

REZONING REPORT

► **FILE #:** 10-D-19-RZ

AGENDA ITEM #: 21

AGENDA DATE: 10/10/2019

► **APPLICANT:** DAVID VARNER

OWNER(S): David Varner / Varner Homes & Development, LLC

TAX ID NUMBER: 71 P G 003

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 0 Holston Drive

► **LOCATION:** **South side of Holston Drive, east of Ault Street and west of Meadow View Road**

► **APPX. SIZE OF TRACT:** **2.3 acres**

SECTOR PLAN: East City

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

ACCESSIBILITY: Holston Drive is a minor collector with a pavement width of 25 feet and a right-of-way width of 42 feet.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Loves Creek

► **PRESENT ZONING:** **R-2 (General Residential)**

► **ZONING REQUESTED:** **RN-5 (General Neighborhood Residential)**

► **EXISTING LAND USE:** **Vacant parcel**

► **PROPOSED USE:** **None specified, applicant wants a zone comparable to R-2 in the new zoning ordinance. The parcel was home to Ray's Mobile Home Park at one time.**

DENSITY PROPOSED: **n/a**

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted for this property

SURROUNDING LAND
USE AND ZONING:

North: Commercial - C-3 (General Commercial District)

South: Single Family Residential - R-2 (General Residential District)

East: Public/Quasi-Public and Single Family Residential - R-1 (Low Density Residential District)

West: Office and Single Family Residential - C-1 (Neighborhood Commercial District) and R-1 (Low Density Residential District)

NEIGHBORHOOD CONTEXT: This section of Holston Drive sits just south of Asheville Highway, and those parcels have double-frontages along both roads. There is a variety of commercial uses (Karm store, strip mall, large grocery with a gas station) on the north side of Holston Drive. The rear of these establishments face Holston Drive, and most have access points. Uses on the south side of Holston Drive include a church, an auto repair shop, and single-family residential homes.

STAFF RECOMMENDATION:

- **Approve RN-5 (General Residential Neighborhood Zoning District) zoning under the new City of Knoxville zoning code. This rezoning would be effective when the new zoning ordinance takes effect on January 1, 2020.**

Staff recommends approval of the requested RN-5 (General Residential Neighborhood Zoning District) zoning to take effect with the newly adopted zoning code since it is the comparable zone under the new zoning code.

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. Planning staff has begun accepting applications for comparable zones in the new zoning code scheduled to take effect January 1, 2020.
2. The accompanying zoning map for the new zoning ordinance shows this parcel zoned RN-4 (General Residential Neighborhood Zoning District).

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

1. The proposed amendment to RN-5 (General Residential Neighborhood Zoning District) zoning is intended to accommodate medium density residential neighborhoods in the City of Knoxville comprising a heterogeneous mix of single-family, two-family, townhouse, and multifamily dwellings. The RN-5 District may also serve as a functional transition between traditionally single-family and two-family residential neighborhoods within the City, and more intensely developed residential or commercial areas. Limited nonresidential uses that are compatible with the character of the district may also be permitted.
2. RN-5 is comparable to the existing zoning, R-2 (General Residential District). Like R-2, RN-5 allows duplexes and multifamily uses by right.
3. Like the RN-4 zone this property is scheduled for, RN-5 is a General Residential Neighborhood zoning district. However, RN-5 allows for smaller lot sizes for two-family dwellings and townhouses, and requires a stepped-down approach to multifamily housing. RN-4 requires 2,000 square feet per dwelling unit while RN-5 requires 5,000 square feet for the first dwelling unit and 1,450 square feet for each additional dwelling unit. Once a development reaches six dwelling units, less land is required in RN-5 than in RN-4.
4. Rezoning this parcel to RN-5 would take effect upon the adoption of the new zoning ordinance

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. RN-5 has similar area requirements to the existing zone, R-2, in terms of setbacks, lot coverage, and building height, so any new development would be subject to rules similar to those currently in place. The main differences in the requirements of these two zones are the side setbacks (8' in R-2; 5' in RN-5) and front setbacks (25' in both zones, but RN-5 has a provision that allows a shorter distance according to the block average).

