

REZONING REPORT

▶ **FILE #:** 4-N-19-RZ

AGENDA ITEM #: 42

AGENDA DATE: 4/11/2019

▶ **APPLICANT:** TODD MORGAN
OWNER(S): Todd Morgan / Knox Heritage

TAX ID NUMBER: 94 N M 033 [View map on KGIS](#)

JURISDICTION: City Council District 1

STREET ADDRESS: 1815 Highland Ave

▶ **LOCATION:** **North side of Highland Avenue, East of Nineteenth Street, West of Eighteenth Street**

▶ **APPX. SIZE OF TRACT:** **0.16 acres**

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Highland Ave., a minor collector street with 35' of pavement width within 50' of right-of-way, and the unnamed alley to the rear of the property.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

▶ **PRESENT ZONING:** **R-3 (High Density Residential)**

▶ **ZONING REQUESTED:** **R-3 (High Density Residential) / H-1 (Historic Overlay)**

▶ **EXISTING LAND USE:** **House**

▶ **PROPOSED USE:** **House**

EXTENSION OF ZONE: No

HISTORY OF ZONING:

SURROUNDING LAND USE AND ZONING:
North: Apartments / R-3 (High Density Residential)
South: Parking garage, vacant land / O-2 (Civic and Institutional) and NC-1 (Neighborhood Conservation Overlay)
East: Single family, multi family, office / R-2 (General Residential)
West: Apartments / R-3 (High Density Residential)

NEIGHBORHOOD CONTEXT: The property is located within the Fort Sanders National Register Historic District. Fort Sanders NC-1 zoning is located to the south across Highland Avenue. Parking deck for Covenant Health is also located to the south across Highland Avenue.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE R-3 (High Density Residential) / H-1 (Historic Overlay) and Design Guidelines.**

Staff recommends approval of H-1 (Historic Overlay) district for this property because the c. 1900 house is significant in that it exemplifies a working class Queen Ann cottage that was very typical in the Fort Sanders neighborhood. The inhabitants included a clerk, foreman, an engineer, superintendent, an engineer, and a

railroad employee. The Design Guidelines for the property will be the Secretary of the Interior's Standards for Rehabilitation from the National Park Service. The Historic Zoning Commission (HZC) unanimously recommended approval for an H-1 zoning overlay for 1815 Highland Avenue at their December 20, 2018 meeting.

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 property is located within a National Register Historic District and the owner moved a historic house onto this property. The owner has requested the H-1 overlay district to protect home from inappropriate modifications and demolition without review by the HZC.

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

1. The intent of the H-1 zone is to preserve and protect historic structures and areas which serve as visible reminders of the history and cultural heritage of the City of Knoxville, State of Tennessee and the United States of America. This district is also intended to assist in stabilizing and improving property values in historic areas by encouraging rehabilitation or new construction harmonious with the historic area. Through this district, historic structures and areas of sufficient historical or architectural significance are designated for public protection. It is the intent of this district to regulate the construction, repair, alteration, rehabilitation, relocation or demolition of any building or other structure which is located or proposed to be located in an H-1 historic overlay district. This district is not intended, however, to regulate the use of land, buildings or structures.
2. The subject site is located within the Fort Sanders (National Register) Historic District, meeting the intent of the H-1 overlay district.

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 H-1 overlay district is for this subject property only and will not have any adverse effects on nearby properties.

