

REZONING REPORT

► **FILE #:** 8-C-19-RZ

AGENDA ITEM #: 29

AGENDA DATE: 8/8/2019

► **APPLICANT:** CHRISTINE DUNCAN

OWNER(S): Christine & Richard Duncan

TAX ID NUMBER: 81 D D 056

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 1613 Hutchinson Avenue

► **LOCATION:** North side of Hutchison Avenue, east side of Rosemond Drive, south side of Crest Drive

► **APPX. SIZE OF TRACT:** 1.13 acres

SECTOR PLAN: East City

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: The site is accessed from Hutchinson Road, a local road with a 24-foot pavement width and an approximately 54-foot right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

► **PRESENT ZONING:** O-1 (Office, Medical, and Related Services) / IH-1 (Infill Housing Overlay)

► **ZONING REQUESTED:** RP-1 (Planned Residential) / IH-1 (Infill Housing Overlay) to remain

► **EXISTING LAND USE:** Cell Tower Site - TCU (Transportation, Communications, Utilities)

► **PROPOSED USE:** Build 4 detached condo cottages of 640 sq ft

DENSITY PROPOSED: 4 du/ac

EXTENSION OF ZONE: N/A

HISTORY OF ZONING: The Infill Housing Overlay was created and applied to this neighborhood in October, 2007.

SURROUNDING LAND USE AND ZONING: North: Single Family Residential - R-1A/IH-1 (Low Density Residential District/Infill Housing Overlay District)

South: Commercial, Multifamily Residential, and Single Family Residential - O-1/IH-1 (Office, Medical, and Related Services District/Infill Housing Overlay District)

East: Office - O-1/IH-1 (Office, Medical, and Related Services District/Infill Housing Overlay District)

West: Transportation/Communications/Utility - O-1/IH-1 (Office, Medical, and Related Services District/Infill Housing Overlay District)

NEIGHBORHOOD CONTEXT: The neighborhood consists of small lot, single-family residential uses and scattered multifamily use, as well as varied commercial uses nearby to the west. There is a commercial node at the intersection of Hutchinson Avenue and Edgewood Drive approximately a block away to the west. In the immediate vicinity, there is a duplex, WBIR TV station, and this lot contains a cell tower.

STAFF RECOMMENDATION:

► Approve RP-1 (Planned Residential) zoning with a density of up to 8 du/ac.

RP-1 (Planned Residential) zoning is compatible with the sector plan land use designation and the area consists of smaller lot, single family homes and various commercial uses.

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. This property is located within the City of Knoxville. There have been no substantial changes to the area. However, due to the mix of existing land uses, this request is in character with the neighborhood.
2. This end of Hutchinson Avenue has developed as a commercial node, with commercial properties terminating at the adjacent parcel to the west. Higher density, multifamily dwellings currently exist in the area.

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

1. The proposed amendment to RP-1 zoning is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, education, and cultural facilities which are integrated with the total project by unified architectural and open space treatment. In order to accomplish these objectives, a new RP-1, RP-2, or RP-3 planned residential district may be created to be developed specifically as planned unit development.
2. District regulations shall be as outlined in this section and shall be the same for RP-1, RP-2, and RP-3 districts except for the overall population density permitted in each district.
3. Each planned unit development shall be compatible with the surrounding or adjacent districts. Such compatibility shall be determined by the Planning Commission by review of development plans for the district.
4. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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 area to the west has developed into a variety of commercial uses, and the area to the east consists of smaller lots ranging in size from 0.18 ac to 0.50 ac.
2. The density proposed by the applicant (7 du/ac) is higher than existing conditions (2.12 du/ac). However, only 3 lots directly front the street, with the remaining 5 proposed as a back row of houses.
3. Access for all lots would be off Hutchinson Avenue, as the right-of-way visible behind the property in maps is an undeveloped strip of land.
4. RP zoning requires development review, which would address any potential adverse effects.
5. Due to the IH-1 overlay district, the site and building plans must comply with IH-1 regulations, which require new construction to be compatible with houses on the same block in terms of building width, space between structures, setbacks, etc. Site and building plans will require approval by the Infill Housing Review Committee in addition to the use on review required by the RP-1 zoning.

