

REZONING REPORT

► **FILE #:** 5-M-20-RZ

AGENDA ITEM #: 18

AGENDA DATE: 5/14/2020

► **APPLICANT:** HOUSTON SMELCER

OWNER(S): Saroj Chand & Colvin Idol

TAX ID NUMBER: 58 E A 002

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 3105 Essary Drive

► **LOCATION:** North side of Essary Drive on the west side of its intersection with Glenhaven Road

► **APPX. SIZE OF TRACT:** 0.9 acres

SECTOR PLAN: North City

GROWTH POLICY PLAN: Within City Limits

ACCESSIBILITY: Essary Drive is a major collector with a pavement width of 20 feet and a right-of-way width of 103 feet.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

► **PRESENT ZONING:** O (Office)

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

► **EXISTING LAND USE:** Multifamily residential designation, vacant building that was previously a counseling center

►

EXTENSION OF ZONE: No

HISTORY OF ZONING: Rezoned from R-2 (General Residential) to O-1 (Office, Medical, and Related Services) in April, 2002 (#2-G-02-RZ)

SURROUNDING LAND USE AND ZONING: North: Multifamily residential - RN-4 (General Residential Neighborhood) District

South: Single family residential - RN-1 (Single Family Residential Neighborhood) District

East: Public-quasi public land - INST (Institutional) District

West: Multifamily residential - RN-4 (General Residential Neighborhood) District

NEIGHBORHOOD CONTEXT: Surrounding development is a mix of medical/dental offices, professional offices, multifamily residential, and single family residential. This building is located between a small multifamily development and a school. Fountain City library and Litton's restaurant are nearby, as is N. Broadway Avenue to the west.

STAFF RECOMMENDATION:

► **Approve RN-5 (General Residential Neighborhood District) zoning because it is consistent with the**

North City Sector Plan's MDR (Medium Density Residential) designation as described at the time of the applicant's initial request.

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 nature of the area supports a higher density due to the multifamily, medical, and office uses in the area, beginning at the school adjacent to the east and continuing about 1/3 a mile to the west to N. Broadway Avenue.

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 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 multi-family 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. 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.

a. Uses allowed by right in RN-5 include community centers, day cares, domestic violence centers, various types of dwellings (including multifamily), educational facilities, community gardens, group homes, independent living facilities, and public parks.

b. The proposed use is a residential care facility, which would require special use review and approval by the Planning Commission.

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. Due to the mix of uses in the vicinity (medical/dental offices, professional offices, multifamily residential), staff finds RN-5 to be compatible with the area. The nearby single family residential dwellings are off of side streets or face away from Essary Drive, and the parcel is not at the entry or gateway into a neighborhood. This site is located between a small multifamily development and a school.