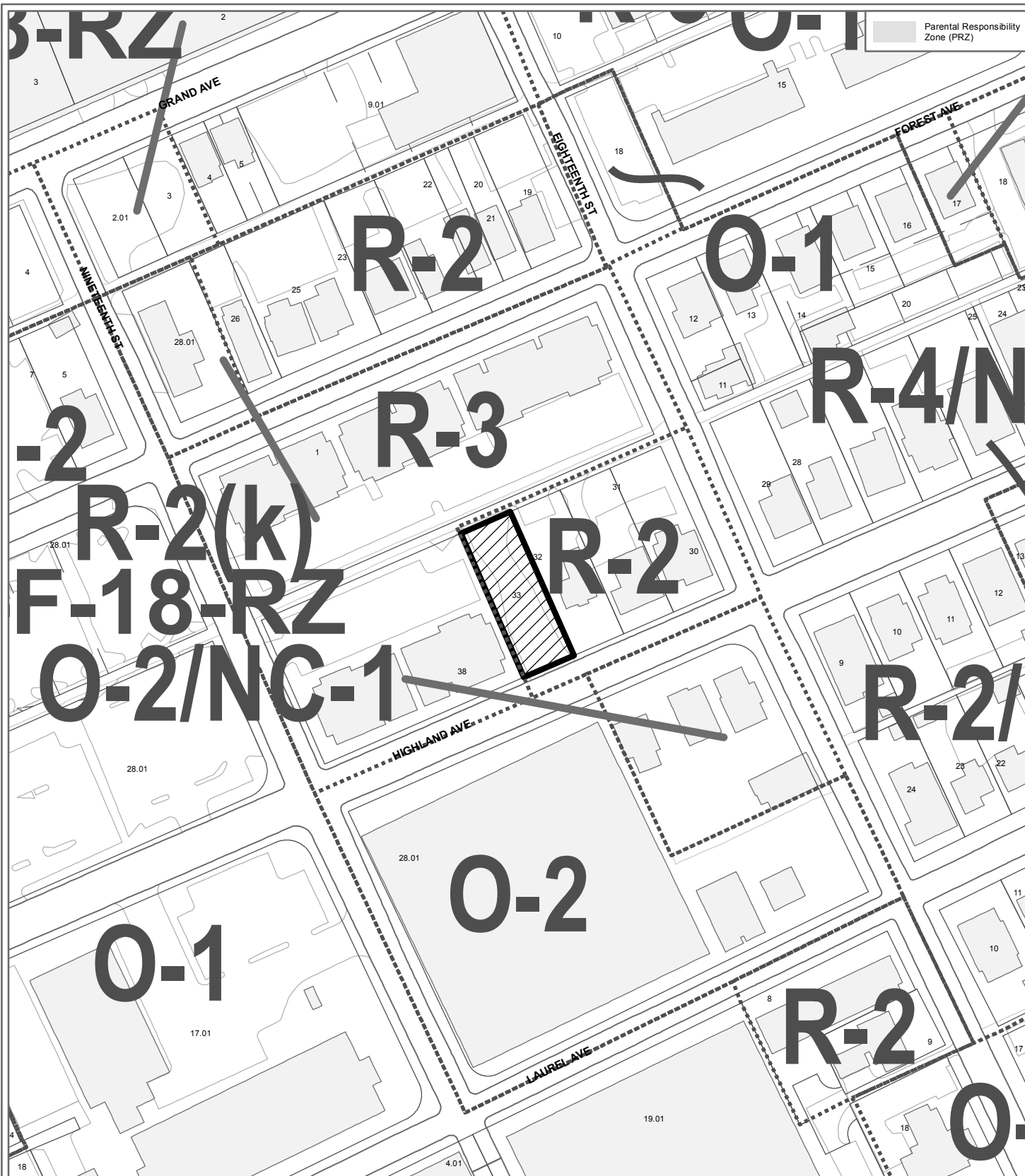
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Central City Sector Plan and City One Year Plan proposes a Mixed Use Special District which recommends high density, medium density, and traditional neighborhood residential uses, and office uses. The current R-3 zone is a permitted zone within this district.
2. The sector plan in general recommends using the H-1 overlay district to protect historic resources.
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 5/7/2019 and 5/21/2019. If denied, Knoxville-Knox County Planning Commission'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 a Planning Commission decision in the City.



