

▶ **FILE #:** 7-F-18-RZ

**AGENDA ITEM #:** 37

**AGENDA DATE:** 7/12/2018

▶ **APPLICANT:** SEAN SUDES  
 OWNER(S): Floyd T. Shown, Sr.

TAX ID NUMBER: 94 N C 027 & 028 [View map on KGIS](#)

JURISDICTION: City Council District 1

STREET ADDRESS: 1833 Forest Ave

▶ **LOCATION:** North side Forest Ave., east side Nineteenth St.

▶ **APPX. SIZE OF TRACT:** 0.22 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Forest Ave., a local street with 27' of pavement width within 50' of right-of-way, or Nineteenth St., a local street with 26' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

▶ **PRESENT ZONING:** I-2 (Restricted Manufacturing and Warehousing)

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

▶ **EXISTING LAND USE:** Industrial building

▶ **PROPOSED USE:** Residential development

EXTENSION OF ZONE: Yes, extension of R-2 from the east

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Vacant land / I-2 (Restricted Manufacturing Warehousing)

South: Forest Ave., apartments / R-3 (High Density Residential)

East: Houses / R-2 (General Residential)

West: Nineteenth St., house / O-1 (Office, Medical & Related Services)

NEIGHBORHOOD CONTEXT: This site is located in the Ft. Sanders area and is surrounded primarily by medium to high density residential uses, zoned R-2 and R-3. Ft. Sanders Hospital and other offices are also located in the area, zoned O-1 and O-2.

**STAFF RECOMMENDATION:**

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

1. Use on review approval of a development plan by MPC will be required prior to issuance of occupancy permits for the project.

With the recommended condition, R-2 is a logical extension of zoning from the east, is consistent with the adopted plan designation for the area and would allow uses compatible with the scale and intensity of the surrounding development and zoning pattern.

**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. R-2 zoning will allow the subject property to be developed with medium density residential uses, similar to surrounding development in the area.
2. The site is located in the Ft. Sanders neighborhood, within walking/biking distance from the University of Tennessee campus. Public transit service is available, making it more appropriate for the proposed more intense R-2 zoning.
3. Under R-2 zoning, the site could be developed with residential uses. These would not be permitted under the current I-2 zoning.
4. The MU-SD (MU-CC17) special district within the Central City sector plan allows consideration of medium density residential uses, but states that these uses should be conditioned to require development plan review to ensure infill development is compatible with the surrounding neighborhood; including, but not limited to, building setbacks, height and parking location and screening. The MU-SD (MUCC-17) description from the sector plan is attached.
5. The staff recommended condition above is included to address the sector plan stipulation to require development plan approval if the desired zone district is not a planned district, which would require MPC plan approval.

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. The applicant proposes residential development for the property, if the site is rezoned to R-2.
2. Since the development pattern of medium to high density residential uses has been well established in the area, the impact of development of this small area to the neighborhood should be minimal.
3. The proposal will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.

