

# REZONING REPORT

▶ **FILE #:** 6-G-23-RZ

**AGENDA ITEM #:** 12

**AGENDA DATE:** 6/8/2023

▶ **APPLICANT:** FRANCO IRAKOZE  
**OWNER(S):** Franco Irakoze Definity Investments

**TAX ID NUMBER:** 94 A J 019 [View map on KGIS](#)

**JURISDICTION:** City Council District 3

**STREET ADDRESS:** 0 STERCHI ST

▶ **LOCATION:** **West side of Sterchi St, south side of Tennessee Ave**

▶ **APPX. SIZE OF TRACT:** **15,988 square feet**

**SECTOR PLAN:** Central City

**GROWTH POLICY PLAN:** N/A (Within City Limits)

**ACCESSIBILITY:** Access is via Sterchi Street, a local street with a 24-ft pavement width within a 38-ft right-of-way. Access is also via Tennessee Avenue, a local street with a 17-ft pavement width within a 19-ft right-of-way.

**UTILITIES:** Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

**WATERSHED:** Third Creek

▶ **PRESENT ZONING:** **I-G (General Industrial)**

▶ **ZONING REQUESTED:** **I-MU (Industrial Mixed-Use)**

▶ **EXISTING LAND USE:** **Agriculture/Forestry/Vacant Land**

▶ **EXTENSION OF ZONE:** No

**HISTORY OF ZONING:** None noted

**SURROUNDING LAND USE AND ZONING:** North: Commercial - I-H (Heavy Industrial)

South: Single-family residential - RN-2 (Single Family Residential Neighborhood)

East: Agriculture/forestry/vacant - I-G (General Industrial), F (Floodway)

West: Single-family residential - RN-2 (Single-Family Residential Neighborhood)

**NEIGHBORHOOD CONTEXT:** This property is in a transitional area between a single-family residential neighborhood and an industrial/ commercial node. There is a railway that runs under the Western Avenue bridge to the east of the property.

**STAFF RECOMMENDATION:**

▶ **Approve I-MU (Industrial Mixed-Use) zoning because it is consistent with the sector plan and provides an appropriate transition of land use intensities.**

**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. This parcel is located between industrial and low-density residential zoning. A downzoning of the subject parcel from the I-G (General Industrial) district to the I-MU (Industrial Mixed-Use) district at this location would provide a transition of land use intensities and improve compatibility with the adjacent single-family homes to the west.
2. The subject property used to be adjacent to a busy arterial street until 2019, when Western Avenue was substantially expanded and redirected away from the property and over the railroad tracks to the east. What remains of the street next to the property is now called Sterchi Street, and it functions as a local street for neighborhood use. This makes the area a more appropriate location for consideration of residential development. One key distinction between the I-G and I-MU zoning districts is that I-MU zoning permits all residential dwelling types, while I-G permits none. The most intensive uses, such as heavy industrial, are not permitted in I-MU zoning.

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

1. The I-MU zoning district is intended for a mix of light industrial uses and a range of compatible commercial uses such as entertainment, amusement and retail establishments. Residential uses are also permitted in the I-MU district. I-MU zoning is designed for structures that may no longer be suitable for their original industrial purposes and can accommodate a variety of alternative types of uses.
2. While the subject parcel is vacant with no remaining structures on it, the land is no longer an appropriate location for heavy industrial purposes. The property no longer has direct access to an arterial street since the redirection of Western Avenue. The remaining Sterchi Street is more suitable for residential traffic.

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. There are no adverse impacts anticipated to occur with the proposed I-MU zoning. It is a less intensive district than I-G, which makes it more compatible with the adjacent RN-2 (Single-Family Residential Neighborhood) zoned properties along Tennessee Avenue to the west.

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 proposed rezoning is consistent with the Central City Sector Plan's LI (Light Industrial) land use classification for the area.
2. The property is next to East Third Creek, which is classified as an impaired waterway due to contamination by pollutants. Downzoning and removing heavy industrial and other highly intensive land uses from this location is compatible with the General Plan's development policy 7.2 to protect water resources by reducing pollution. It is also consistent with policy 8.5 to protect neighborhoods from intrusive uses and other blighting influences.