**4-N-19-RZ
REZONING**

From: R-3 (High Density Residential)

To: R-3 (Residential) / H-1 (Historic Overlay & Design Guidelines)



Petitioner: Morgan, Todd

Map No: 94

Jurisdiction: City



Original Print Date: 3/18/2019

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

KNOXVILLE-KNOX COUNTY

M P C

METROPOLITAN
P L A N N I N G
C O M M I S S I O N

T E N N E S S E E

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

*Recommended
to City Council
by H2C
(conanimas)*

APPLICATION for DESIGNATION HISTORIC OVERLAY (H-1 OR HZ) NEIGHBORHOOD CONSERVATION OVERLAY (NC-1)

Request: H-1 or HZ Historic Overlay or NC-1 Neighborhood Conservation
Overlay *TM 2/25/19*

Date submitted: 12-4-18

Historic Name of Property: _____

Common Name of Property: _____

Address of Property: 1815 Highland Avenue (formerly 1804 Highland Avenue)

Tax Parcel ID Number 094NM033 Base Zoning: R-3

Is the property listed on the National Register of Historic Places? Yes _____ No

Applicant's Name (please print): Todd Morgan

Applicant's Signature: *Todd Morgan*

Address: 3425 Kingston Pike Knoxville, TN 37919

Telephone Number (s): 865-523-8008

Application Accepted By: *Kary Graybeal*

NOTE: AN APPLICATION FOR REZONING MUST BE FILED WITH THIS
APPLICATION FOR HISTORIC OVERLAY ZONING.

REZONING

PLAN AMENDMENT

Name of Applicant: Todd Morgan

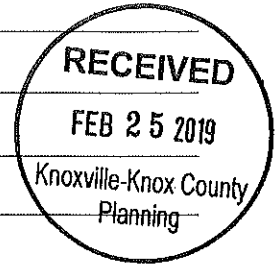
Date Filed: 12-4-18

Meeting Date: 4-11-19

Application Accepted by: _____

Fee Amount: 500.00 File Number: Rezoning 4-N-19-RZ

Fee Amount: _____ File Number: Plan Amendment _____



PROPERTY INFORMATION

Address: 1815 Highland Avenue

General Location: Fort Sanders

N/S Highland Ave., E. 19th St., West of 18th St.

Parcel ID Number(s): 094NM033

Tract Size: 0.16 Acre

Existing Land Use: Residential

Planning Sector: Central City

Growth Policy Plan: None

Census Tract: 69

Traffic Zone: 60

Jurisdiction: City Council First (Welch) District
 County Commission _____ District