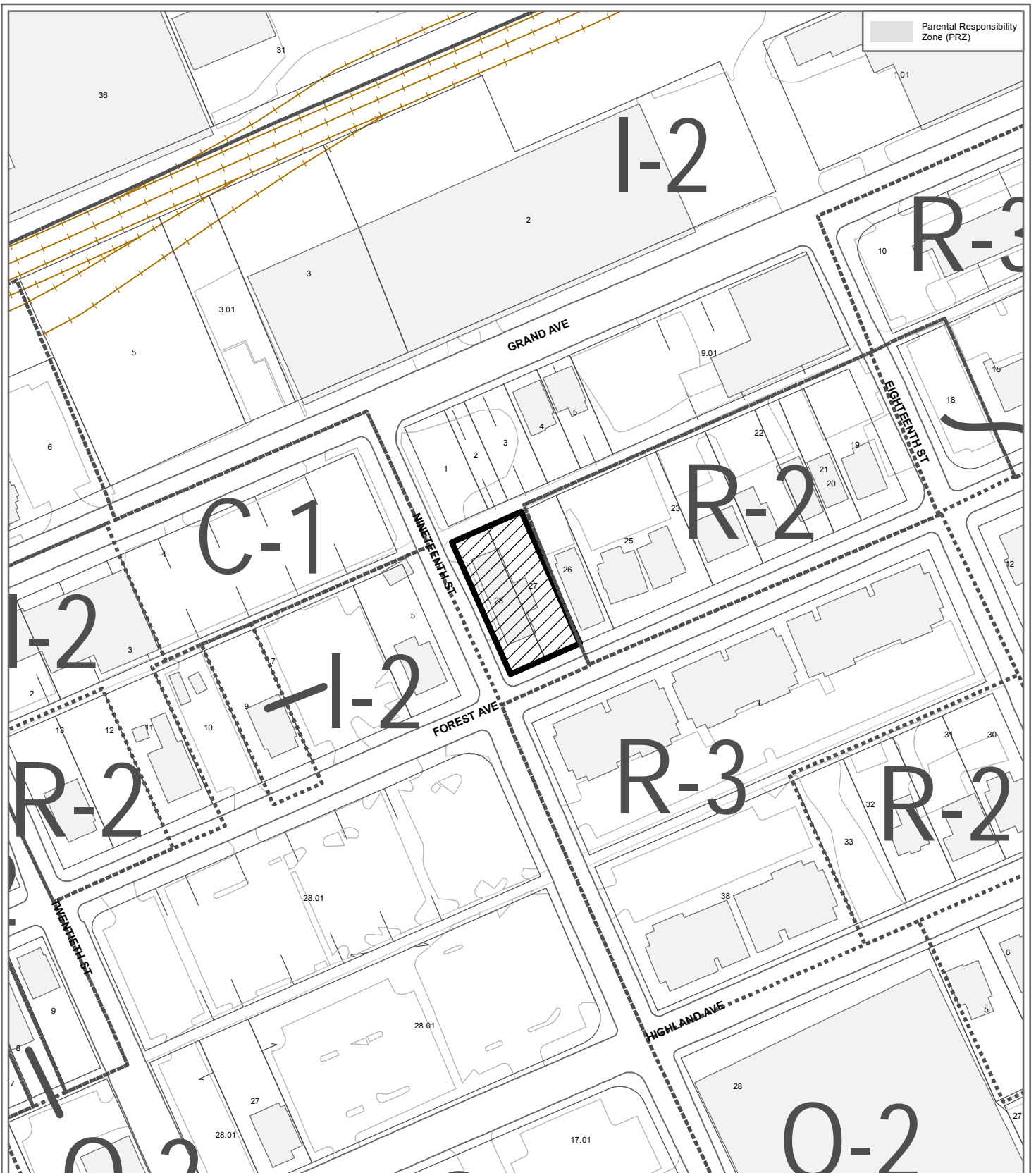
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. Both the City of Knoxville One Year Plan and the Central City Sector Plan designate this site as part of a Mixed Use Special District (MU-CC17). This district allows consideration of R-2 zoning, as long as it is conditioned upon the required development plan review, as recommended.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. 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 8/14/2018 and 8/28/2018. 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.



**7-F-18-RZ  
REZONING**

From: I-2 (Restricted Manufacturing and Warehousing)  
To: R-2 (General Residential)