2. The property is located in FEMA Flood Zone X but does not contain any floodplain areas.

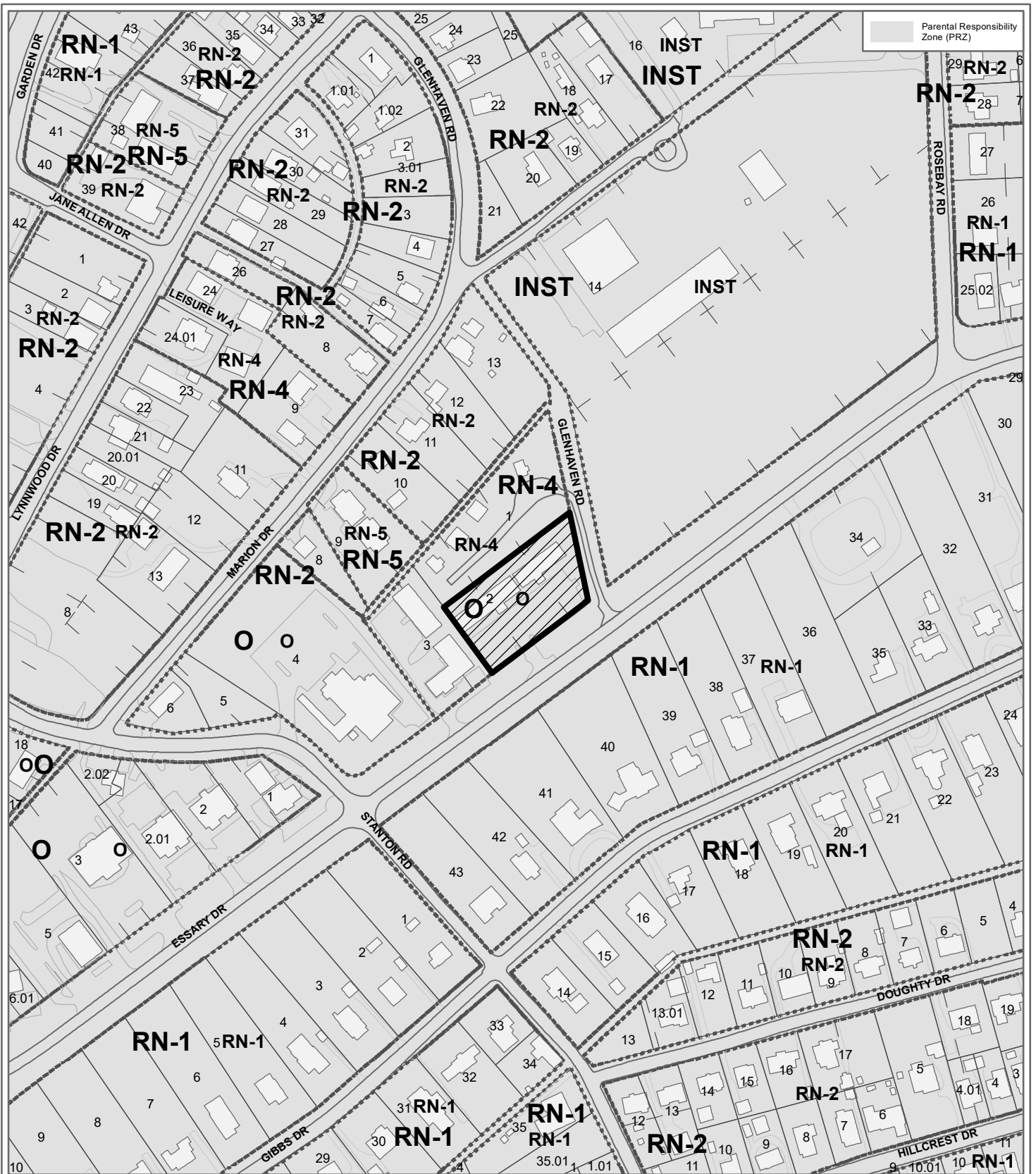
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The North City Sector Plan's MDR designation supported RN-5 zoning in the Planned Growth Area of Knox County when the applicant submitted his application on April 3, 2020. Since that time, City Council has voted to adopt a previous version of the Land Use Classification Table approved by Council in November, 2019 as part of its annual review and approval of the City's One Year Plan update. This version of the Land Use Table does not support RN-5 in the MDR land use designation. However, The Planning Commission should vote according to the Land Use Table in place at the time of the applicant's submission, which listed RN-5 as one of the allowed zones within the MDR land use class.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

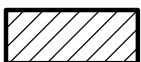
If approved, this item will be forwarded to Knoxville City Council for action on 6/16/2020 and 6/30/2020. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



**5-M-20-RZ
REZONING**

From: O (Office)

To: RN-5 (General Residential Neighborhood)



Original Print Date: 4/8/2020
Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Houston Smelcer

