

REZONING REPORT

▶ FILE #: 6-E-23-RZ **AGENDA ITEM #:** 7
 POSTPONEMENT(S): 6/8/2023, 7/13/2023 **AGENDA DATE:** 8/10/2023
▶ APPLICANT: DAMON FALCONNIER
 OWNER(S): Chickamauga-Dutch Valley LLC Chickamauga-Dutch Valley LLC

TAX ID NUMBER: 81 B G 031, 032 [View map on KGIS](#)
JURISDICTION: City Council District 5
STREET ADDRESS: 0 & 237 CHICKAMAUGA AVE
▶ LOCATION: North side of Chickamauga Ave, west of Metler St, east of Coram St
▶ APPX. SIZE OF TRACT: 0.67 acres
SECTOR PLAN: Central City
GROWTH POLICY PLAN: N/A (Within City Limits)
ACCESSIBILITY: Access is via Chickamauga Avenue, a local street with a 25-ft pavement width within a 40-ft right-of-way.
UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
WATERSHED: Second Creek

▶ PRESENT ZONING: RN-2 (Single-Family Residential Neighborhood), IH (Infill Housing Overlay)
▶ ZONING REQUESTED: RN-3 (General Residential Neighborhood)
▶ EXISTING LAND USE: Single Family Residential, Agriculture/Forestry/Vacant Land
▶
EXTENSION OF ZONE: No
HISTORY OF ZONING: None noted.
SURROUNDING LAND USE AND ZONING:
 North: Single family residential - RN-2 (Single Family Residential Neighborhood), IH (Infill Housing Overlay)
 South: Agriculture/forestry/vacant, single family residential - RN-2 (Single Family Residential Neighborhood), IH (Infill Housing Overlay)
 East: Multifamily - RN-5 (General Residential Neighborhood), IH (Infill Housing Overlay)
 West: Single family residential - RN-2 (Single Family Residential Neighborhood), IH (Infill Housing Overlay)
NEIGHBORHOOD CONTEXT: This property is part of the Oakwood Lincoln Park Neighborhood, which is primarily comprised of single family homes on small lots with some multifamily developments as well.

STAFF RECOMMENDATION:

▶ Approve the RN-3 (General Residential Neighborhood) district because it is consistent with the sector plan and development would be reviewed for compatibility with the neighborhood. The IH (Infill Housing Overlay) would be retained.

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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 subject property is within the boundaries of the Oakwood-Lincoln Park Neighborhood Association. One key change that occurred here in the past twenty years is the development of two multifamily communities in 2003, located two blocks to the west on Hiwassee Avenue.
2. There are bus stops less than ¼ mile to the east and west of the property. A hiking trailhead for the Sharps Ridge Veterans Memorial Park is ¼ mile to the northwest. Approximately 1 mile to the east is a service-oriented commercial corridor along N Broadway Avenue.
3. These numerous assets for residents, in combination with unmet demand for a variety of housing options in the City, support a rezoning from the RN-2 (Single-Family Residential Neighborhood) district to the RN-3 (General Residential Neighborhood) district at this location.

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

1. The RN-3 zoning district is intended to accommodate medium density residential neighborhoods, characterized by single-family and two-family homes. Townhouse development may be permitted through special use review by the Planning Commission.
2. Although the predominant zoning in this neighborhood is RN-2 with single-family dwellings, there are multiple duplexes and small-scale multi-family developments located throughout the neighborhood. The subject property is adjacent to a low-rise apartment building zoned RN-5, which is an outlier for the area in terms of its layout and density.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. The subject property is located within an IH (Infill Housing Overlay) district. Any development will require a Certificate of Appropriateness from the Design Review Board, which applies the standards of the Infill Housing Design Guidelines. The Guidelines have specific criteria to ensure that infill housing has similar positioning, scale and architectural rhythm to the rest of the block. There are also parking standards that do not permit parking lots to be located in the front yard. Public notice of potential development would be posted, and the design review process provides opportunity for community input.
2. There are no adverse impacts anticipated to occur with a moderate increase in residential density at this location. Townhouses are the most intensive residential use permitted in RN-3. If they were to be proposed on the subject property, there would be public notice and opportunity for community feedback through the special use review, which is a separate and additional process to the Infill Housing review. The special use evaluation standards include consideration of compatibility with neighborhood character as well as potential impacts to neighboring properties and traffic.
3. The zoning code also has principal use standards for new construction of townhouse dwellings that bolster architectural quality as part of the building permit process. The standards address issues such as building facades and materials, as well as spacing and thematic cohesion of design.
4. These multiple avenues of development oversight maintain architectural integrity and neighborhood compatibility to address and mitigate any potential impacts of the proposed rezoning.

