

# REZONING REPORT

▶ **FILE #:** 11-G-20-RZ

**AGENDA ITEM #:** 18

**AGENDA DATE:** 11/12/2020

▶ **APPLICANT:** RONNIE WELCH

OWNER(S): Ronnie Welch

TAX ID NUMBER: 59 P D 010 & 59PD011

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 2910 , 2912 & 3000 Greenway Dr.

▶ **LOCATION:** South side of Greenway Drive due east of Nora Road

▶ **APPX. SIZE OF TRACT:**

SECTOR PLAN: North City

GROWTH POLICY PLAN: Within City Limits

ACCESSIBILITY: Greenway Drive is a major collector with a 19-ft pavement width inside a 40-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Whites Creek

▶ **PRESENT ZONING:** RN-1 (Single-Family Residential Neighborhood) / F (Floodplain Overlay)

▶ **ZONING REQUESTED:** RN-5 (General Residential Neighborhood) / F (Floodplain Overlay)

▶ **EXISTING LAND USE:** Multifamily (four-plex) and single family residential on parcel 59PD011; a duplex on 59PD010

▶ **EXTENSION OF ZONE:** No

**HISTORY OF ZONING:** A request for the front portion of parcel 059PD010 to be rezoned from R-1 to R-2 was denied by the Planning Commission and appealed to City Council (Case 5-C-84-RZ) who approved the request.

**SURROUNDING LAND USE AND ZONING:** North: Single family residential and rural residential - RN-1 (Single Family Residential Neighborhood) and HP (Hillside Protection Overlay) Districts

South: I-640 right-of-way and railroad tracks inside the I-640 right-of-way

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

West: Public/quasi-public land (church) - RN-1 (Single Family Residential Neighborhood) and RN-2 (Single Family Residential Neighborhood) Districts

**NEIGHBORHOOD CONTEXT:** Greenway Drive is bordered by large-lot (1 acre and greater) single family detached residential on the north and by a mix of large and small-lot (down to 1/4 acre) single family residential on the south. This portion of Greenway Drive contains long, narrow lots that back up to I-640.

**STAFF RECOMMENDATION:**

▶ **Deny RN-5 (General Residential Neighborhood) zoning because it is not consistent with the North City Sector Plan designation and would allow a higher density that is out of character with the area.**

**COMMENTS:**

A request was denied by the Planning Commission in May 1984 (Case 5-C-84-RZ, Exhibit B) for the front portion of parcel 059PD010 (2910 and 2912 Greenway Dr.) to be rezoned from R-1 (Low Density Residential) to R-2 (General Residential). The applicant appealed the Planning Commission's decision to City Council, who approved the request. The adjacent parcel 059PD011 was already zoned R-2 at that time. Both properties remained zoned R-2 until the adoption of the new zoning ordinance and map in January 2020. At that time, they were rezoned to RN-1 to reflect the large lot, single family uses that dominate the street. The applicant is requesting RN-5 as the comparable zone to R-2.

The group of properties on the south side of Greenway Drive and located between New Fellowship Baptist Church and Industrial zoning are designated as MDR (Medium Density Residential) in the North City Sector Plan. The MDR land use designation does not allow RN-5 zoning, so this rezoning request would require sector plan and One Year Plan amendments to the HDR (High Density Residential) designation for the zoning to be in compliance with the sector plan. These would go forward in January 2021 if this rezoning were to be approved.

**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. There have been no recent, significant changes in this area that would prompt a rezoning.
2. Planning staff believes conditions have not changed since the recommendation in 1984 to deny the R-2 zoning.

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

1. The RN-5 (General Residential Neighborhood) District 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.
3. Per the City of Knoxville Zoning Ordinance, Section 16.1 (E) (3) (d), the proposed amendment shall be consistent with and not in conflict with the Knoxville-Knox County General Plan and its component parts, including adopted sector plans, corridor plans, and related documents. Therefore, a sector plan amendment would be required.

**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 is predominately single family detached residential dwellings. Though the property is already developed, future owners could develop the properties to RN-5 density if the rezoning were approved.
2. The Industrial zoned properties down Greenway Drive are mostly vacant land with the exception of one commercial business. There are no industrial uses in this area.

