

▶ **FILE #:** 2-E-09-RZ

**AGENDA ITEM #:** 45

**AGENDA DATE:** 2/12/2009

▶ **APPLICANT:** METROPOLITAN PLANNING COMMISSION

OWNER(S):

TAX ID NUMBER: 95 O F 041 109BG026

JURISDICTION: City Council District 1

▶ **LOCATION:** All R-2 zoned property located within the area bounded by the west and northwest sides James White Parkway, the east and northeast sides Davenport Rd. and the south side of the rail road ROW south of Sevier Ave.

▶ **APPX. SIZE OF TRACT:**

SECTOR PLAN: South City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access to the area is via the collector streets Davenport Rd., Sevier and Moody Avenues, and numerous local streets.

UTILITIES: Water Source: KUB

Sewer Source: KUB

WATERSHED: Tennessee River

▶ **PRESENT ZONING:** R-2 (General Residential)

▶ **ZONING REQUESTED:** R-1 (Low Density Residential)

▶ **EXISTING LAND USE:** Residential

▶ **PROPOSED USE:** Same as existing uses

EXTENSION OF ZONE: Yes

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Rail road right-of-way and residences / SW-3, SW-4 and R-1 Residential

South: Davenport Ave., residences and nursery / R-1, R-2 and R-3 Residential

East: James White Parkway and residences / R-1 and R-2 Residential

West: Residences, apartments and businesses / R-1, R-1A, R-2 and R-3 Residential

NEIGHBORHOOD CONTEXT: This is an older residential neighborhood that has developed under R-1, R-1A, R-2, and R-3 zones.

**STAFF RECOMMENDATION:**

▶ **Recommend that City Council APPROVE R-1 (Low Density Residential) zoning for the portions of the R-2 zoned property within the study area shown on the attached Staff Recommendation Map.**

This recommendation excludes the R-2 zoned property within the study area that is presently developed with multi-family units, properties northeast of James White Parkway within the South Waterfront boundary, and properties owned by Helen Ross McNabb and Johnny Chamberlain that is proposed for multi-family development. These properties are excluded by staff because R-1 zoning would make the existing or proposed uses non-conforming, or because R-1 zoning is not supported by the adopted plan within the

South Waterfront Plan boundary.

**COMMENTS:**

**REZONING REQUIREMENTS:**

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR IN THE CITY GENERALLY:

1. R-1 zoning of selected properties recommended by staff is supported by the adopted plan for the area and would be compatible with established single family, institutional, multi-family and retail commercial uses located within the study area.
2. The R-1 zoning proposal is compatible with the scale and intensity of the current surrounding land uses and zoning pattern.
3. R-1 zoning of all the R-2 zoned area within the study area would create non-conforming established uses and/or would be contrary to adopted plans . Creating such uses through the rezoning process is inappropriate and could create development problems under more restrictive code requirements.

**CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:**

1. R-1 zoning as recommended is consistent with the existing R-1 and R-2 zoning and land uses development patterns within the study area and supports maintaining a stable residential neighborhood of both single family and multi-family uses.
2. The area as proposed is appropriate for development allowed under R-1 zoning.

**THE EFFECTS OF THE PROPOSAL:**

1. Public water and sewer utilities are available to serve the site.
2. The proposal will have no impact on schools.
3. The proposed R-1 down zoning will have minimal impact on street traffic.