Map No: 58

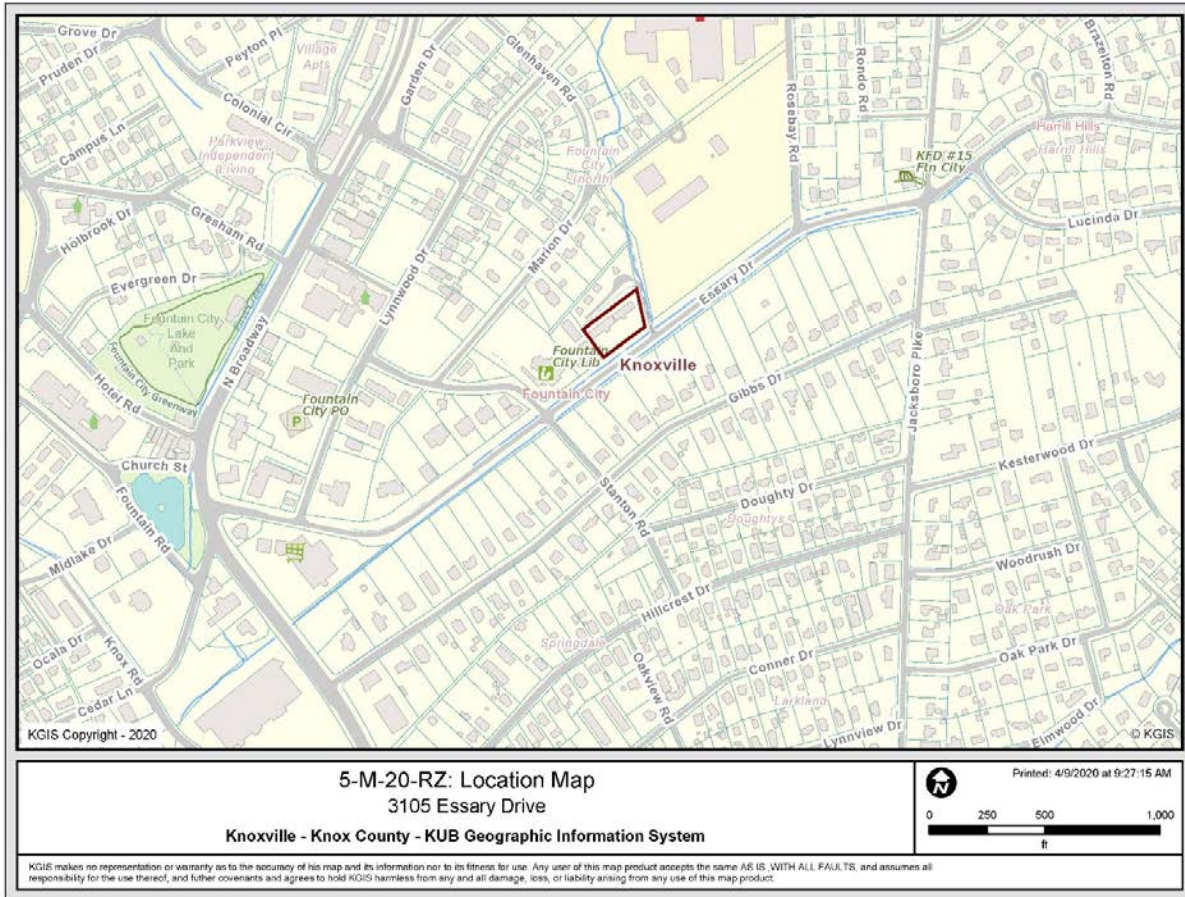
Jurisdiction: City

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