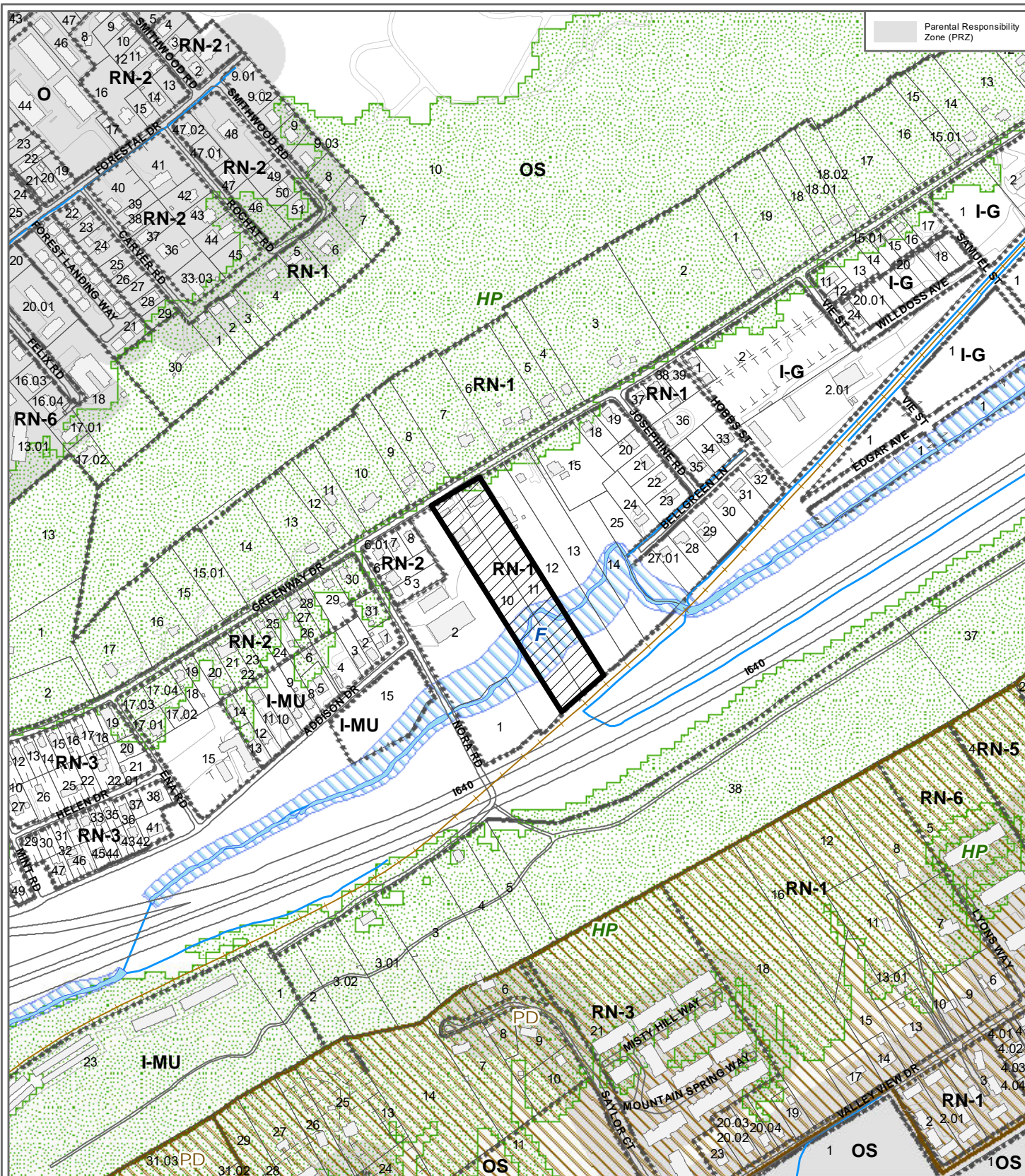
**THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:**

1. The East City Sector Plan's current MDR (Medium Density Residential) designation does not support RN-5 zoning.
2. The HDR (High Density Residential) land use designation is out of character with the area, and there have been no changes to conditions, nor an error in the plan, that would warrant a sector plan amendment to HDR.

**ESTIMATED TRAFFIC IMPACT:** Not required.

**ESTIMATED STUDENT YIELD:** Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 12/15/2020 and 1/12/2021. 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.



**11-G-20-RZ  
REZONING**

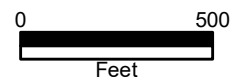
Petitioner: Ronnie Welch



From: RN-1 (Single-Family Residential Neighborhood) / F (Floodplain Overlay)  
To: RN-5 (General Residential Neighborhood) / F (Floodplain Overlay)

