

▶ **FILE #:** 7-G-18-RZ

**AGENDA ITEM #:** 38

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

▶ **APPLICANT:** SEAN SUDES

OWNER(S): Floyd T. Shown, Sr.

TAX ID NUMBER: 94 N C 001-003

[View map on KGIS](#)

JURISDICTION: City Council District 1

STREET ADDRESS: 1826 Grand Ave

▶ **LOCATION:** South side Grand Ave., east side Nineteenth St.

▶ **APPX. SIZE OF TRACT:** 0.23 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Grand Ave, a local street with 38' of pavement width within 65' 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:** Vacant land

▶ **PROPOSED USE:** Residential

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

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Grand Ave., warehouses / I-2 (Restricted Manufacturing & Warehousing)

South: Alley, office building, house / I-2 (Restricted Manufacturing & Warehousing) and R-2 (General Residential)

East: House / I-2 (Restricted Manufacturing & Warehousing)

West: Nineteenth St., parking, school bus storage / C-1 (Neighborhood Commercial)

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-CC16) 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-16) 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.

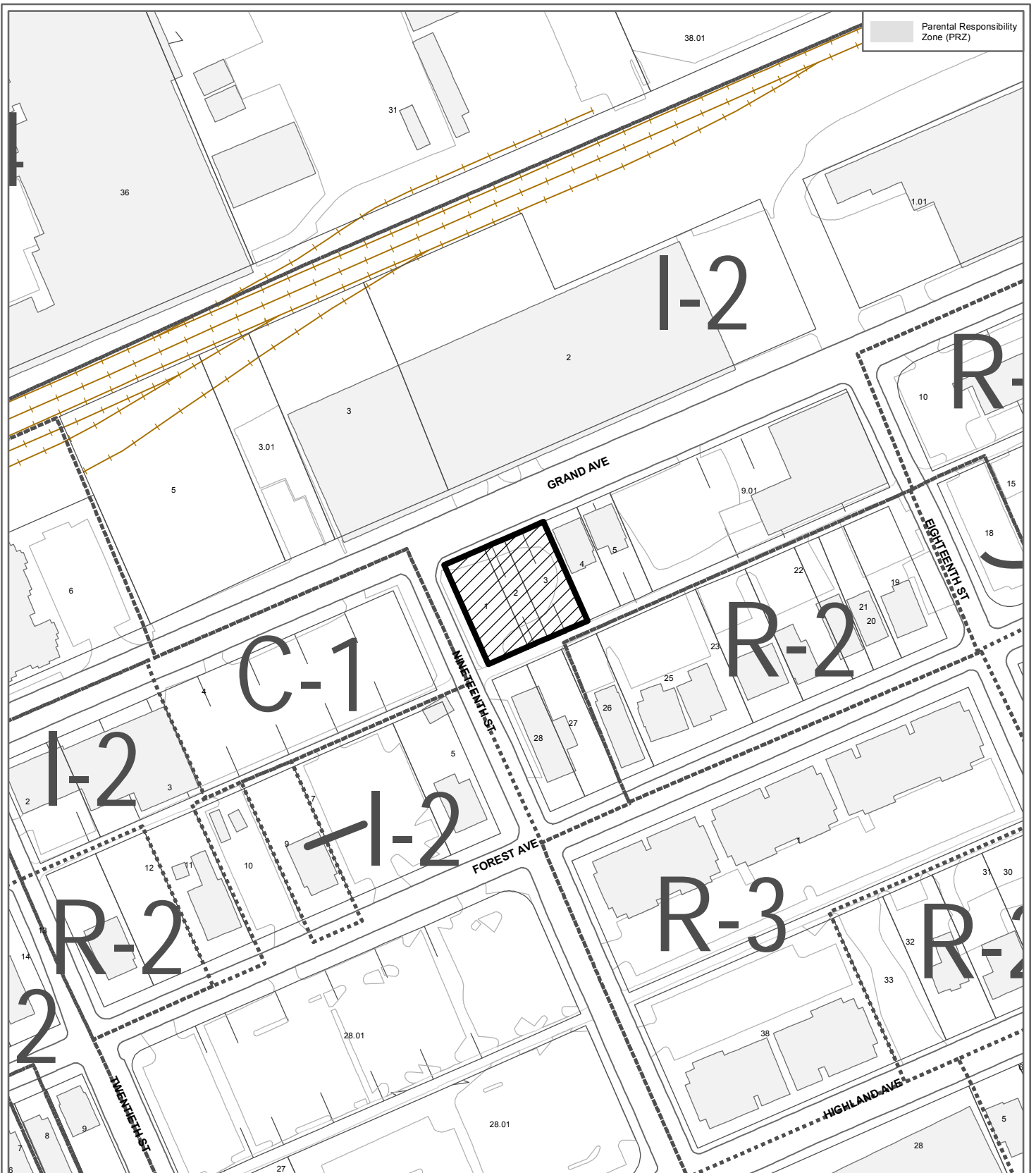
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

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-CC16). 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-G-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

## FORT SANDERS NEIGHBORHOOD

Fort Sanders is one of the most densely populated neighborhoods in the City of Knoxville. With the neighborhood's proximity to downtown, two regional hospitals and the flagship campus of the University of Tennessee, it is an ideal location for many residents and it acts as a gateway for many of Knoxville's visitors. With these assets comes the challenge of coordinating quality growth while maintaining the rich character and history that give Fort Sanders its unique identity.