Feet



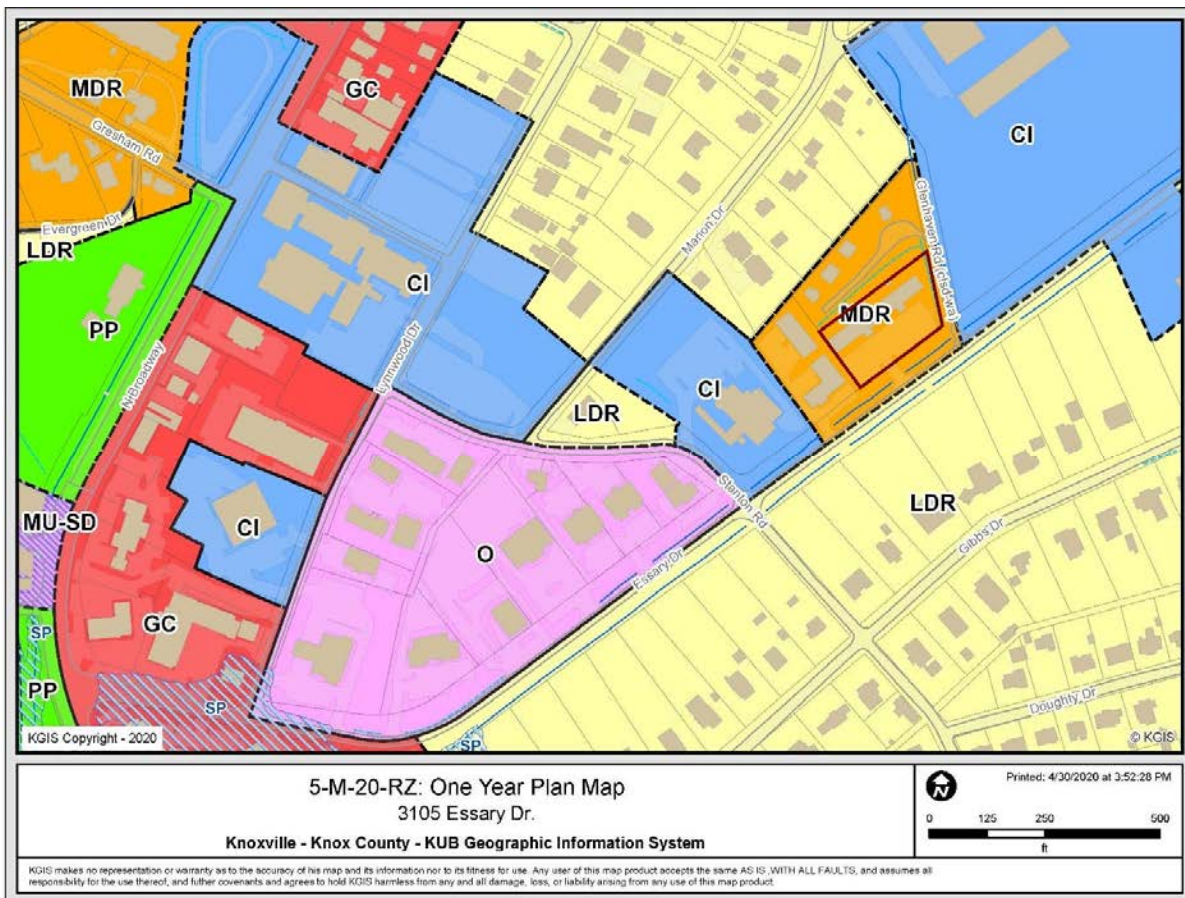
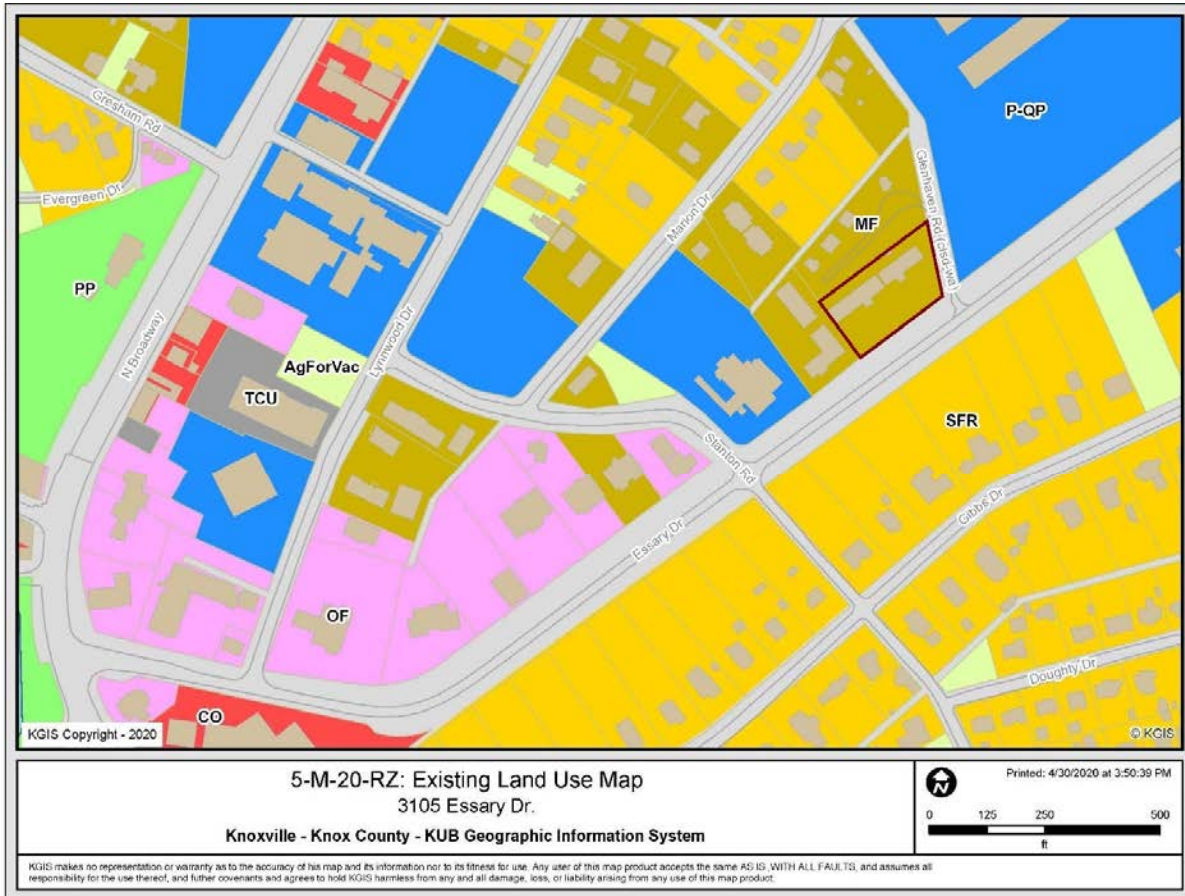
5-M-20-RZ