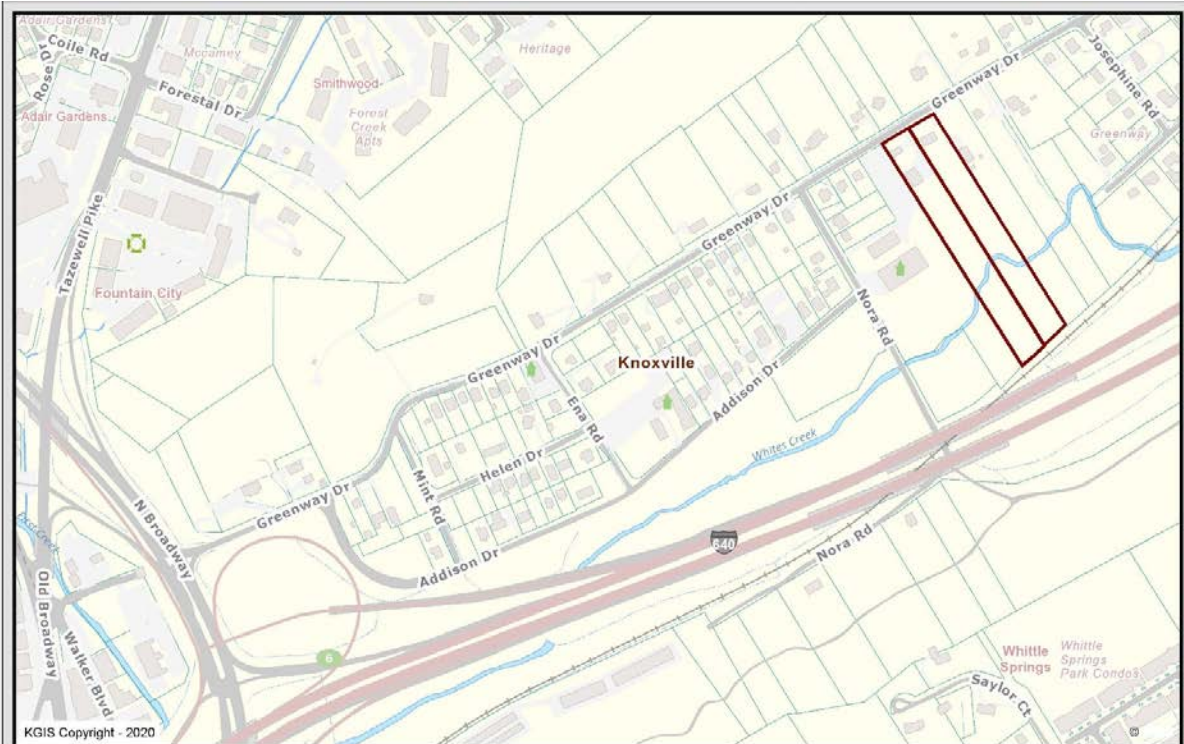
Map No: 59  
Jurisdiction: City

Original Print Date: 10/20/2020      Revised:  
Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902



11-G-20-RZ

EXHIBIT A. Contextual Images



**11-G-20-RZ: Location Map**  
2910/2912 and 3000 Greenway Drive  
Knoxville - Knox County - KUB Geographic Information System

Printed: 10/13/2020 at 9:00:04 AM

0 200 400 800  
ft

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**11-G-20-RZ: Aerial Map**  
2910/2912 and 3000 Greenway Drive  
Knoxville - Knox County - KUB Geographic Information System