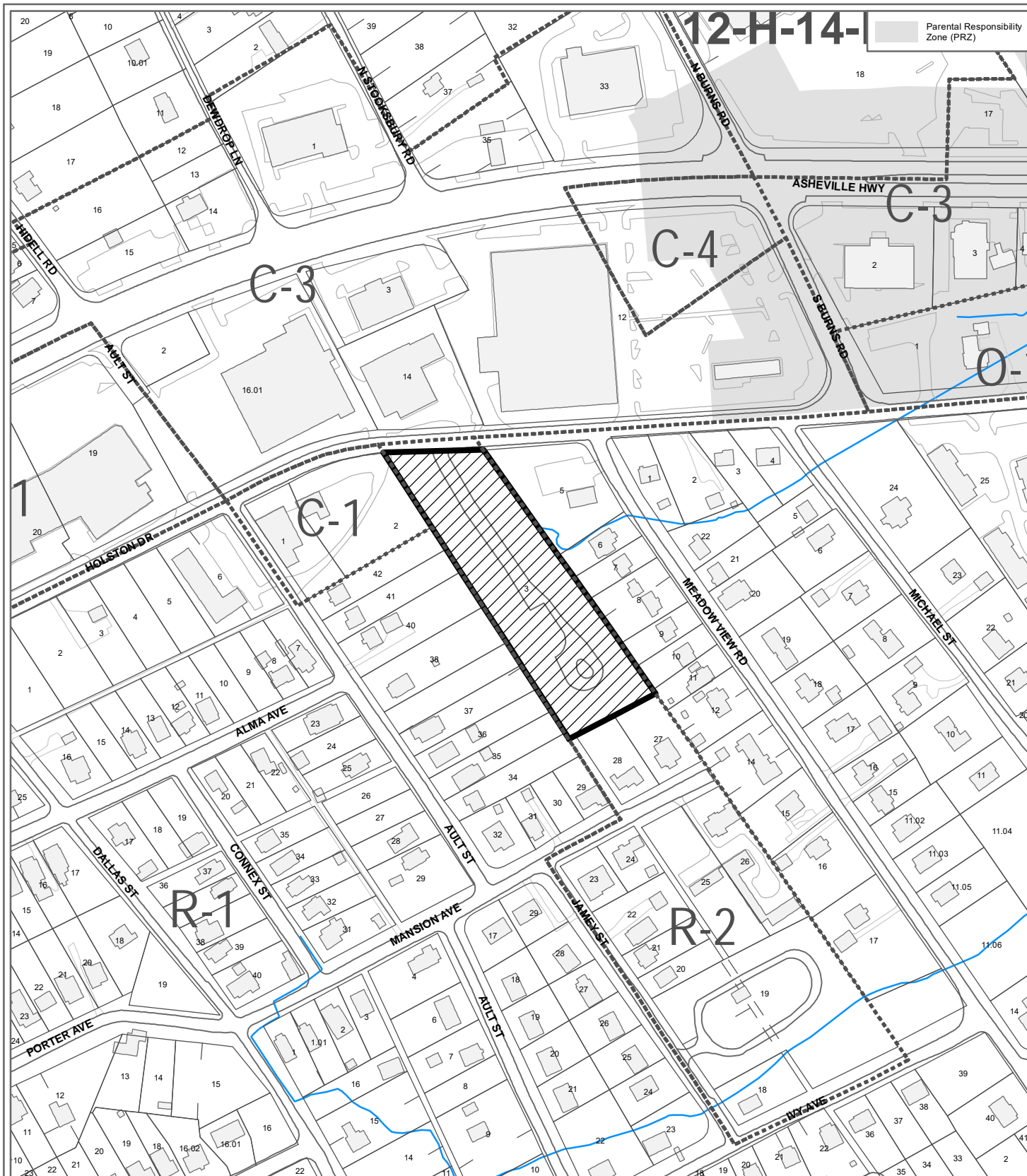
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. RN-5 is consistent with the East City Sector Plan's MDR (Medium Density Residential) designation.
2. The proposed rezoning is consistent with all other plans.
3. This property is in FEMA Flood Zone X, but is not in a floodplain or floodway.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

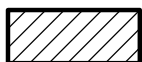
If approved, this item will be forwarded to Knoxville City Council for action on 11/5/2019 and 11/19/2019. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



10-D-19-RZ REZONING

From: R-2 (General Residential)

To: RN-5 (General Neighborhood Residential)



Original Print Date: 9/17/2019
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Varner, David