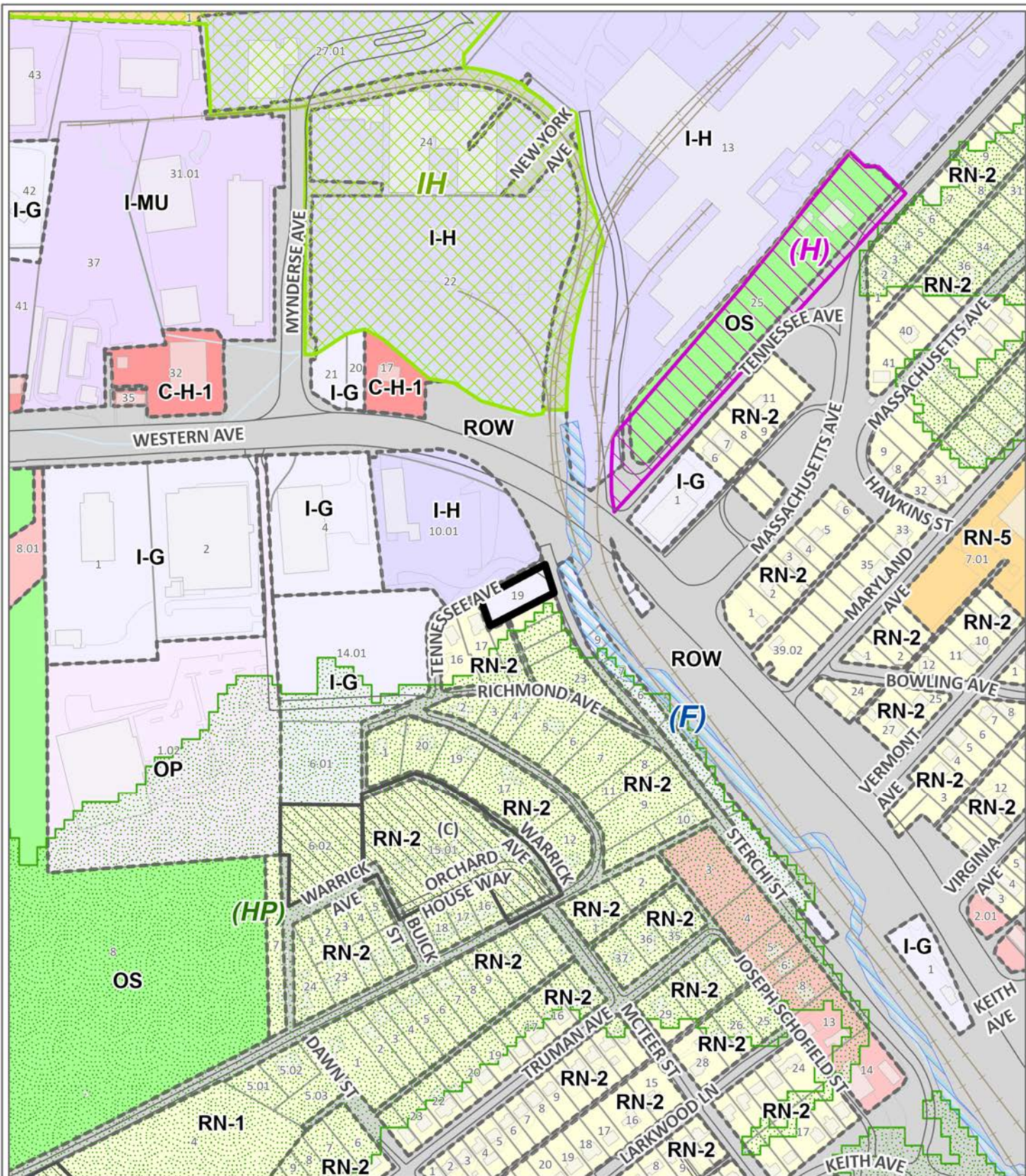
ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

1. This is a developed area with adequate infrastructure capacity for the range of land uses that area permitted in I-MU zoning.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 7/11/2023 and 7/25/2023. 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-G-23-RZ**

Petitioner: Franco Irakoze



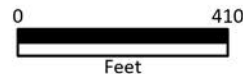
**From:** I-G (General Industrial)