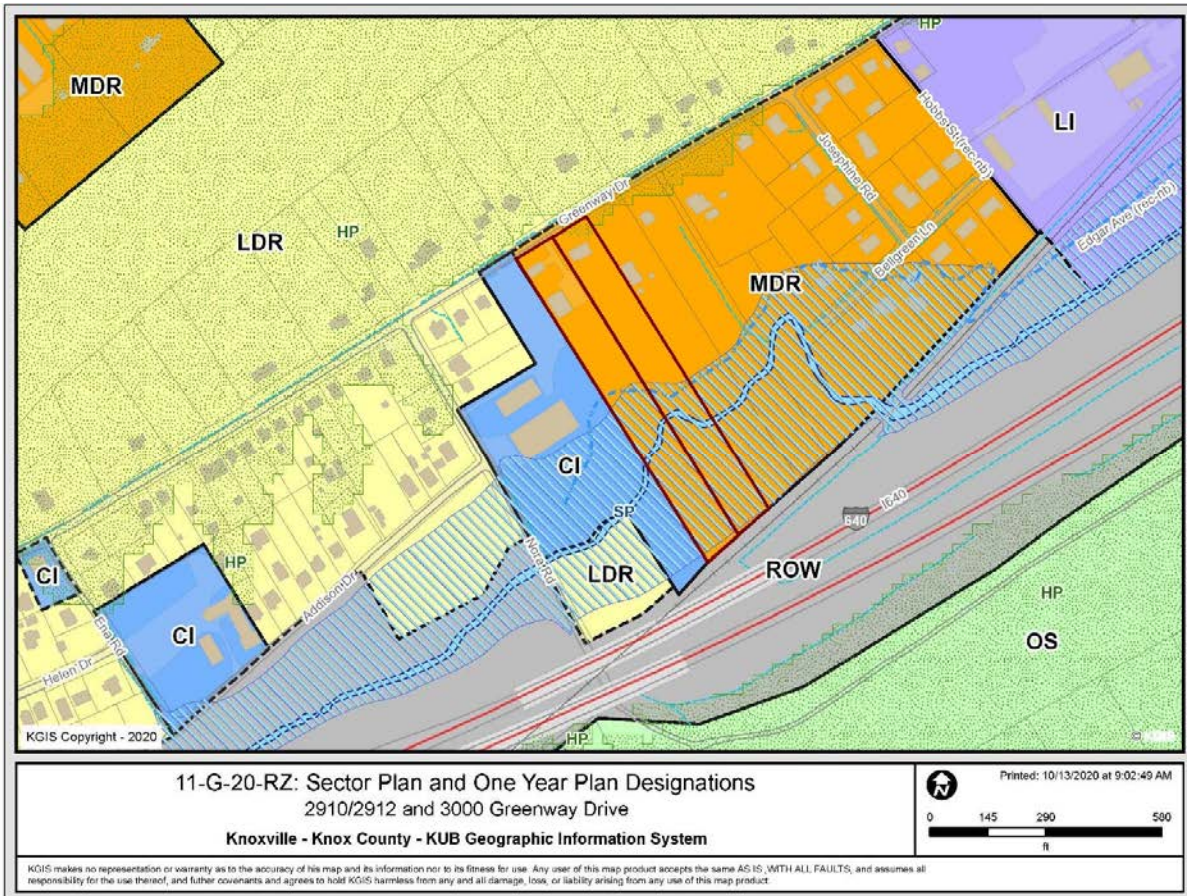
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