Map No: 71

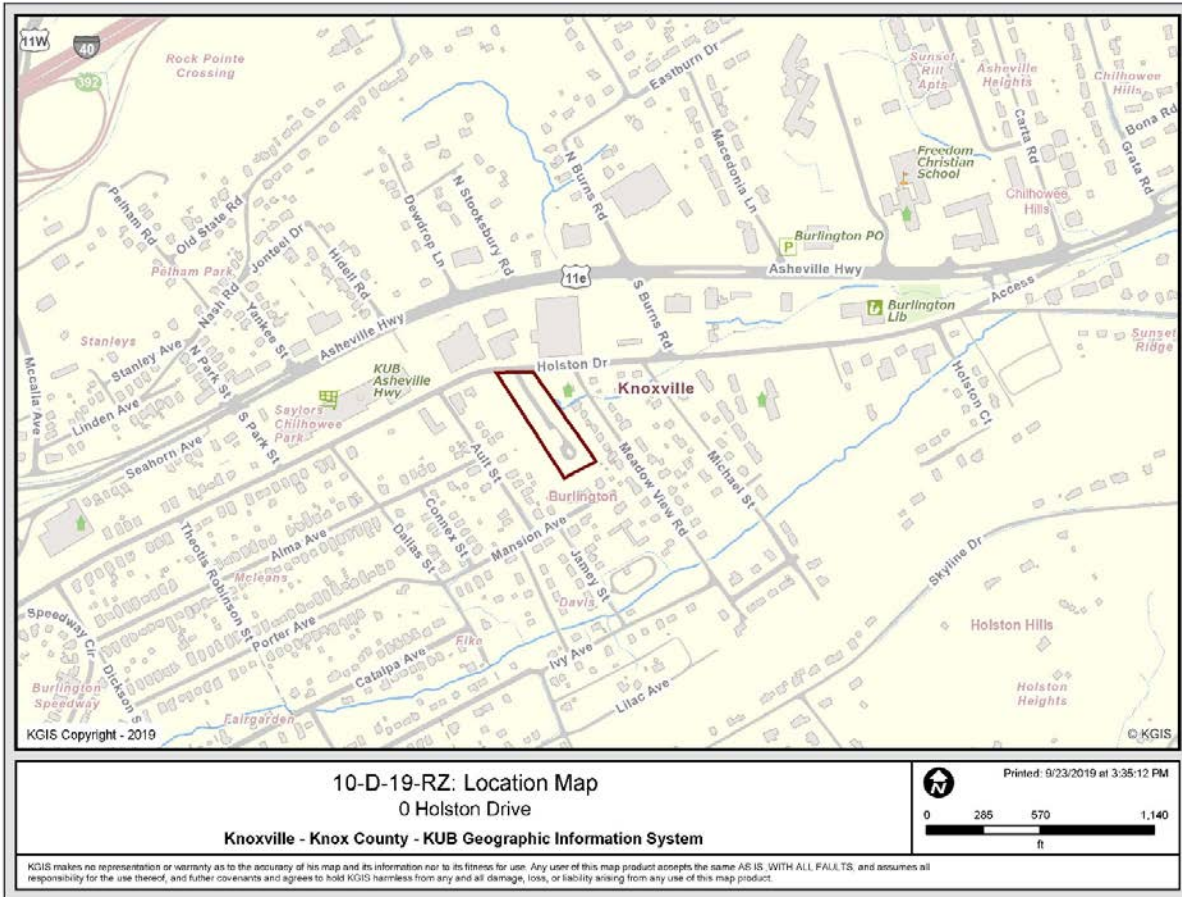
Jurisdiction: City

0 250
Feet