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's land use classification for this area is TDR (Traditional Neighborhood Residential), which permits consideration of the RN-3 zoning district.
2. A rezoning to the RN-3 district at this location is consistent with the General Plan's development policy 8.1 to encourage growth in the existing urban area, and develop infill housing on vacant lots that are compatible with neighboring residences in scale, design and site layout.
3. The subject property is within the boundaries of the adopted Oakwood Lincoln Park Neighborhood Plan, which asserts that more intensive residential development should be compatible with the surrounding architecture and scale of residences. The Infill Housing Overlay district and special use review process for townhouses in the RN-3 district will serve to maintain neighborhood character.

ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

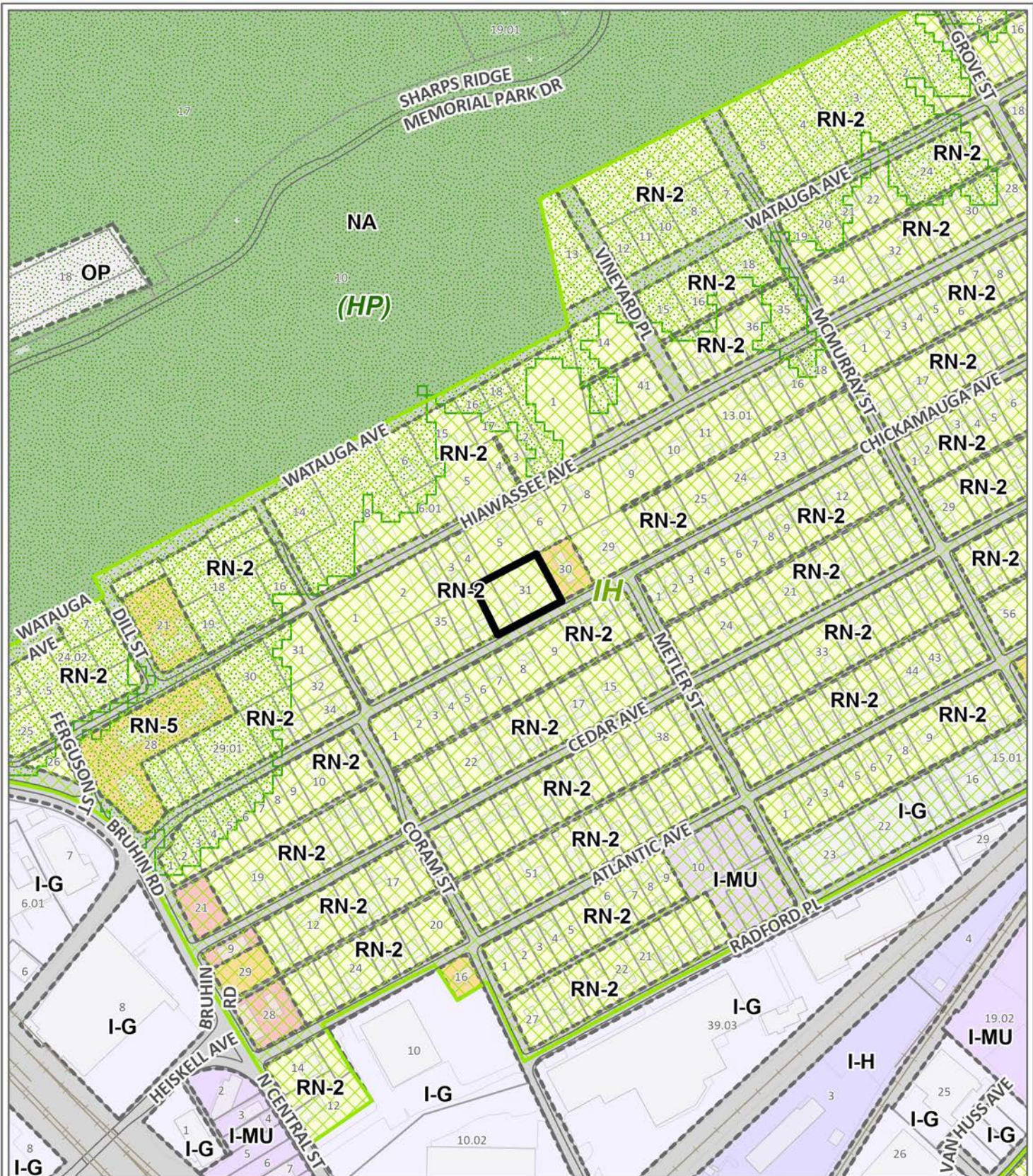
1. The subject property is located in an urban area where there is existing utility infrastructure and adequate roads, some of which have been recently been improved via traffic-calming measures. There are also nearby transit stops, parks and schools within the neighborhood boundary.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Christenberry Elementary, Whittle Springs Middle, and Fulton High.