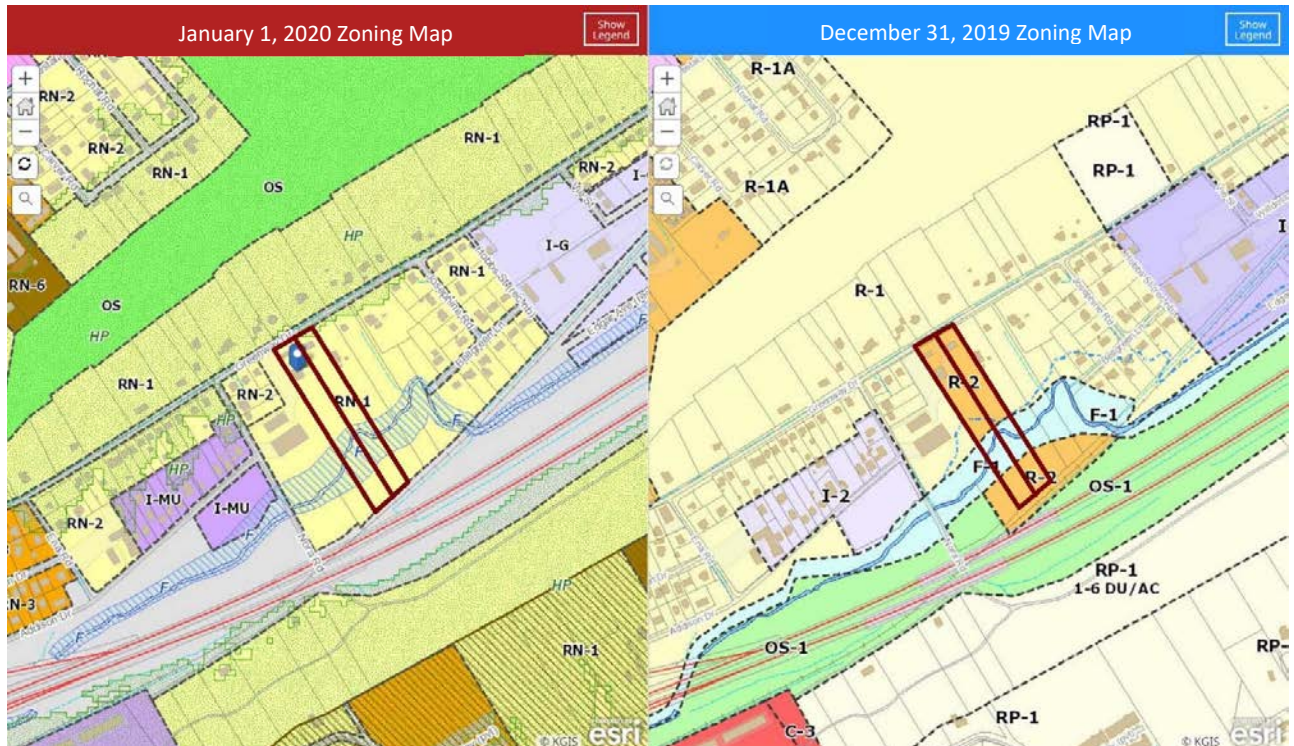
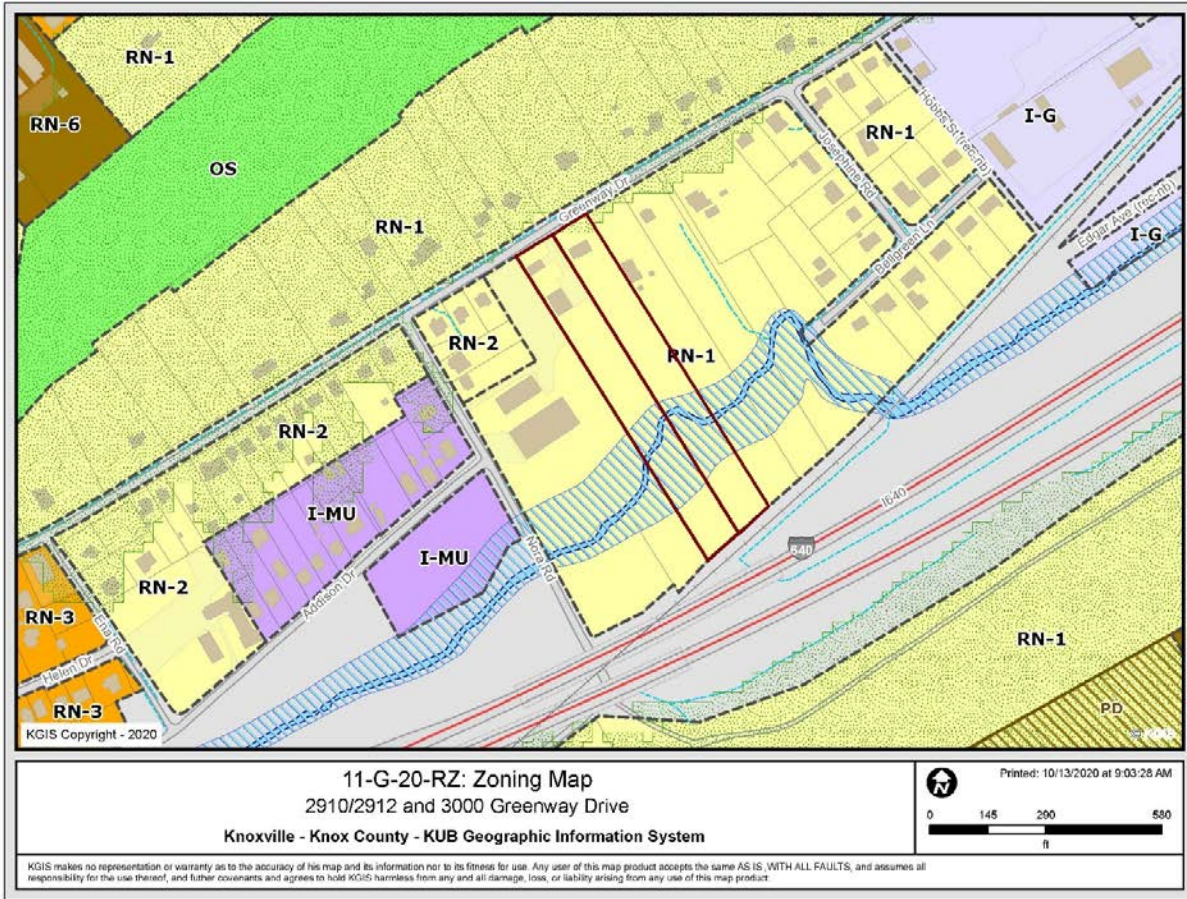
# 11-G-20-RZ