Plans to reference for additional information:

- *Fort Sanders Neighborhood Plan* (MPC, 2000)
- *Cumberland Avenue Corridor Plan* (MPC, 2007)

### MU-CC15:

This district consists of areas along Clinch Avenue between 16<sup>th</sup> Street and 11<sup>th</sup> Street; including the neighborhood commercial area at the intersection of James Agree, two large apartment complexes (one of which is under construction), one hotel, and several offices and houses. Most of the district is on the south side of Clinch Street, which has seen the most transition from residential to other uses. The surface parking lot that encompasses the half block along Clinch Avenue, between James Agree Street and 14<sup>th</sup> Street, is an opportunity for a mixed-use development that includes neighborhood commercial uses and is scaled compatibly with the surrounding houses. If appropriate zoning is not available to allow a mixed-use development, extending the Neighborhood Conservation (NC-1) Overlay zone should be for this property to allow compatible development within a Basic or Planned Development zone.

### Recommended Uses

A mix of uses should be allowed including residential, office, retail and restaurants. The retail and restaurant uses should be located along 16<sup>th</sup> Street and 11<sup>th</sup> Street, and near the James Agee Street intersections of White Avenue and Clinch Avenue. The Neighborhood Conservation (NC-1) Overlay district should be extended into areas not already covered to ensure that infill development is compatible with the surrounding neighborhood.



*Mixed-use buildings, like this one in Atlanta, could be appropriate along Clinch Avenue.*

- Neighborhood Mixed Use Center (MU-NC)
- Office (O)
- High Density Residential (HDR)
- Medium Density Residential (MDR)
- Automobile-oriented uses, such as gas stations, are not appropriate.

### Recommended Zoning:

Form Code or Corridor Overlay District zoning should be developed for the area. 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.

### MU-CC16:

This district wraps around the eastern and northern edges of Fort Sanders and is meant to allow higher residential densities outside of the historic core of the neighborhood. Along Grand Avenue, there is a broad mix of uses that have been compatible with the residential uses (including office, wholesale and retail) and should be allowed to continue. High density residential uses have slowly been replacing these non-residential uses; this trend will likely continue.

### Recommended Uses

Residential uses are appropriate for the entire district. The existing office, wholesale, warehouse/distribution, and retail along Grand Avenue should be allowed to continue on those sites as a stand-alone use, or as a mix with other uses. The design and scale of the buildings should be complimentary to the surrounding neighborhood.

- High Density Residential (HDR)
- Medium Density Residential (MDR)
- Along Grand Avenue:
  - Office (O)
  - Business Park Type 2 (BP-2)
  - Neighborhood Mixed Use Commercial (MU-NC)

### 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.

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400 Main Street  
Knoxville, Tennessee 37902  
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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-G-18-RZ

Fee Amount: # File Number: Plan Amendment #

### PROPERTY INFORMATION

Address: 1826, 1828 Grand Ave  
General Location: Grand Ave + 19th Street

Parcel ID Number(s): 094NC001, 094NC002  
094NC003

Tract Size: 0.23 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

### Requested Change REZONING

FROM: Industrial

TO: Residential, R2

### PLAN AMENDMENT

One Year Plan     Sector Plan

FROM: N/A

TO: \_\_\_\_\_

### PROPOSED USE OF PROPERTY

Residential Development

Density Proposed \_\_\_\_\_ Units/Acre

Previous Rezoning Requests: \_\_\_\_\_

### PROPERTY OWNER    OPTION HOLDER

PLEASE PRINT

Name: Floyd T. Shown Sr.

Company: Forest Ave Property

Address: 86513 Hill Ridge Rd

City: Knoxville State: TN Zip: 37912

Telephone: 865-414-1348

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

### 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

### 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: 86513 Hill Ridge Rd

City: Knoxville State: TN Zip: 37912

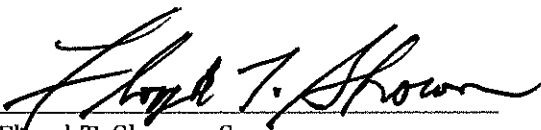
Telephone: 865-938-8434

E-mail: showns@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