If approved, this item will be forwarded to Knoxville City Council for action on 9/5/2023 and 9/19/2023. 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.



REZONING

6-E-23-RZ

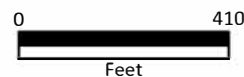
Petitioner: Damon Falconnier



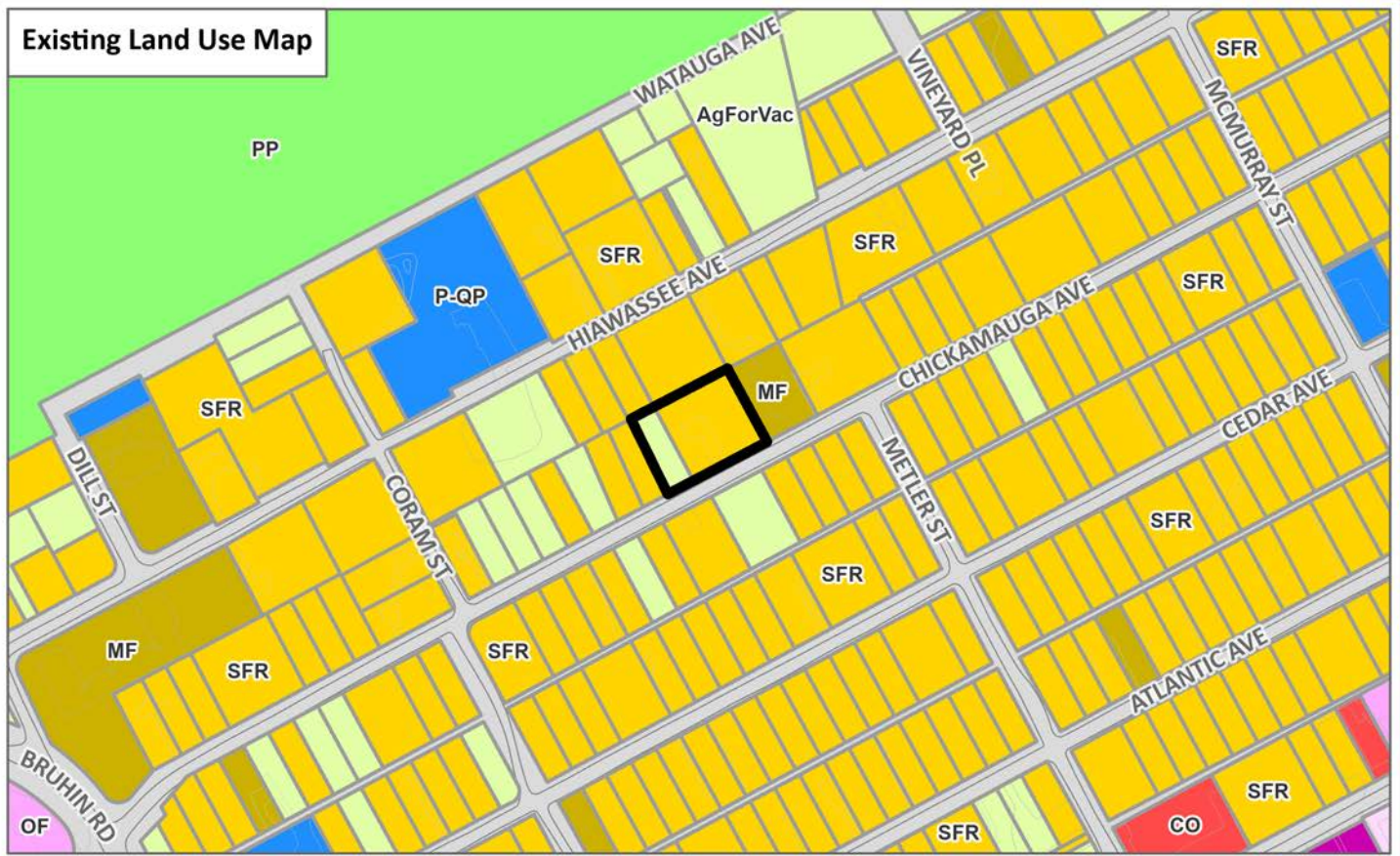
From: RN-2 (Single-Family Residential Neighborhood), IH (Infill Housing Overlay)
To: RN-3 (General Residential Neighborhood); IH (Infill Housing Overlay)