## EXHIBIT A. Contextual Images



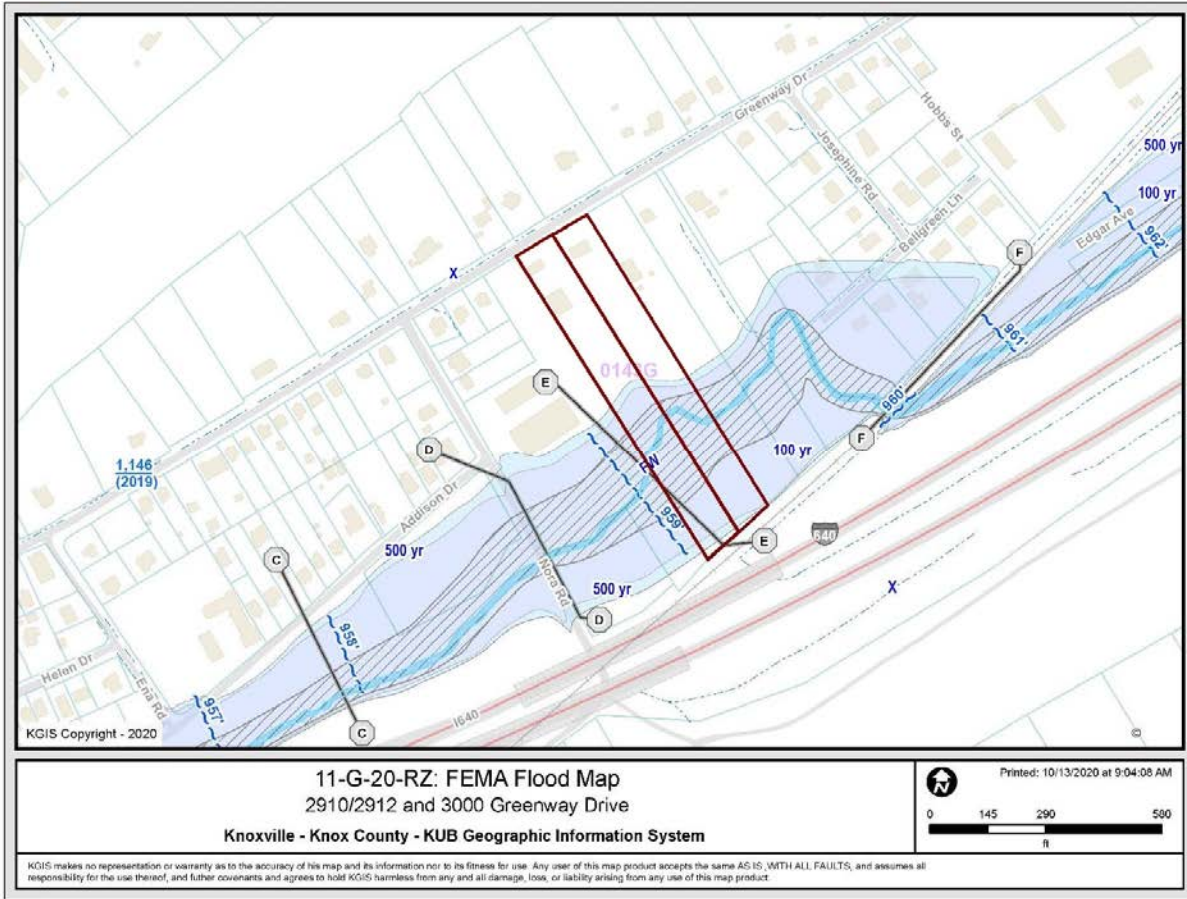
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## EXHIBIT A. Contextual Images



11-G-20-RZ

EXHIBIT A. Contextual Images



MPC MINUTES

The Metropolitan Planning Commission met in regular session on  
May 10, 1984

The Metropolitan Planning Commission met in regular session on May 10, 1984 at 1:30 p.m. in the Main Assembly Room of the City-County Building, Main Avenue, Knoxville, Tennessee. The following members were present:

Mr. Jeff Fletcher	Mrs. Carolyn Cocca
Mr. Charles Burnette	Mr. Ron Isenberg
Mr. John Coleman	Mr. Jim Spencer
Dr. William Grecco	Mr. Jack Flynt, Chairman
Rev. Byron Ragsdale	Mr. Phil Hamby
Dr. S.E. Overton	Mr. Michael Seatty
Mr. Lonas Chapman	Mrs. Elizabeth Henry

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\*Arrived later in the meeting.  
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S-C-84-RZ - BUFORD WELCH - SOUTH SIDE GREENWAY DR., WEST OF JOSEPHINE RD. - Rezoning from R-1, Single Family Residential District to R-2, General Residential District. Fronting approx. 100' south side Greenway Dr. by an average depth approx. 520' to Floodway District, rear approx. 100' along Floodway District, approx. 670' west of Josephine Rd. 14th Ward, 4th Councilmanic District, City Block 34-560, parcel 10, CLT Map 59, Oakland Small Area Plan.

STAFF RECOMMENDATION DENY because the requested zoning is not consistent with the adopted One Year Plan which proposes low density residential development in this area.

Mr. Ronnie Welch, representing this request, stated he had received a letter in 1951 from the Code Administration Department for approval of two dwellings and an attached porch; it was his understanding that before he could tear down the porch that he would have to have this rezoned to R-2; the porch was high, weak and dangerous; there was flood zoning on the property; the back 20 percent of the property was R-2 as were the adjacent properties.