EXHIBIT A. Contextual Images



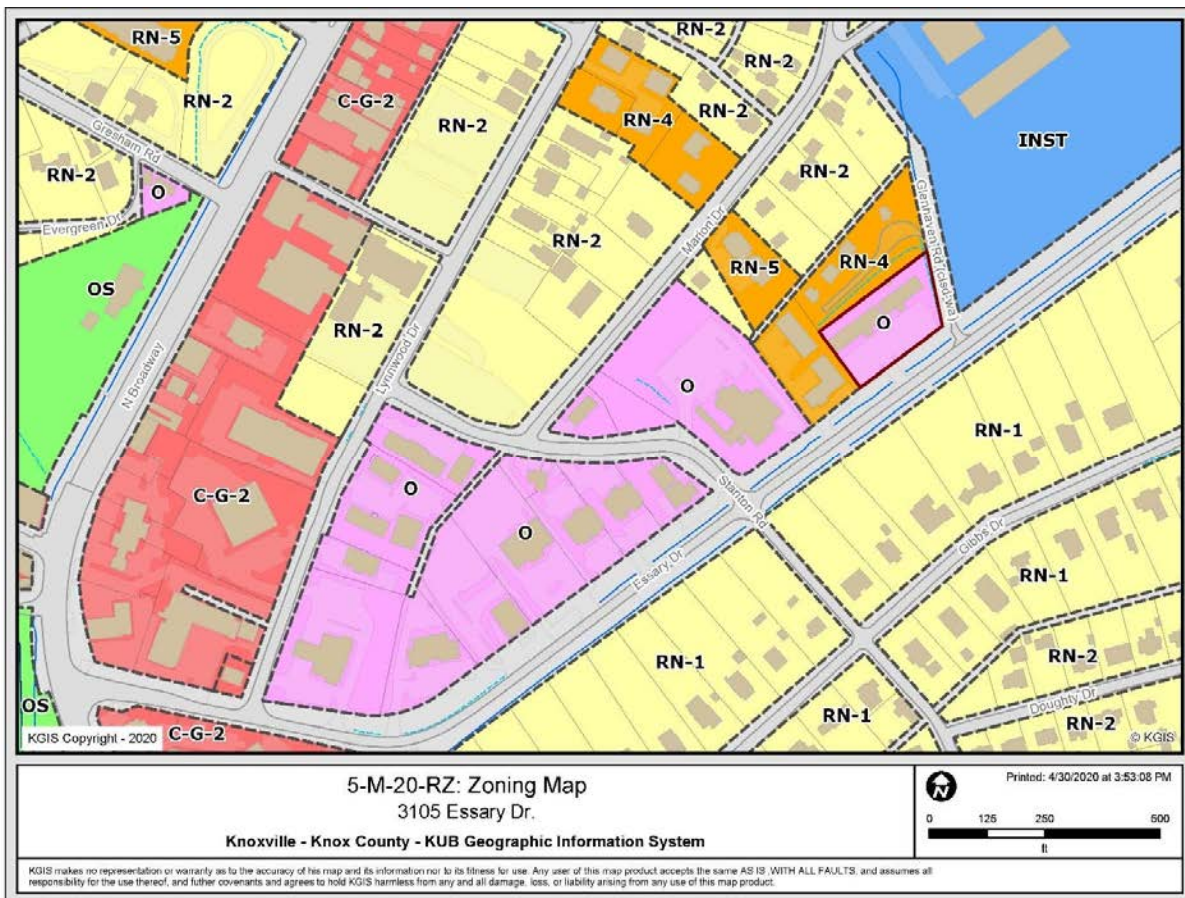
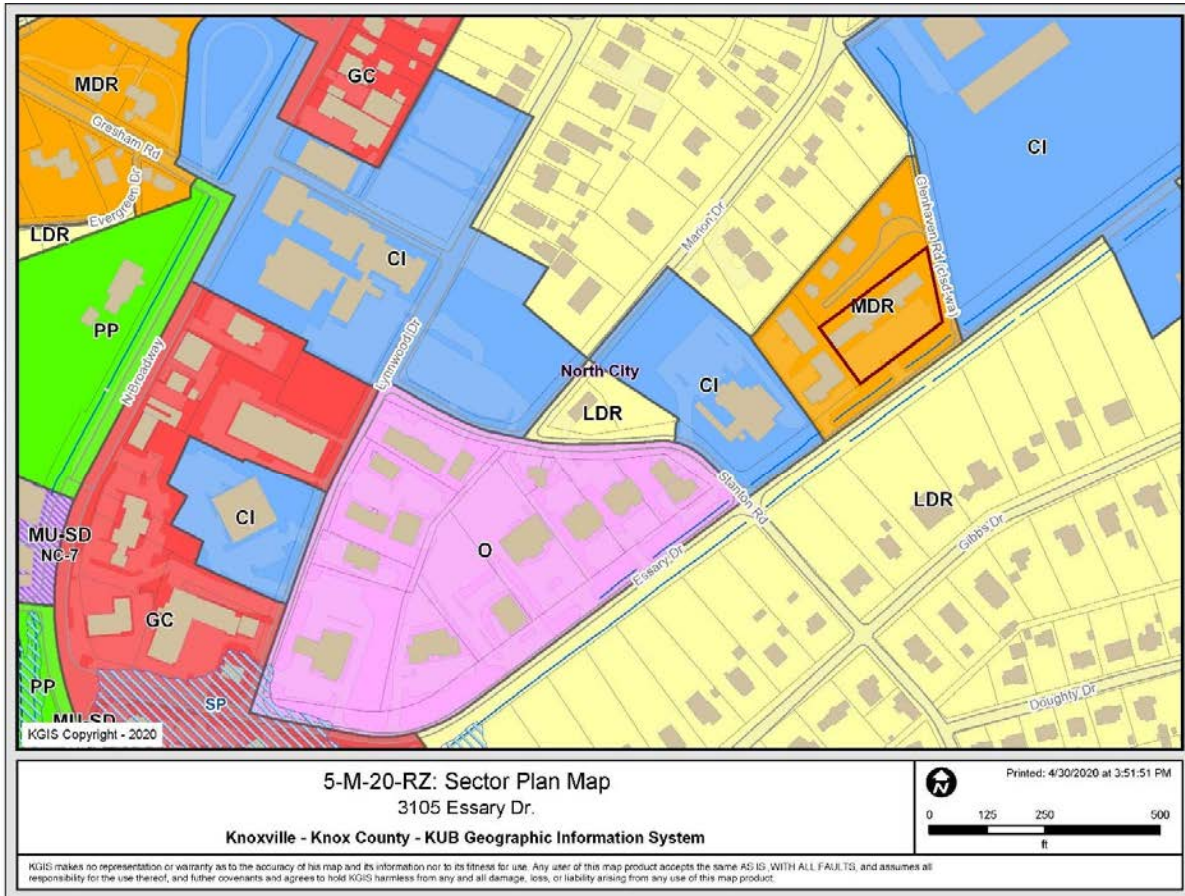
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EXHIBIT A. Contextual Images