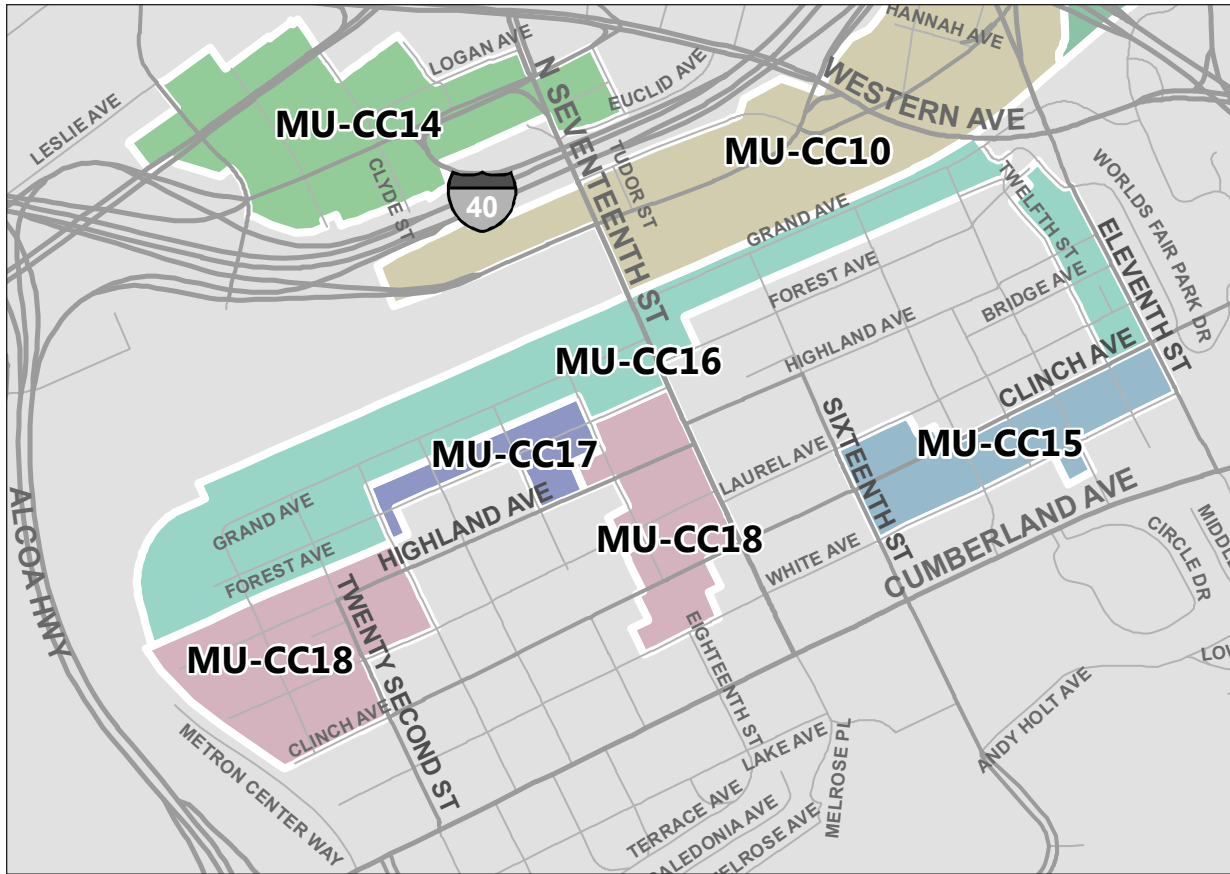
Petitioner: Suddes, Sean

Map No: 94

Jurisdiction: City



Original Print Date: 6/20/2018      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



**MU-CC18:**

Houses original to the neighborhood and new office buildings that are designed with a residential character and scale, characterize this district. This district is west of 17<sup>th</sup> Street and split by the Fort Sanders Hospital and East Tennessee Children's Hospital complexes. In the R-2 (general residential district) zone, medical facilities are considered a "use and structure permitted on review"; if considered, these uses should be located on the edge of the residential neighborhood areas, closer other non-residential uses such the hospitals.

**Recommended Uses**

A mix of residential uses, including other uses allowed as a "use and structure permitted on review" within the applicable residential zones. The design and scale of the buildings should be complimentary to the surrounding neighborhood.

- Medium Density Residential (MDR)
- Traditional Residential Neighborhood (TDR)

**Recommended Zoning**

Basic and Planned Development district zones that allow a "recommended use" for this district can be considered.

**MU-CC17:**

This district is the north side of Forest Avenue, between 21<sup>st</sup> Street and 18<sup>th</sup> Street, and primarily consists of houses and apartments. This area is intended to be a transition area between the hospital and the various uses along Grand Avenue.