Mr. Parnell stated the adopted One Year Plan for the City indicated low density residential uses for this area and the pattern in the last two years was for rezoning changes from R-2 to RA and R-1A; it was not clear, based on Mr. Welch's description the need to have the property rezoned, if this was a pre-existing, non-conforming use or if he wanted to build a new porch.

Mr. Welch stated he would keep it as it is now but may have to rebuild later.

Mr. Parnell stated he had not seen the Code Administration Department's letter but his guess was that it needed to be brought up to standards; the zoning as it is now would not allow building a new one.

Mr. Welch stated part of the property was R-1 and part R-2.

Mr. Parnell stated that was the way the City Council had zoned it; zoning lines might be changed due to the Floodway.

Mrs. Cocca stated there was no discerning line as to where R-2 discontinued.

Mr. Parnell stated that R-2 stopped at the Floodway zone.

Mrs. Cocca stated that previously Greenway Drive was in the process of being turned into R-2 zones, removing the industrial ones.

Mr. Parnell stated that there might have been some requests for R-2; more often requests were approved for RP-1 to the east and north of this property.

MOTION AND SECOND WAS MADE TO APPROVE TO R-2 GENERAL RESIDENTIAL DISTRICT. MOTION FAILED 7-7. PETITION DENIED.

Mr. Hamby stated he thought the problem was in wanting to tear down the porch as there had to be access to the building; if the porch was to be repaired, that would be no problem.

Mr. Flynt stated to Mr. Welch that he should bring in the letter he had referred to to the MPC staff and see what could be done.

\*\*\*\*\*





# Development Request

### DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

### SUBDIVISION

- Concept Plan
- Final Plat

### ZONING

- Plan Amendment
- SP  OYP
- Rezoning

Ronnie Welch  
Applicant Name

Owner  
Affiliation

9-22-2020  
Date Filed

11/12/2020  
Meeting Date (if applicable)

11-G-20-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

Ronnie Welch  
Name

Company

P.O. Box 5570  
Address

Knoxville  
City

TN  
State

37928  
ZIP

865-556-6244  
Phone

RonWelch49@Yahoo.com  
Email

### CURRENT PROPERTY INFO

Owner Name (if different)

Owner Address

Owner Phone

2910 - 2912  
3000 GREENWAY DR  
Property Address

059-PD-011 ; 059PD011  
Parcel ID

### STAFF USE ONLY

South side Greenway Drive due east of Nora Road  
General Location

4.1 ac +/-  
Tract Size

4<sup>th</sup>  
Jurisdiction (specify district above)  City  County

RN-1/F  
Zoning District

North City  
Planning Sector

MDR  
Sector Plan Land Use Classification

City  
Growth Policy Plan Designation

duplex  
Existing Land Use

N  
Septic (Y/N)

KUB  
Sewer Provider

KUB  
Water Provider

**DEVELOPMENT REQUEST**

- Development Plan  
  Use on Review / Special Use  
  Hillside Protection COA  
 Residential  
  Non-Residential

Home Occupation (specify) \_\_\_\_\_

Other (specify) \_\_\_\_\_

Related City Permit Number(s)

**SUBDIVISION REQUEST**

Proposed Subdivision Name \_\_\_\_\_

Combine Parcels  
  Divide Parcel

Other (specify) \_\_\_\_\_

Attachments / Additional Requirements

Related Rezoning File Number

Total Number of Lots Created

**ZONING REQUEST**

Zoning Change *RW* RV7/F RM5 MULTI FAMILY  
 Proposed Zoning

Plan Amendment Change HDR  
 Proposed Plan Designation(s)

Pending Plat File Number

Proposed Density (units/acre)

Previous Rezoning Requests

Other (specify) \_\_\_\_\_

*Previously Zoned R-2/F*

*Seeking Comperable zone. Was R-2 before Jan 1 2020*

**STAFF USE ONLY**

**PLAT TYPE**

- Staff Review  
  Planning Commission

**ATTACHMENTS**

- Property Owners / Option Holders  
  Variance Request

**ADDITIONAL REQUIREMENTS**

- Design Plan Certification (Final Plat)  
 Use on Review / Special Use (Concept Plan)  
 Traffic Impact Study  
 COA Checklist (Hillside Protection)