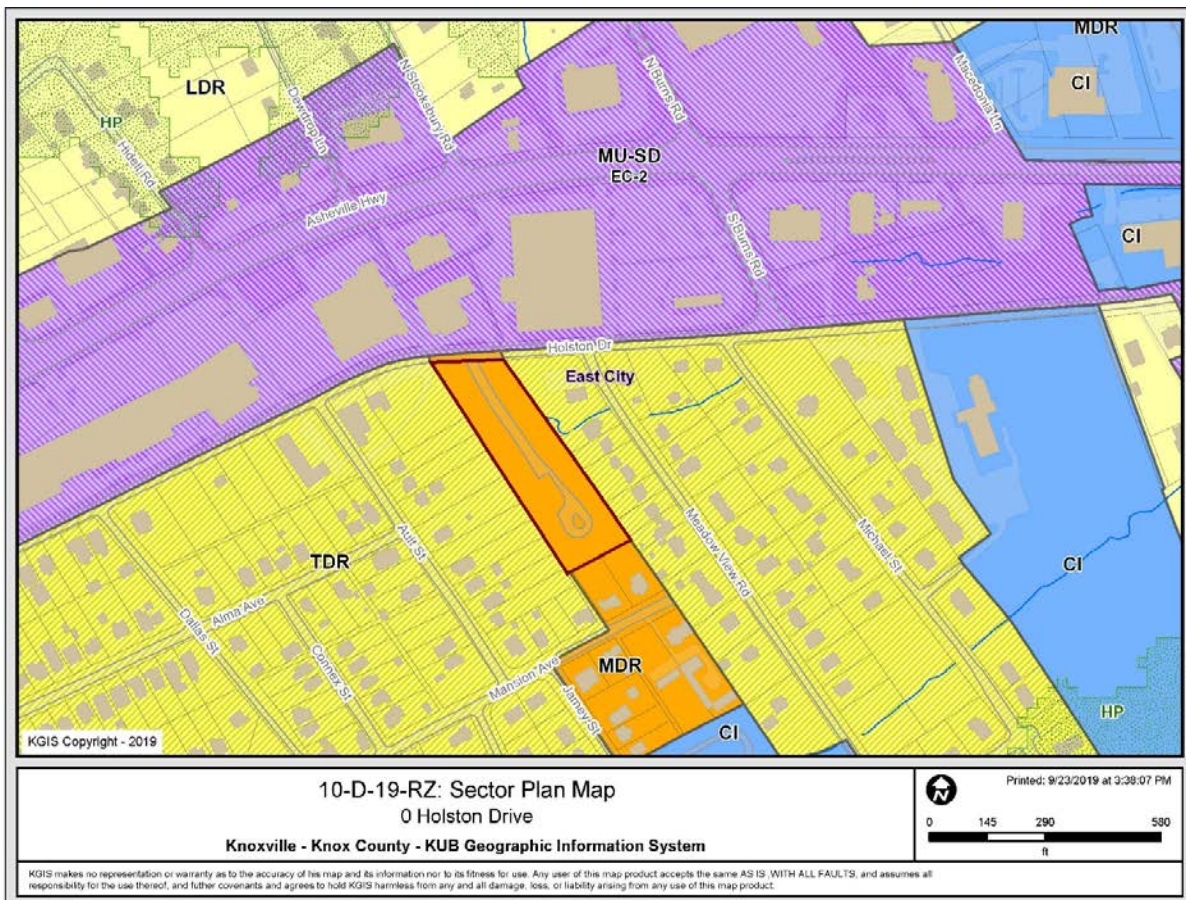
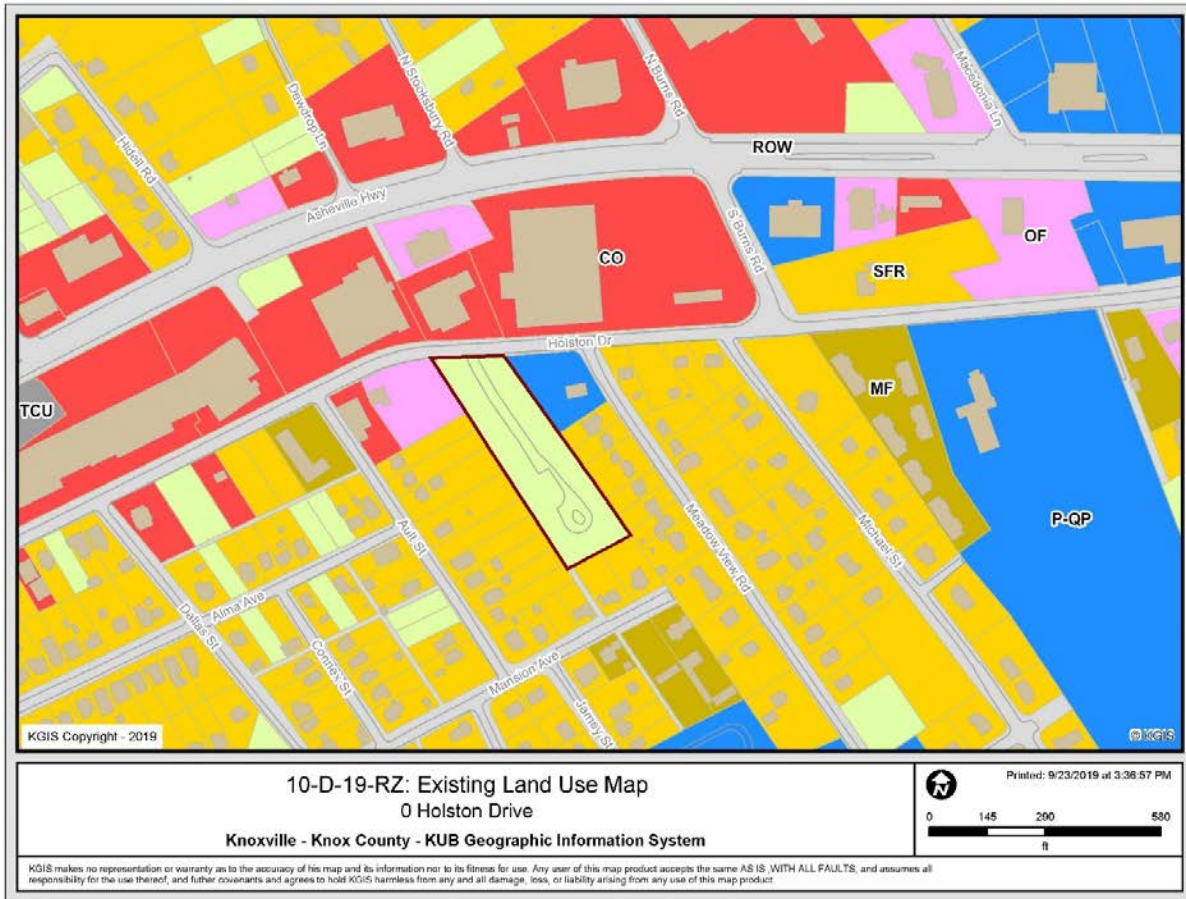
10-D-19-RZ