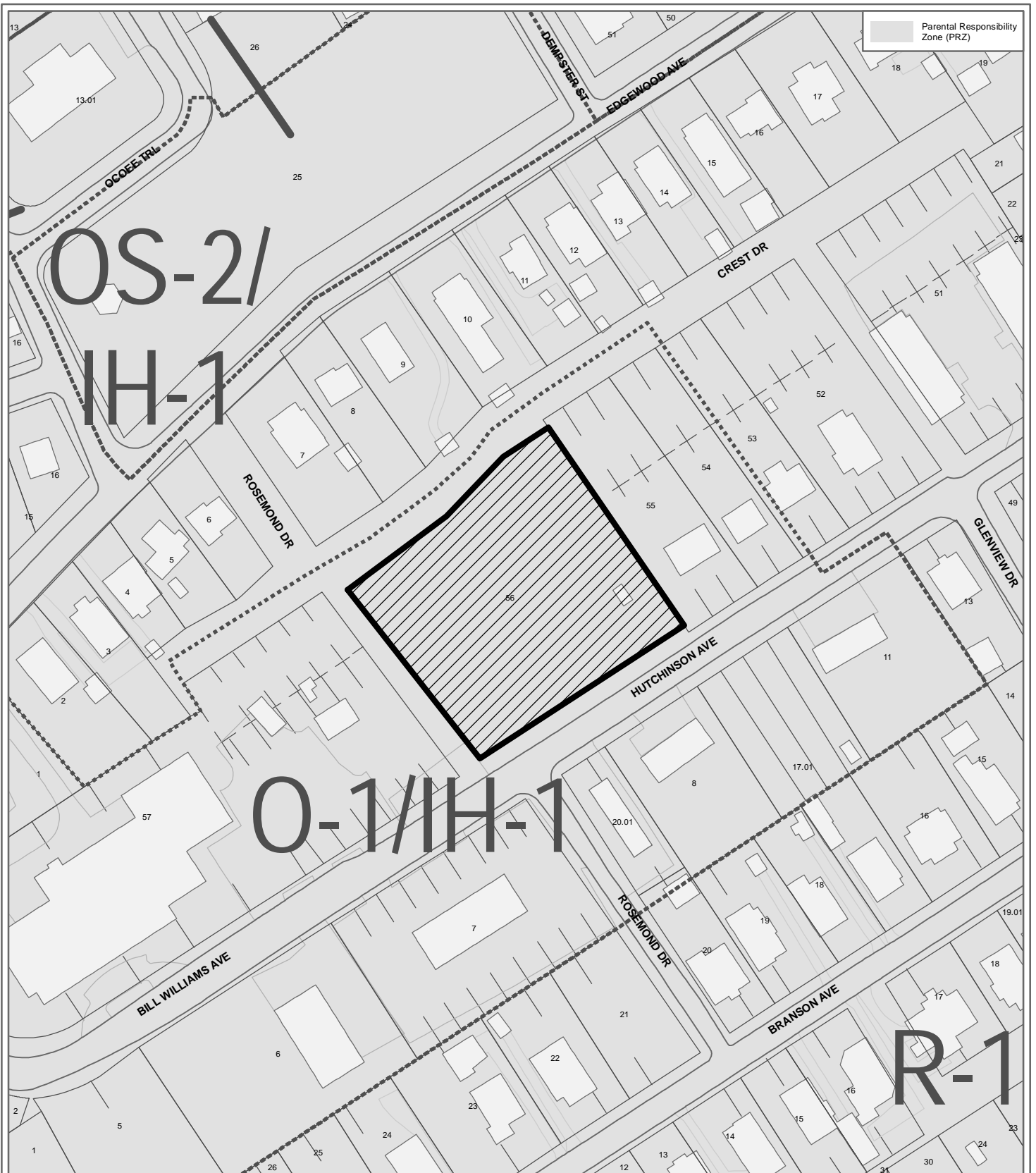
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. RP-1 is one of the recommended zones for the TDR (Traditional Neighborhood Development) land use designation.
2. The sector plan describes the TDR land use designation as residential in character and says 4-8 du/ac are typical. The applicant originally requested 3.53 du/ac to build 4 condo units but later submitted a concept drawing with 8 detached dwelling units, yielding a density of 7.08 du/ac. Staff is recommending approval for up to 8 du/ac to accommodate the applicant's change in plans, as the proposal is compatible with TDR criteria, would not be detrimental to the neighborhood, and would provide a smoother transition from the commercial uses to the west and the single family uses to the east.
3. The proposed amendment is consistent with all other 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 9/10/2019 and 9/24/2019. 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.



