

▶ **FILE #:** 2-J-16-RZ

AGENDA ITEM #: 36

AGENDA DATE: 2/11/2016

▶ **APPLICANT:** NINE YARDS LLC BY JOHN KING, ATTORNEY

OWNER(S): Nine Yards LLC

TAX ID NUMBER: 81 M R 021

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 918 Stewart St

▶ **LOCATION:** East side Stewart St., north of Gill Ave.

▶ **APPX. SIZE OF TRACT:** 7720 square feet

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Stewart St., a local street with 20' of pavement width within 35' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT ZONING:** C-3 (General Commercial)

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

▶ **EXISTING LAND USE:** Commercial building

▶ **PROPOSED USE:** One residential dwelling unit

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Duplex / O-1 (Office, Medical & Related Services)

South: House / C-3 (General Commercial)

East: House / C-3 (General Commercial)

West: Stewart St., vehicle repair business / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT: This area is primarily developed with residential uses under R-2, RP-1 and O-1 zoning. There are also several offices and commercial businesses mixed within the neighborhood, zoned C-3 and O-1.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE R-2 (General Residential) zoning, subject to one condition.**

1. With the exception of a driveway entrance from Stewart St., the area between the existing structure and Stewart St. must be vegetated. With the exception of a 26 feet maximum width driveway from Stewart St, all of the existing pavement in the front yard must be removed and replaced with new landscaping. At least two canopy trees must be included in the front yard. Grass is acceptable as part of the landscaping mix. The vegetated portion of the site shall extend to a depth of at least 30 feet from the existing sidewalk along Stewart St.

With the recommended condition above, R-2 zoning will be compatible with surrounding development and zoning and consistent with the proposals of the One Year Plan and sector plan for the property.

COMMENTS:

REZONING REQUIREMENTS FROM ZONING ORDINANCES (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/COUNTY GENERALLY:

1. The requested R-2 zoning is compatible with surrounding development and zoning. There are two similar properties in the same block that are now zoned R-2 and there is a large R-2 zoned property to the north of the site.
2. The subject property currently has a one-story commercial building, which the applicant intends to convert to residential use. The rezoning of this small site to allow residential use will have a minimal impact on surrounding properties. With the recommended condition, the property should end up having a more residential look, consistent with adjacent residential properties.
3. R-2 zoning is consistent with the One Year Plan and sector plan proposals for the area.

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

1. The requested R-2 zoning is a residential district to provide for medium population density. The principal uses of land may range from houses to low density multi-dwelling structures and developments. Certain uses, which are more compatible functionally with intensive residential uses than with commercial uses are permitted. Some recreational, religious, educational facilities and other related uses in keeping with the residential character of the district may be permitted on review by the planning commission. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and usable open space for dwellings and related facilities, and through consideration of the proper functional relationship to each use permitted in this district.
2. Based on the above description, R-2 is an appropriate zone for this site.

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

1. R-2 zoning will allow compatible development in the area.
2. The impact of the proposed rezoning should be minimal, as R-2 zoning and attached residential development are well established in the area.
3. Public water and sewer utilities are available to serve the site.

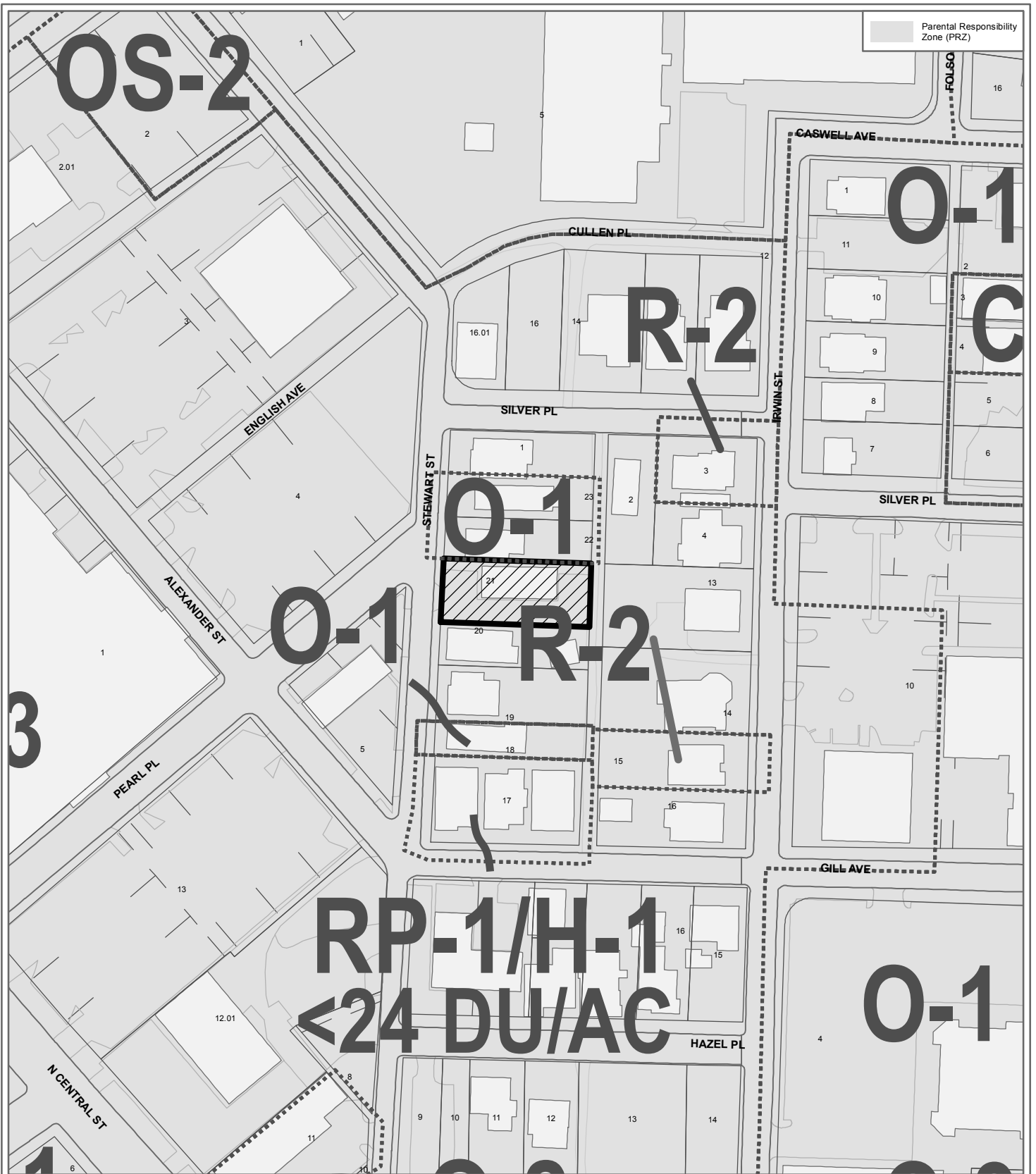
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Central City Sector Plan and City of Knoxville One Year Plan both designate this block as TDR (Traditional Neighborhood). R-2 zoning is permissible within this plan designation.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request may lead to future requests for R-2 zoning on surrounding properties, which would be consistent with the proposed plan designations for this block.
4. This proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 3/15/2016 and 3/29/2016. 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-J-16-RZ
REZONING**

From: C-3 (General Commercial)
To: R-2 (General Residential)



Petitioner: Nine Yards LLC by John King,
attorney

Map No: 81
Jurisdiction: City