5-M-20-RZ

EXHIBIT A. Contextual Images





DEVELOPMENT REQUEST

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☒ Rezoning

Houston Smelcer

Employee of Option Holder

Applicant Name

Affiliation

04/03/2020

May 14 2020

5-M-20-RZ

Date Filed

Meeting Date (if applicable)

File Numbers(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

Houston Smelcer

Helen Ross McNabb Center

Name

Company

201 W. Springdale Avenue

Knoxville

TN

37917

Address

City

State

Zip

865-329-9119

houston.smelcer@mcnabb.org

Phone

Email

CURRENT PROPERTY INFO

Saroj Chand and Colvin Idol

918 Frances Circle, Knoxville, TN 37909

865-603-5996

Owner Name (if different)

Owner Address

Owner Phone

3105 Essary Drive, Knoxville, TN 37918

058EA002

Property Address

Parcel ID

Fountain City *N/S Essary, SW/ES Glennhaven Rd Dr.*

0.9 acre

General Location

Tract Size

City Council District 4

Office

Jurisdiction (specify district above) ☒ City ☐ County

Zoning District

North City

Medium Density Residential

within the city n/a

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

Multi Family Residential

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 Change: RN-5
Proposed Zoning _____

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

Proposed Density (units/acre) _____ Previous Rezoning Requests _____

☐ Other (specify): _____

ZONING

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:

0324 1080.00

FEE 2:

FEE 3:

TOTAL:

\$1080.00

AUTHORIZATION

By signing below, I certify I am the property owner, applicant or the owners authorized representative.