**Requested Change
REZONING**

FROM: R-3

TO: R-3/NE-1 H-1 *TJM* 2/25/2019

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____

TO: _____

PROPOSED USE OF PROPERTY

Single Family Residential

Density Proposed 1 Units/Acre

Previous Rezoning Requests: _____

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT

Name: Todd Morgan

Company: Knox Heritage

Address: 3425 Kingston Pike

City: Knoxville State: TN Zip: 37919

Telephone: 865-523-8008

Fax: 865-523-0938

E-mail: toddmorgan@knoxheritage.org

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: Todd Morgan

Company: Knox Heritage

Address: 3425 Kingston Pike

City: Knoxville State: TN Zip: 37919

Telephone: 865-523-8008

Fax: 865-523-0938

E-mail: toddmorgan@knoxheritage.org

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: Todd Morgan

PLEASE PRINT

Name: Todd Morgan

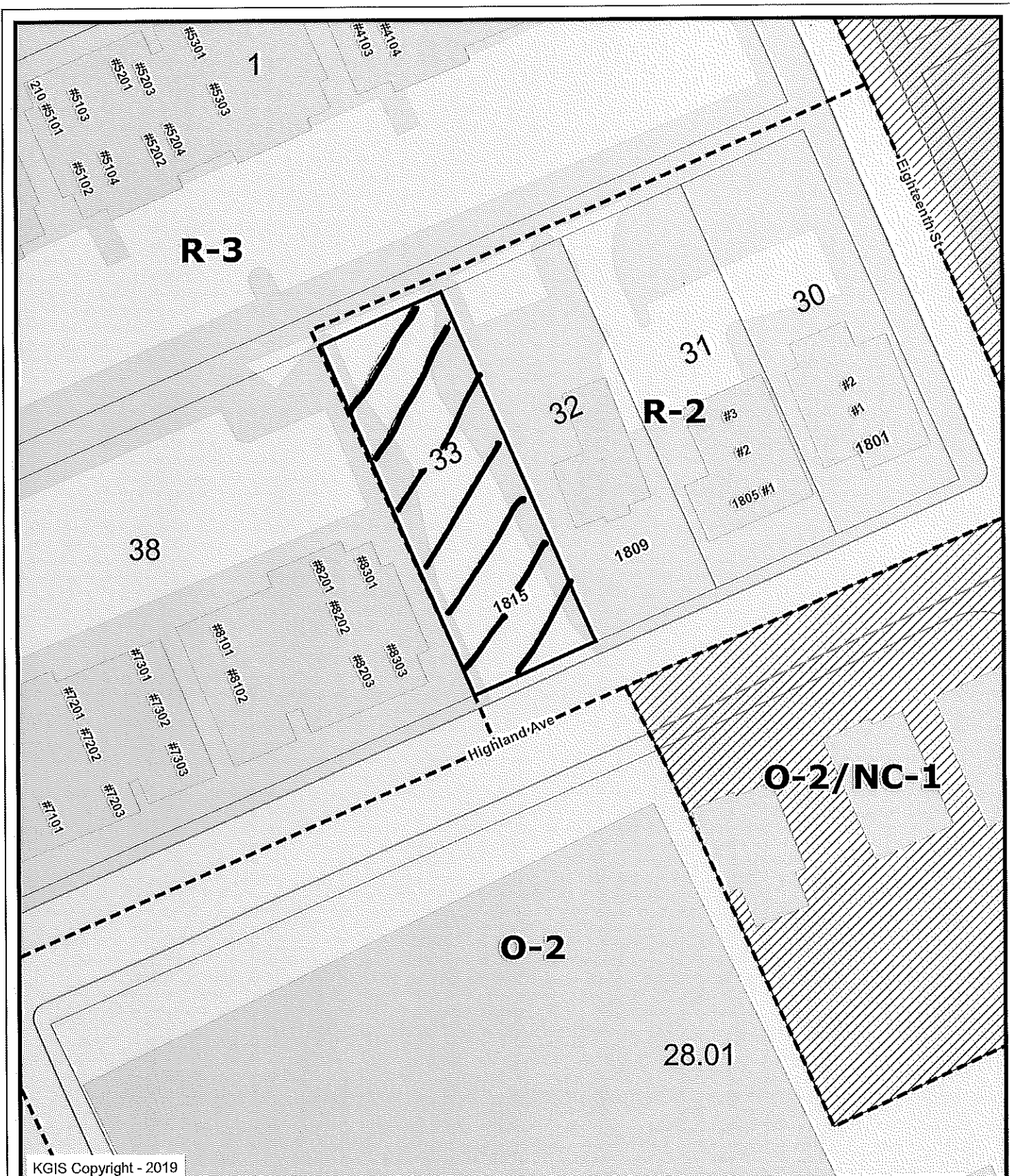
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E-mail: toddmorgan@knoxheritage.org



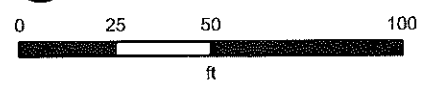
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Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



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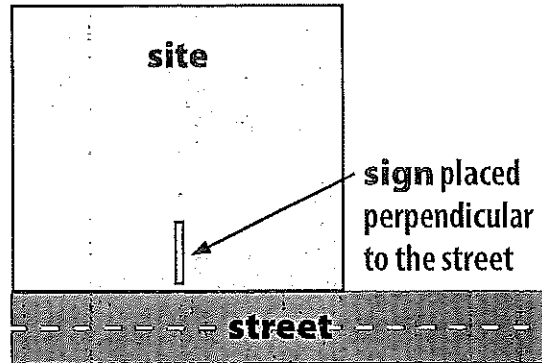
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled MPC public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

March 27th and April 12th
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: Todd Morgan

Printed Name: Todd Morgan

Phone: 865-523-8008 Email: tmorgan@gmail.com

Date: 2/25/19

MPC File Number: 4-N-19-RZ