8-C-19-RZ REZONING



From: O-1 (Office, Medical, and Related Services) / IH-1 (Infill Housing Overlay)
To: RP-1 (Planned Residential) / IH-1 (Infill Housing Overlay) to remain

Original Print Date: 7/15/2019 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Duncan, Christine

Map No: 81

Jurisdiction: City

0 125
Feet



Exhibit A. Contextual Images

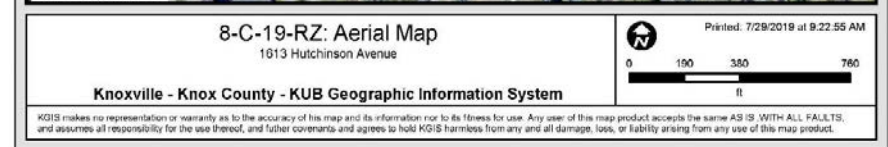
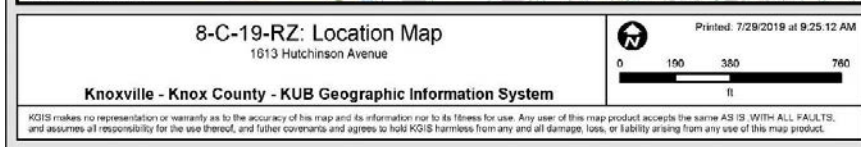


Exhibit A. Contextual Images

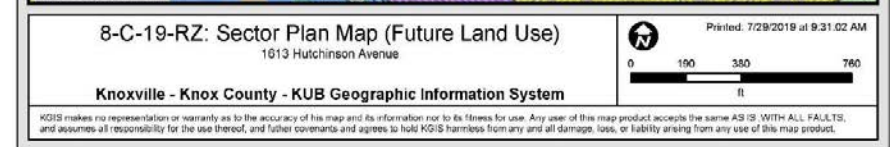
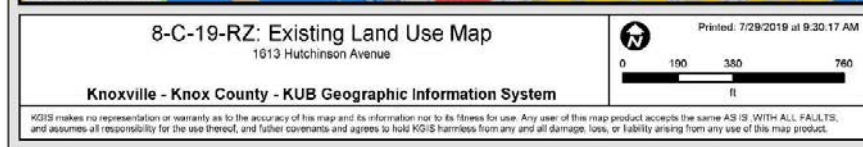
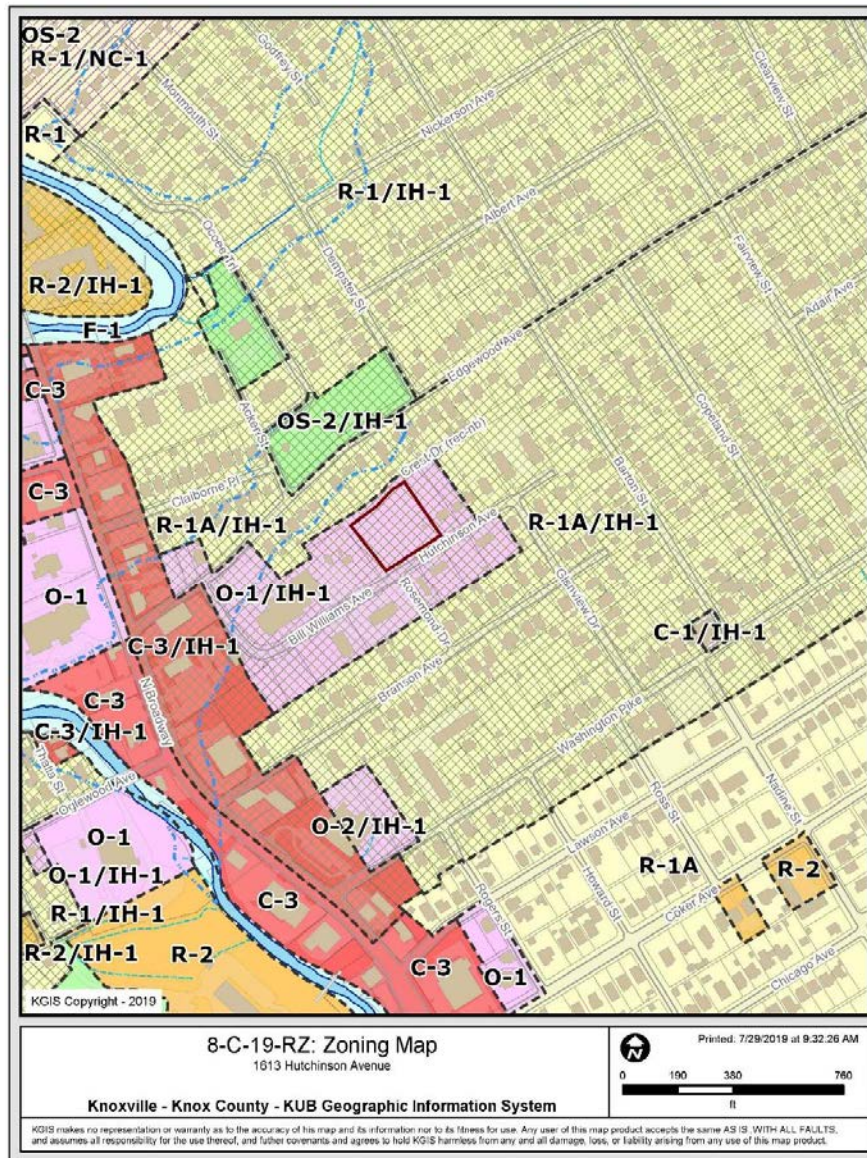