Applicant Signature

Houston Smelcer

4/3/2020

Please Print

Date

865-329-9119

houston.smelcer@mcnabb.org

Phone Number

Email

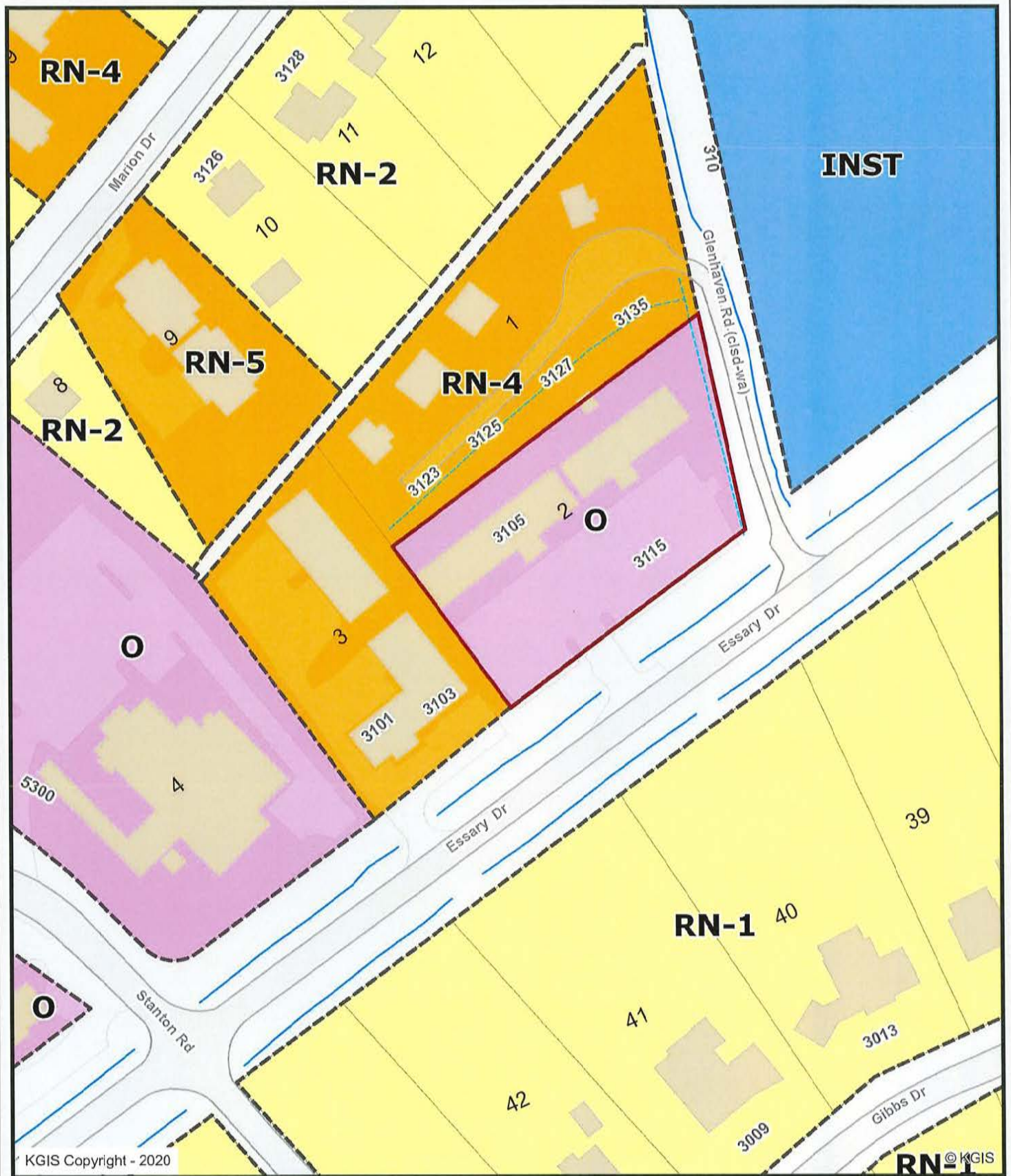
Staff Signature

Michelle Portier

4/3/2020

Please Print

Date



3105 Essary Rd.

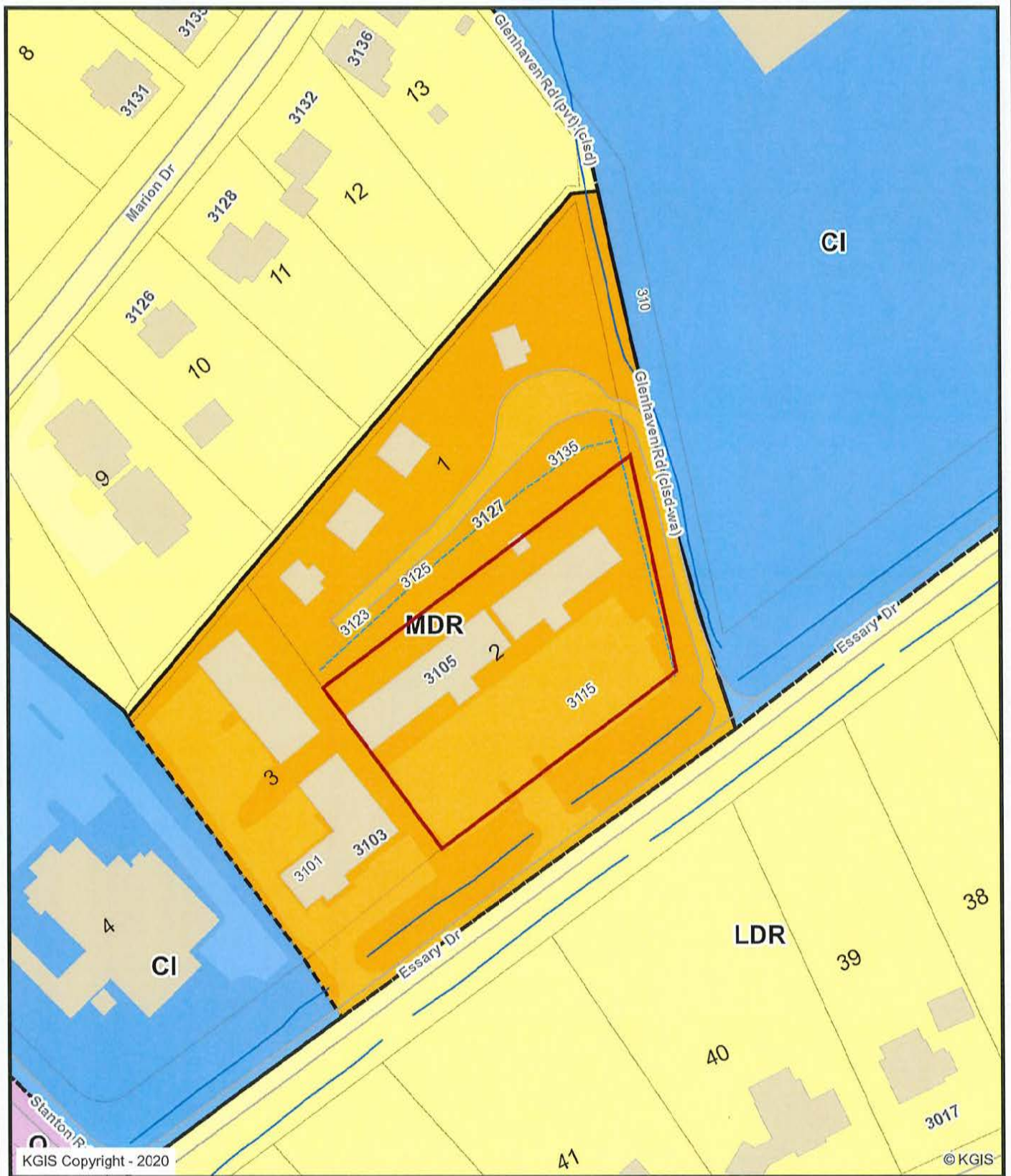
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Sector Plan