**Recommended Uses**

A mix of uses should be allowed, including residential and office. The design and scale of the buildings should be complimentary to the surrounding neighborhood.

- Office (O)
- High Density Residential (HDR)
- Medium Density Residential (MDR)
- Traditional Residential Neighborhood (TDR)

**Recommended Zoning**

Basic and Planned Development district zones that allow a "recommended use", or mix of these uses, for this district can be considered and should be conditioned to require "development plan" review to ensure infill development is compatible with the surrounding neighborhood; including, but not limited to, building setbacks, height and parking location and screening. The C-2 (central business district) zone is not appropriate in this district.

KNOXVILLE KNOX COUNTY  
**MPC**  
 METROPOLITAN  
 PLANNING  
 COMMISSION  
 TENNESSEE  
 Suite 403 • City County Building  
 400 Main Street  
 Knoxville, Tennessee 37902  
 865 • 215 • 2500  
 FAX • 215 • 2068  
 www.knoxmpc.org

**REZONING**       **PLAN AMENDMENT**

Name of Applicant: Sean Suddes  
 Date Filed: 5/29/2018      Meeting Date: 7/12/18  
 Application Accepted by: M. Payne  
 Fee Amount: \$500.00      File Number: Rezoning 7-F-18-RZ  
 Fee Amount:         File Number: Plan Amendment   

**PROPERTY INFORMATION**  
 Address: 1829, 1833 Forest Ave  
 General Location: Corner of 11th & Forest Ave / Fort Sanders  
 Parcel ID Number(s): 094NC027  
094NC028  
 Tract Size: 0.22 acre  
 Existing Land Use: Industrial  
 Planning Sector: Central City  
 Growth Policy Plan: City  
 Census Tract: 70  
 Traffic Zone: 52  
 Jurisdiction:  City Council 6th District  
 County Commission \_\_\_\_\_ District

**PROPERTY OWNER**     **OPTION HOLDER**  
 PLEASE PRINT  
 Name: Floyd T. Shown Sr.  
 Company: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone: 865-414-1348  
 Fax: \_\_\_\_\_  
 E-mail: \_\_\_\_\_

**Requested Change**  
**REZONING**  
 FROM: Industrial  
 TO: Residential, R2  
**PLAN AMENDMENT**  
 One Year Plan     \_\_\_\_\_ Sector Plan  
 FROM: N/A  
 TO: \_\_\_\_\_

**APPLICATION CORRESPONDENCE**  
 All correspondence relating to this application should be sent to:  
 PLEASE PRINT  
 Name: Sean Suddes  
 Company: JMS Investments  
 Address: 500 Prestwick Ridge Way #43  
 City: Knoxville    State: TN    Zip: 37919  
 Telephone: 404-281-3799  
 Fax: \_\_\_\_\_  
 E-mail: sean.suddes@gmail.com

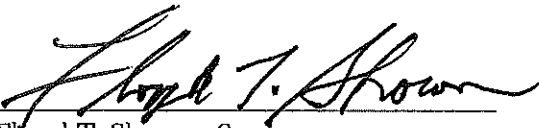
**PROPOSED USE OF PROPERTY**  
Residential Development  
 Density Proposed \_\_\_\_\_ Units/Acre  
 Previous Rezoning Requests: \_\_\_\_\_

**APPLICATION AUTHORIZATION**  
 I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.  
 Signature: Floyd T. Shown  
 PLEASE PRINT  
 Name: Floyd T. Shown  
 Company: Forest Ave. Property  
 Address: 6513 H: 11 Ridge Rd  
 City: Knoxv. TN    State: TN    Zip: 37912  
 Telephone: 865-938-8434  
 E-mail: Shownd8@yahoo.com

I Floyd T. Shown, Sr give permission to Sean Suddes to file for rezoning on the following tax parcels, 094NC027, 094NC028, 094NC001, 094NC002, and 094NC003. The parcels are currently zoned industrial and I am allowing Sean Suddes to rezone these parcels to residential (R2).

Date: 05/29/2018

Signature: \_\_\_\_\_

  
Floyd T. Shown, Sr