Map No: 81
Jurisdiction: City

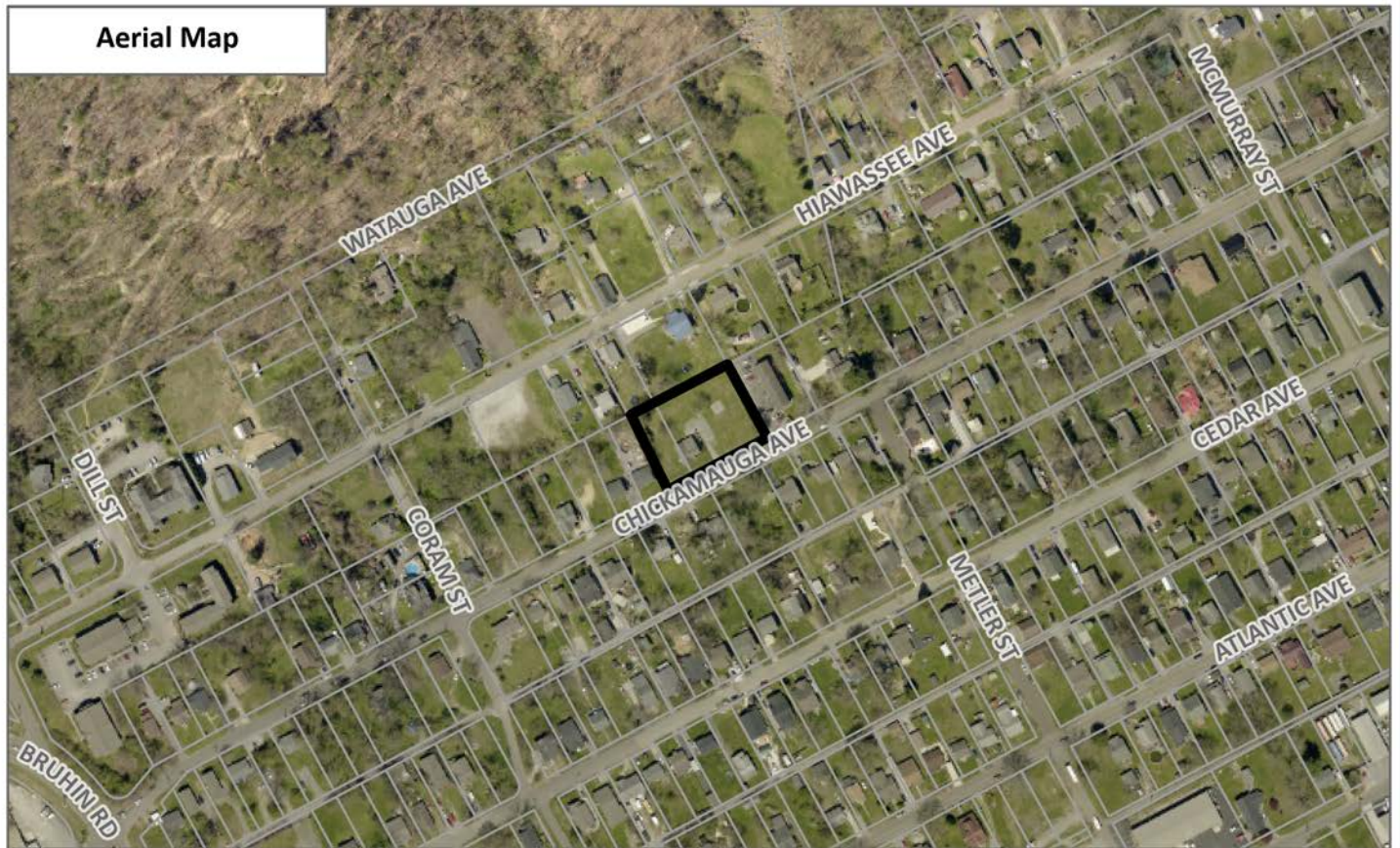
Original Print Date: 5/15/2023 *Revised 7/18/2023*
 Knoxville - Knoxville County Planning Commission * City / County Building * Knoxville, TN 37902