EXHIBIT A. Contextual Images



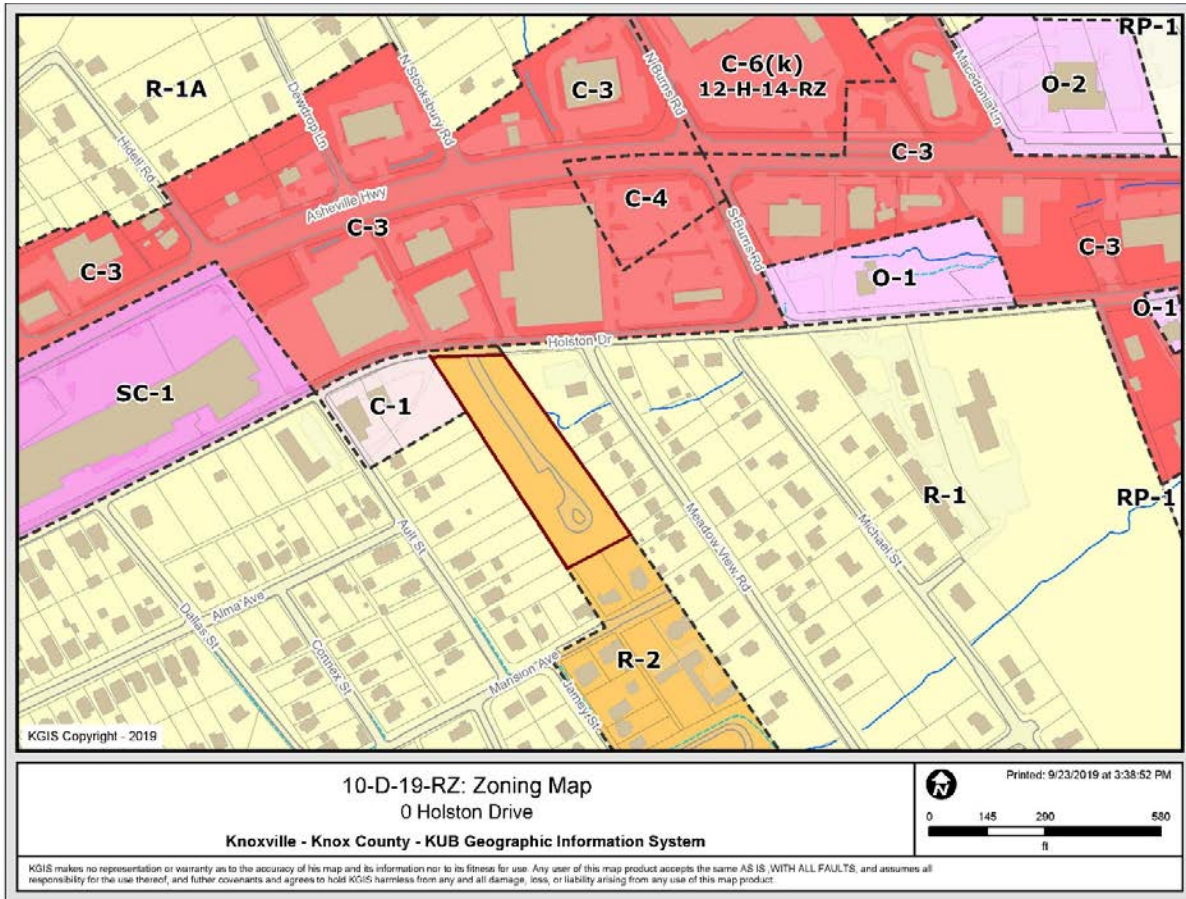
10-D-19-RZ

EXHIBIT A. Contextual Images



10-D-19-RZ

EXHIBIT A. Contextual Images



Zoning Comparison Maps



DEVELOPMENT REQUEST

DEVELOPMENT

- ☐ Development Plan
☐ Use on Review / Special Use

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat



DAVID VARNER

Applicant

8/15/19

Date Filed

10/10/19

Meeting Date (if applicable)

10-D-19-RZ

File Number(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- ☐ Applicant ☒ Owner ☐ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

DAVID VARNER

VARNER HOMES • DEVELOPMENT, LLC

Name

Company

4713 CRIPPEN RD

KNOXVILLE

TN

37918

Address

City

State

Zip

(865) 335-0323

dovarner@comcast.net

Phone

Email

CURRENT PROPERTY INFO

SAME

Owner Name (if different)

Owner Address

Owner Phone

0 HOLSTON DR. KNOXVILLE TN

071PG003

Property Address

Parcel ID

South side of Holston Dr, west of
Ault St east

2.3 ACRES

General Location

Tract Size

6

R-2

Jurisdiction (specify district above)

☒ City ☐ County

Zoning District

East City

MDR

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

VACANT LAND

N

KUB

KUB

Existing Land Use

Septic (Y/N)

Sewer Provider

Water Provider

REQUEST

DEVELOPMENT

☐ Development Plan ☐ Use on Review / Special Use

☐ Residential ☐ Non-Residential

☐ Home Occupation (specify): _____

☐ Other (specify): _____

