STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2)**

1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.

- A. The proposed multifamily dwelling use is consistent with the General Plan's development policy 8.1 that encourages growth in the existing urban area through infill housing opportunities.
- B. The proposed use is consistent with the One Year Plan and East City Sector Plan's TDR (Traditional Neighborhood Residential) land use classification.
- 3. The proposed use does not have any conflicts with the Martin Luther King, Jr. Avenue Corridor Plan.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.

- A. The RN-4 district is intended to accommodate mixed medium density residential development within the City of Knoxville. Single-family, two-family, and townhouse dwelling residential development is permitted with low-rise multi-family dwellings and new development forms such as pocket neighborhoods allowed by review and in some cases with special use approval. The proposed multifamily dwelling is consistent with the RN-2 district's intent.
- B. The site plan and elevations as provided comply with the dimensional standards of the RN-4 district. They also meet the majority of the Principal Use Standards for a multifamily dwelling (Article 9.3.I). However, Planning staff's interpretation is that the elevations should be revised to better align with section 9.3.I.1, which requires all façades to be designed with consistent materials and treatments. It calls for a unifying architectural theme for the entire development. Therefore, this is added as one of the conditions for this Special Use approval. Planning staff recommends revising the side and rear elevations to incorporate additional sections clad in brick veneer and/or have cement board paneling similar to the front elevation.

- 3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.
- A. The area is primarily characterized by single family residences with several duplexes and multifamily dwellings nearby. Austin East High School is located to the northeast across Martin Luther King Jr. Avenue. The proposed use will be consistent with the area.
- B. There are several two-story dwellings in the vicinity, including a fourplex on the opposite side of North Hembree Street that is zoned O (Office). Approximately 500 ft west of the subject property, there are two four-story multifamily buildings and one three-story multifamily building along Magnolia Avenue (on properties zoned C-G-2). The proposed three-story structure will be compatible in size and scale with other buildings in the area.
- C. The height of this multifamily dwelling will be restricted to 35 ft, as it abuts a single family residence to the south on property zoned RN-2 (Single-Family Residential Neighborhood), per Article 4.3, Table 4-1.
- 4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.
- A. The proposed use is not expected to have a significant adverse impact on adjacent properties. Per the landscaping requirements in Article 12.8, a 10-ft Class A Buffer would be provided for the parking lot, along the south boundary abutting the single family residence.
- 5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.
- A. The subject property is located at the corner of a local street and a major collector street with transit access and sidewalks. The addition of six dwelling units at this location is not anticipated substantially increase traffic to the area.
- 6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.
- A. There are no known uses or environmental factors immediately surrounding the subject property that would pose a potential hazard or have an undesirable impact on the proposed use.

**Action:** Approved with Conditions **Meeting Date:** 9/14/2023

**Details of Action:**

**Summary of Action:** Approve the request for a multifamily development with six units in the RN-4 (General Residential Neighborhood) zoning district, subject to 3 conditions.

**Date of Approval:** 9/14/2023 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

### LEGISLATIVE ACTION AND DISPOSITION

<b>Legislative Body:</b> Knoxville-Knox County Planning Commission	
<b>Date of Legislative Action:</b>	<b>Date of Legislative Action, Second Reading:</b>
<b>Ordinance Number:</b>	<b>Other Ordinance Number References:</b>
<b>Disposition of Case:</b>	<b>Disposition of Case, Second Reading:</b>
<b>If "Other":</b>	<b>If "Other":</b>
<b>Amendments:</b>	<b>Amendments:</b>
<b>Date of Legislative Appeal:</b>	<b>Effective Date of Ordinance:</b>