Exhibit A. Contextual Images



ck #1052 \$500 6-24-19

KNOXVILLE-KNOX COUNTY
M P C
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: CHRISTINE DUNCAN

Date Filed: 6/20/19 Meeting Date: AUG 8, 2019

Application Accepted by: James Reed

Fee Amount: \$500 File Number: Rezoning 8-C-19-RZ

Fee Amount: \$600 File Number: Plan Amendment _____

RECEIVED

JUN 20 2019

Knoxville-Knox County
Planning

PROPERTY INFORMATION

Address: 1613 HUTCHINSON AVE

General Location: APPROX. 860 FT

NE of BROADWAY SE of

EDGEWOOD AVE, 37917

Parcel ID Number(s): _____

081DD056

Tract Size: 1.13 Acre

Existing Land Use: VACANT + 1 sm. tower

Planning Sector: EAST CITY

Growth Policy Plan: City

Census Tract: 16

Traffic Zone: 86

Jurisdiction: ☒ City Council 4 District

☒ County Commission 2 District

Requested Change

REZONING

FROM: O-1/IH-1

TO: RPI

?

PLAN AMENDMENT

☐ One Year Plan ☐ _____ Sector Plan

FROM: _____

TO: _____

PROPOSED USE OF PROPERTY

BUILD 4 DETACHED CONDO.

COTTAGES OF 640 SF LIKE

RICHMOND ORCHARD

Density Proposed 4 DU/AC Units/Acre

Previous Rezoning Requests: _____

N/A

☒ **PROPERTY OWNER** ☐ **OPTION HOLDER**

PLEASE PRINT Name: CHRISTINE + RICHARD DUNCAN

Company: _____

Address: 1009 KENSINGTON CIRCLE

City: KNOXVILLE State: TN Zip: 37919

Telephone: 865-556-2382

Fax: _____

E-mail: randcduncan@gmail.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT Name: RICHARD + CHRISTINE DUNCAN

Company: _____

Address: 1009 KENSINGTON CIRCLE

City: KNOXVILLE State: TN Zip: 37919

Telephone: 865-556-2382

Fax: _____

E-mail: randcduncan@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: Christine Duncan