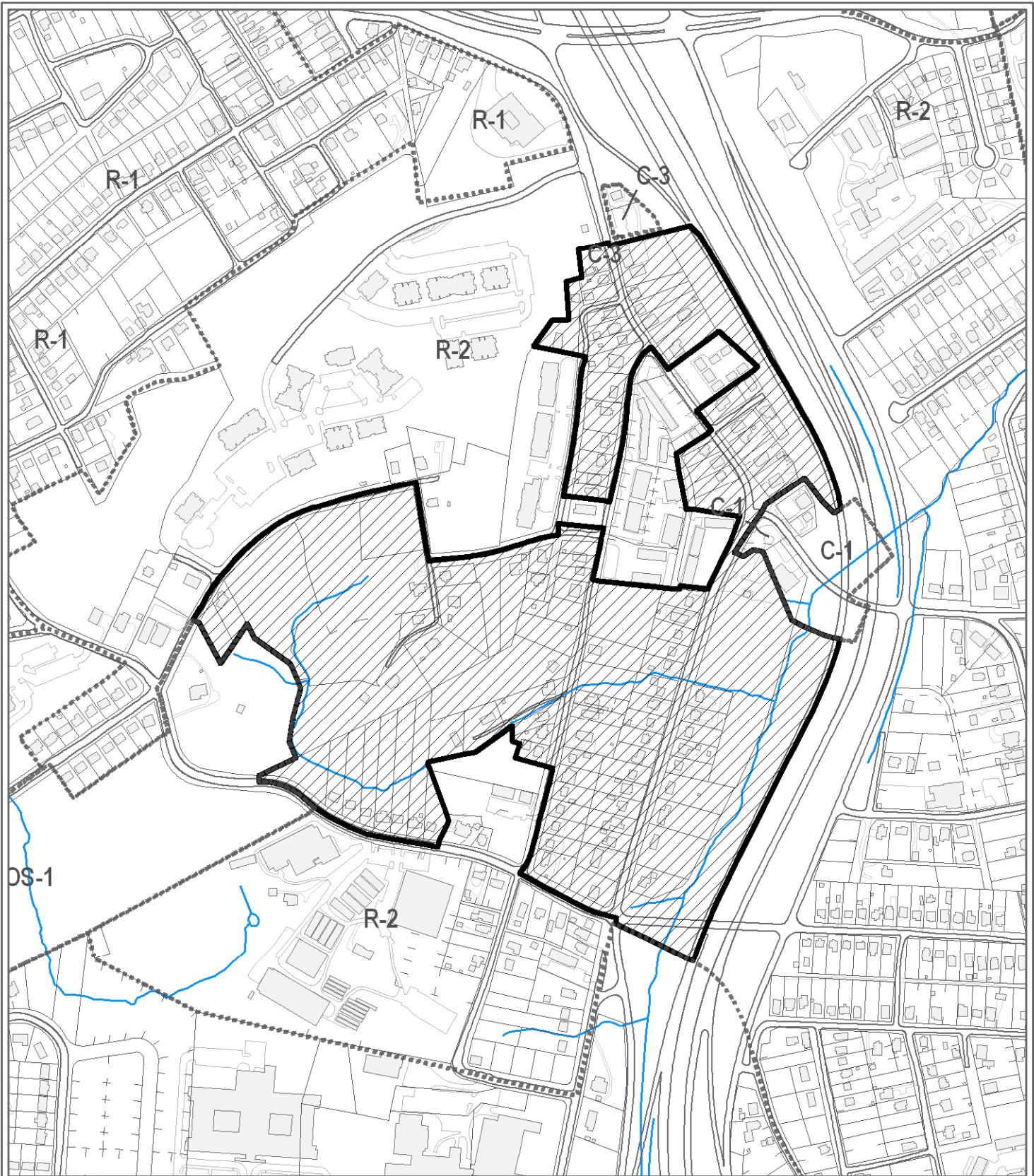
**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS:**

1. The current South City Sector Plan proposed low density residential uses for the area recommended for R-1 zoning.
2. The current City of Knoxville One Year Plan proposes LDR (Low Density Residential) uses consistent with the proposed R-1 zoning. The 2009 One Year Plan annual update should include designating the property remaining R-2 zoninig as MDR (Medium Density Residential).
3. Future consideration should be given to designating areas under a more accurate plan designation based on their current established uses. This would impact both the Sector plan and the One Year Plan.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 3/10/2009 and 3/24/2009. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**2-E-09-RZ MPC Staff Recommendation  
REZONING**

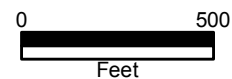
From: R-2 (General Residential)  
To: R-1 (Low Density Residential)



Petitioner: Metropolitan Planning Commission

Map No: 95  
Jurisdiction: City

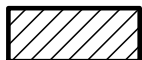
Original Print Date: 2/4/2009 Revised:  
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REZONING**

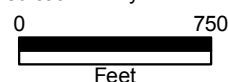
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Original Print Date: 1/23/2009 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Metropolitan Planning Commission

Map No: 95  
Jurisdiction: City





February 3, 2009

MPC  
400 Main St ste 403  
Knoxville, In 37902

Re: File Number: 2-E-09-RZ

I, Johnny Chamberlain, would like the following properties to be excluded from the rezoning

109BD-040  
109BD-042  
109BD-043

This is scheduled for February 12, 2009.

Thank you,

Johnny Chamberlain

A handwritten signature in cursive script that reads "Johnny Chamberlain".