SUBDIVISION

☐ Proposed Subdivision Name _____ Unit / Phase Number _____

☐ Parcel Change

☐ Combine Parcels ☐ Divide Parcel Total Number of Lots Created: _____

☐ Other (specify): _____

☐ Attachments / Additional Requirements

ZONING

☒ Zoning Change: RN-5
Proposed Zoning

☐ Plan Amendment Change: _____
Proposed Plan Designation(s)

☐ Proposed Property Use (specify) _____ Proposed Density (units/acre) _____ Previous Rezoning Requests _____

☒ Other (specify): Comparable Rezoning Of Recode

STAFF USE ONLY

PLAT TYPE

☐ Staff Review ☐ Planning Commission

ATTACHMENTS

☐ Property Owners / Option Holders ☐ Variance Request

ADDITIONAL REQUIREMENTS

☐ Design Plan Certification (Final Plat only)

☐ Use on Review / Special Use (Concept Plan only)

☐ Traffic Impact Study

FEE 1:

N/C

FEE 2:

FEE 3:

TOTAL:

N/C

Per Gerald Green

AUTHORIZATION

James Reed
Staff Signature

James Reed
Please Print

8/15/19
Date

[Signature]
Applicant Signature

DAVID VARNER
Please Print

8/15/19
Date

Source: KGIS

08/19/2019

<https://www.kqis.org/parcelreports/ownercard.aspx?id=071PG003>

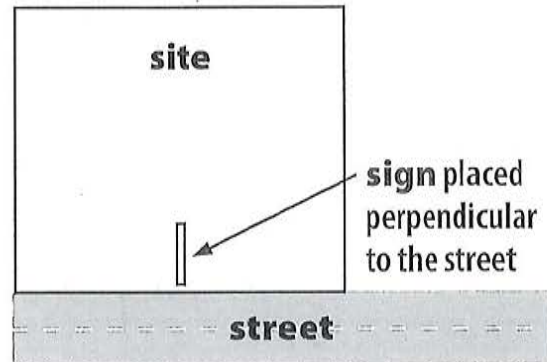
REQUIRED SIGN POSTING AGREEMENT

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:

Sept 25 and Oct 12
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: _____

Printed Name: DAVID VARNER

Phone: (845) 335-0323 Email: dovarner@comcast.net

Date: 8/15/19

MPC File Number: 10-D-19-RZ