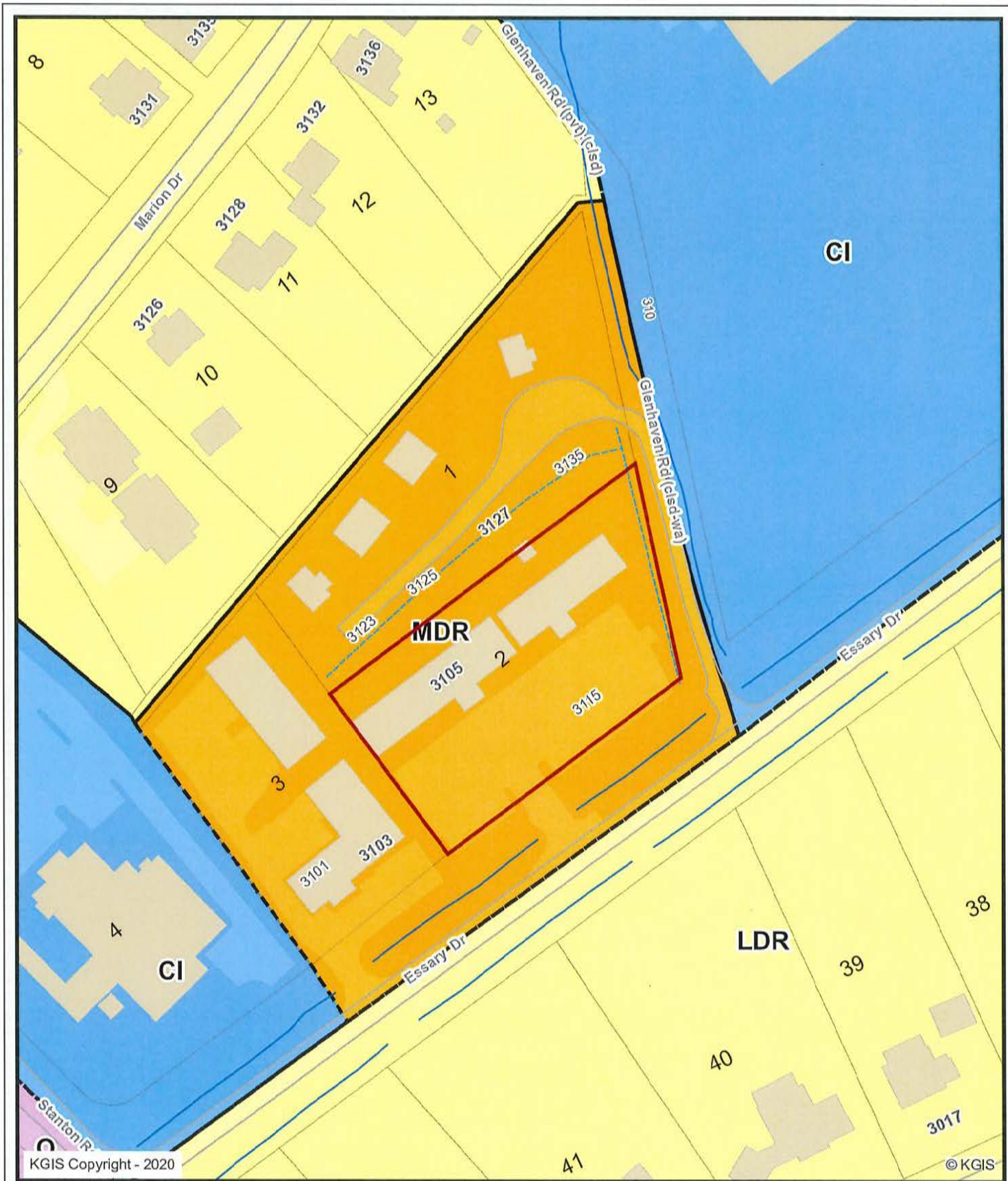
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One Year Plan

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