PLEASE PRINT Name: CHRISTINE DUNCAN

Company: _____

Address: 1009 KENSINGTON CIRCLE

City: KNOXVILLE State: TN Zip: 37919

Telephone: 865-556-2382

Fax: _____

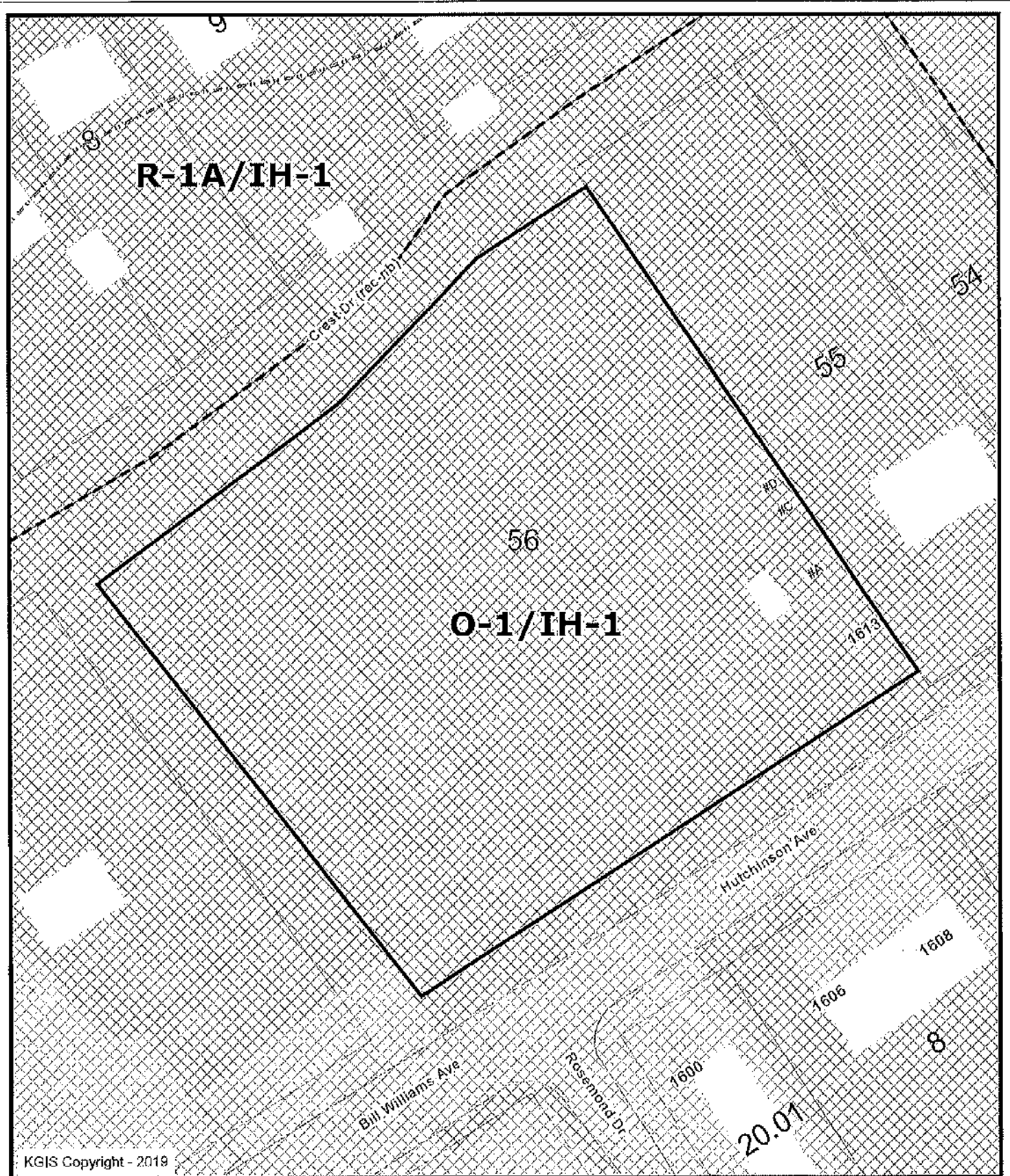
E-mail: randcduncan@gmail.com

NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:

Please Print or Type in Black Ink:

(If more space is required attach additional sheet.)

| Name | Address | City | State | Zip | Owner | Option |
|-------------------|------------------------|------|-------|-------|-------|--------|
| RICHARD L. DUNCAN | | | | | ✓ | |
| + | 1009 KENSINGTON CIRCLE | | | | | |
| | KNOXVILLE, TN | | | 37919 | | |
| CHRISTINE DUNCAN | | | | | ✓ | |



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Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



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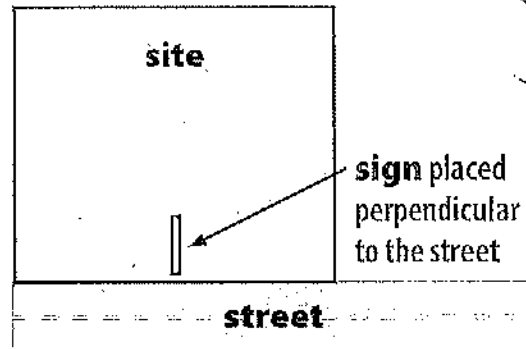
REQUIRED SIGN POSTING AGREEMENT

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 Administrative Rules and Procedures.

At the time of application, 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 Planning 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. Planning staff may recommend a preferred location for the sign to be posted at the time of application.



Hutchinson Ave

TIMING

The sign(s) must be posted 15 days before the scheduled Planning Commission 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 Planning Commission 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:

July 24th (Wed) and August 7th (Fri)
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: Christine Duncan

Printed Name: CHRISTINE DUNCAN

Phone: 865-556-2382 Email: randcduncan@gmail.com

Date: 6/20/19

File Number: 8-C-19-RZ