Existing Land Use Map



Aerial Map

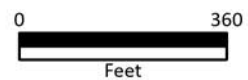


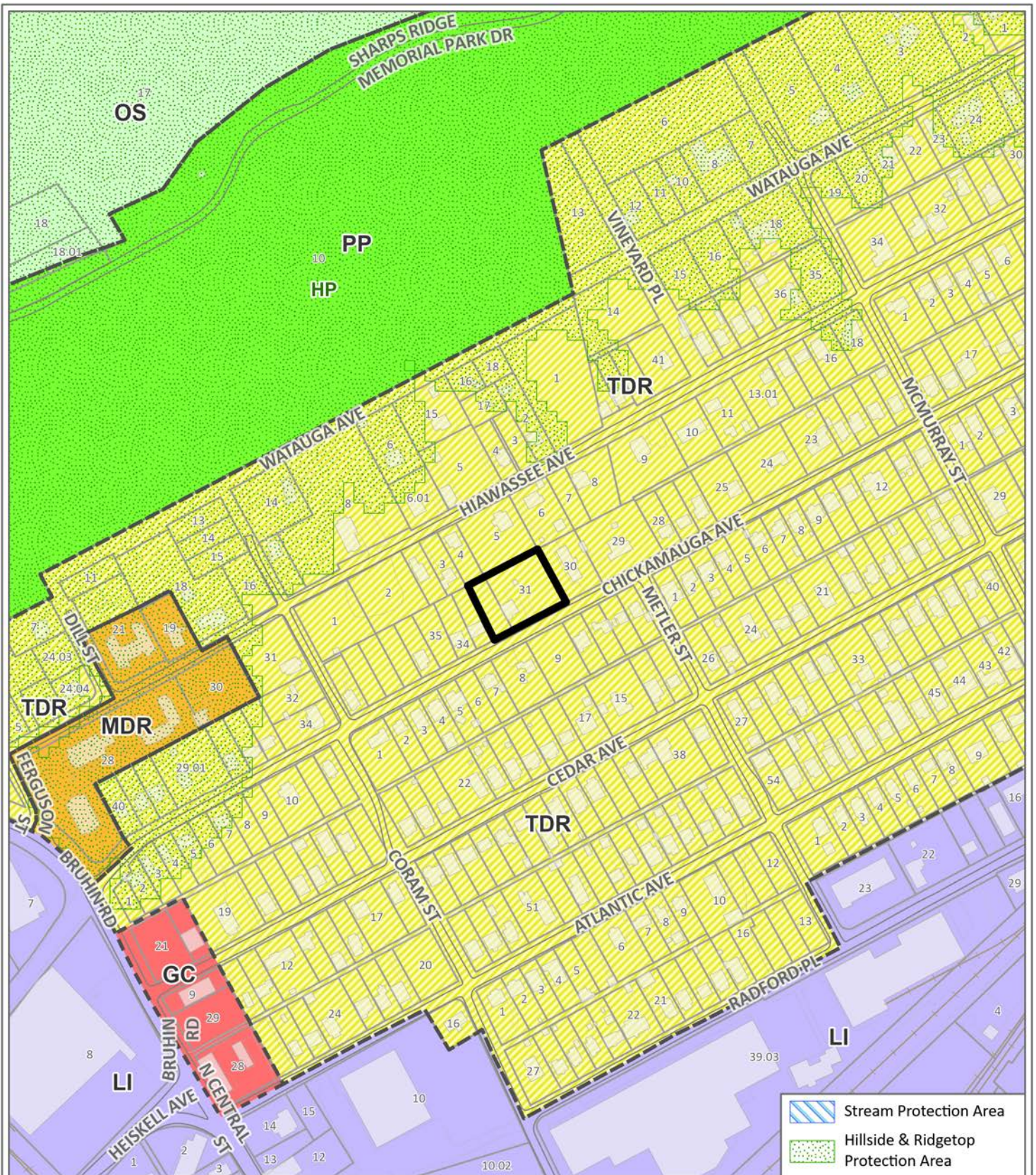
CONTEXTUAL MAPS

6-E-23-RZ



Case boundary





CENTRAL CITY SECTOR PLAN MAP

6-E-23-RZ

Petitioner: Damon Falconnier



Case boundary

Original Print Date: 5/16/2023

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Map No: 81
Jurisdiction: City





Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

Damon Falconnier REVISED 7/18/23

Applicant Name Affiliation

4/20/2023	6/8/2023	6-E-23-RZ
Date Filed	Meeting Date (if applicable)	File Number(s)

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

Damon Falconnier Falconnier Design Co.

Name / Company

4622 Chambliss Ave Knoxville TN 37919

Address

865-584-7868 / faldesco@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Chickamauga-Dutch Valley LLC Chickama 1460 Cordova Ave Glendale CA 91207 865-387-3319

Owner Name (if different) Owner Address Owner Phone / Email

0 CHICKAMAUGA AVE / 237 CHICKAMAUGA AVE

Property Address

81 B G 031,032 0.67 acres

Parcel ID Part of Parcel (Y/N)? Tract Size

Knoxville Utilities Board Knoxville Utilities Board

Sewer Provider Water Provider Septic (Y/N)

STAFF USE ONLY

North side of Chickamauga Ave, west of Metler Street, east of Corman Street

General Location

<input checked="" type="checkbox"/> City	Council District 5	RN-2 (Single-Family Residential Neighborhood), IH (Infill Housing Overlay)	Single Family Residential, Agriculture/Forestry/Vacant Land
<input type="checkbox"/> County	District	Zoning District	Existing Land Use