Fee 1	Total
N/A	
Fee 2	
N/A	
Fee 3	
N/A	N/A

**AUTHORIZATION**

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

*[Signature]*  
Applicant Signature

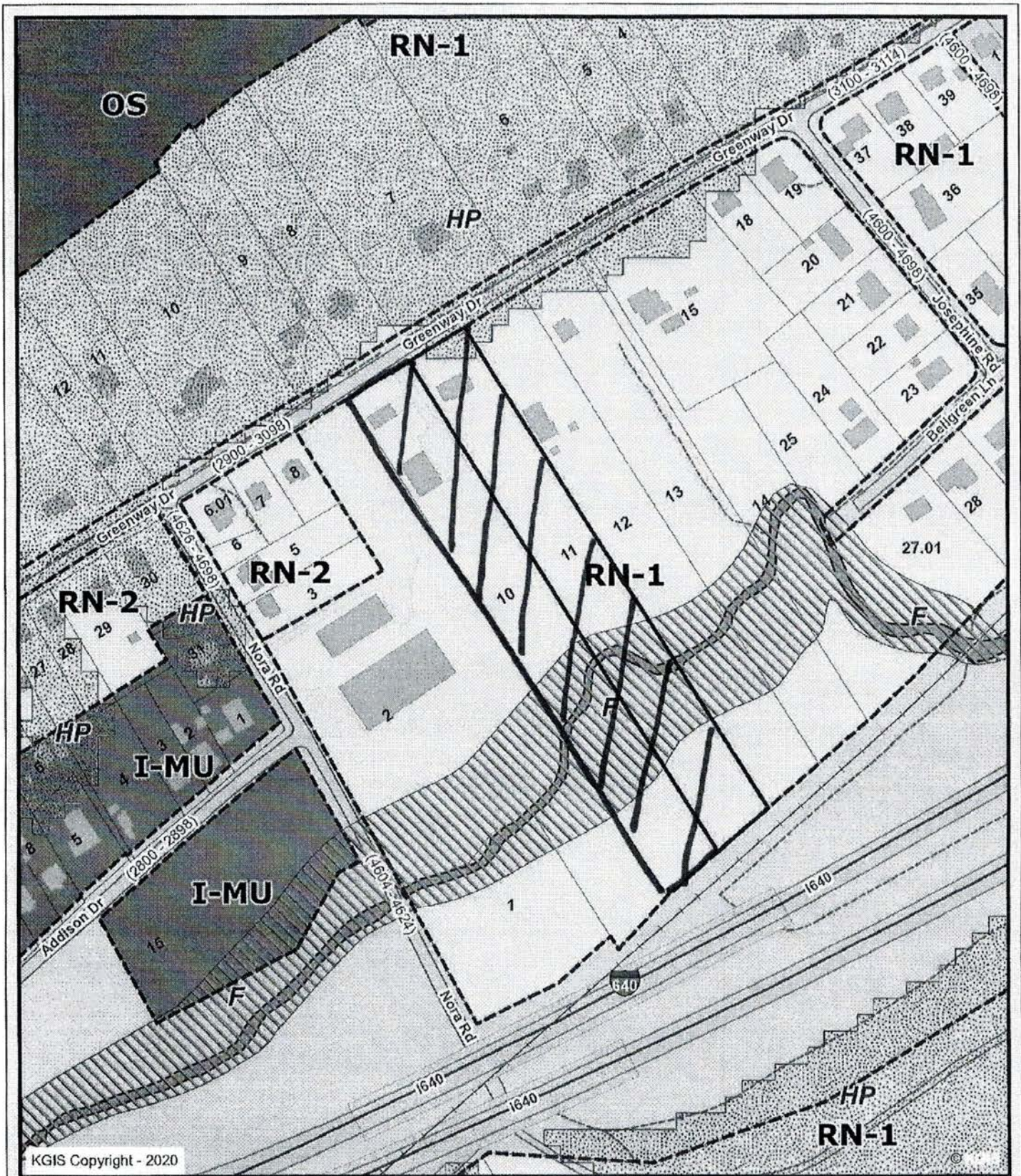
*Renee Welch*  
Please Print

*9-22-2020*  
Date

Phone Number  
*[Signature]*  
Staff Signature

Email  
*Marc Payne*  
Please Print

*9/22/2020*  
Date

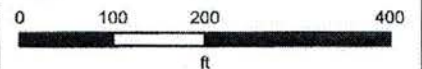


Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



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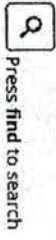
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Use this page to compare the zoning map on December 31, 2019, to the updated zoning map that reflects the new City of Knoxville zoning ordinance that took effect on January 1, 2020.

Please note that these maps will not reflect changes made after January 1, 2020. They simply provide a snapshot of the differences between the two immediately before and after the update took effect. To view the live zoning map, please visit KGIS.

### Getting Started

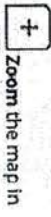
Type in an address (e.g. 400 Main St) to review the proposal for areas within the city.



Press find to search

### Navigating the maps

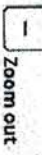
Use the map on the left to navigate the map to any area in Knoxville.



Zoom the map in



Reset to the initial view



Zoom out

Click and drag the maps to pan at the current extent.

January 1, 2020 Zoning Map

December 31, 2019 Zoning Map