Central City TDR (Traditional Neighborhood Residential) N/A (Within City Limits)

Planning Sector Sector Plan Land Use Classification Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) _____	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Total Number of Lots Created	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change RN-4 RN-3 (General Residential Neighborhood);IH (Infill Housing Overlay)	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)
Proposed Density (units/acre) Previous Zoning Requests	
Additional Information _____	

STAFF USE ONLY

PLAT TYPE	Fee 1	Total
<input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	\$650.00	
ATTACHMENTS	Fee 2	
<input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request		
ADDITIONAL REQUIREMENTS	Fee 3	
<input type="checkbox"/> COA Checklist (Hillside Protection)		
<input type="checkbox"/> Design Plan Certification (Final Plat)		
<input type="checkbox"/> Site Plan (Development Request)		
<input type="checkbox"/> Traffic Impact Study		
<input type="checkbox"/> Use on Review / Special Use (Concept Plan)		

AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Applicant Signature	Damon Falconnier Please Print	4/20/2023 Date
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Property Owner Signature	Chickamauga-Dutch Valley LLC Chickamauga-Dutch Valley LLC Please Print	4/20/2023 Date
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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

Damon Falconnier (REVISED)

Applicant Name

Affiliation

06/08/23

File Number(s)

Date Filed

Meeting Date (if applicable)

CORRESPONDENCE

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

- Applicant
- Property Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

Damon A. Falconnier

Falconnier Design Co.

Name

Company

4622 Chambliss Avenue

Knoxville

TN

37919

Address

City

State

ZIP

865-584-7868

faldesco@gmail.com

Phone

Email

CURRENT PROPERTY INFO

Chickamauga-Dutch Valley LLC

1460 Cordova Avenue, Glendale, CA 91207

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

237 Chickamauga Avenue

081BG031 & 081BG032

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

City County

District

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

August 29, 2022

DEVELOPMENT REQUEST

Related City Permit Number(s)

- Development Plan
 - Use on Review / Special Use
 - Hillside Protection COA
 - Residential
 - Non-Residential
- Home Occupation (specify)

Other (specify)

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name

- Unit / Phase Number
- Combine Parcels
- Divide Parcel
- Total Number of Lots Created
- Other (specify)
- Attachments / Additional Requirements

ZONING REQUEST

Pending Plat File Number
20220823-00122
 85

DAF
 7-18-23

- Zoning Change RN-2 (existing) to ~~RN-4 (proposed)~~ **RN-3**
- Proposed Zoning
- Plan Amendment Change
- Proposed Plan Designation(s)

- Proposed Density (units/acre)
- Previous Rezoning Requests
- Other (specify)

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
Fee 2	
Fee 3	

Damon Falconnier
 Applicant Signature

Damon Falconnier
 Please Print

4/12/23
 Date

865-584-7868
 Phone Number

faldesco@gmail.com
 Email

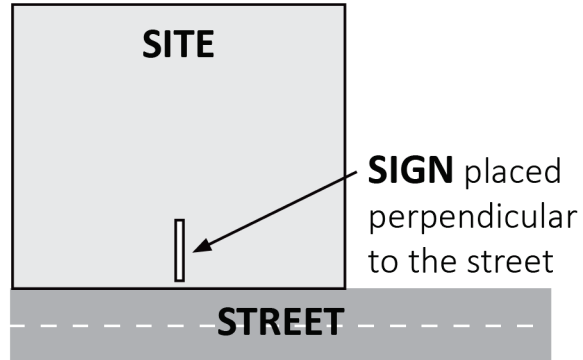
Heamyni Nathans
 Property Owner Signature

HEAMYI NATHAN
 Please Print

4/12/2023
 Date

I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, 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.

TIMING

The sign(s) must be posted **not less than 12 days prior to 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 not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

_____ and _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Damon Falconnier

Date: 4/20/2023

File Number: 6-E-23-RZ

- Sign posted by Staff
- Sign posted by Applicant