**To:** I-MU (Industrial Mixed-Use)

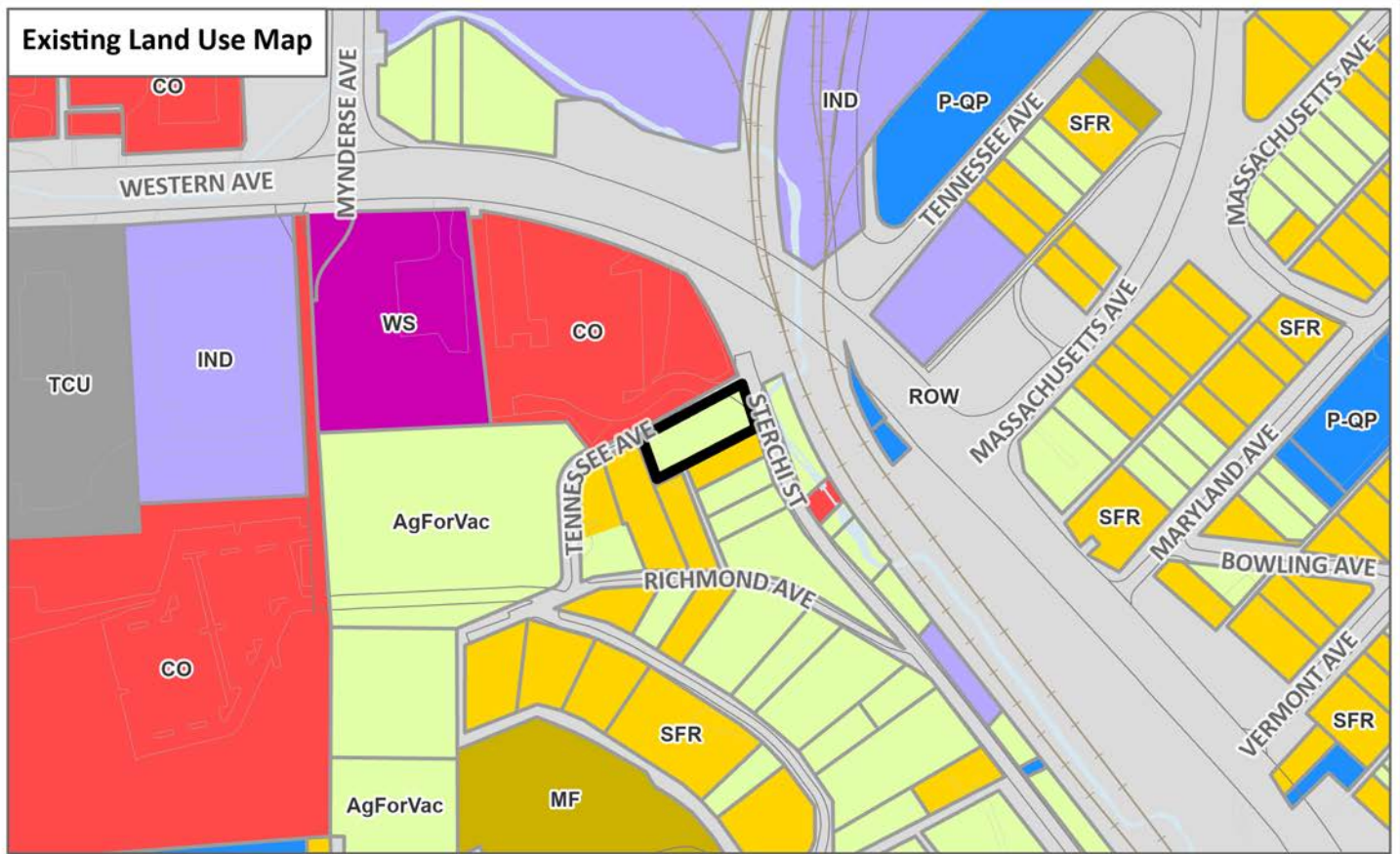
Map No: 94  
Jurisdiction: City

Original Print Date: 5/15/2023

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



**Existing Land Use Map**



**Aerial Map**

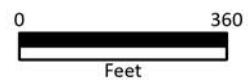


**CONTEXTUAL MAPS**

6-G-23-RZ



Case boundary





# 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

**Franco Irakoze**

Applicant Name

Affiliation

**4/24/2023**

Date Filed

**6/8/2023**

Meeting Date (if applicable)

**6-G-23-RZ**

File Number(s)

## CORRESPONDENCE

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

**Franco Irakoze Definity Investments**

Name / Company

**1327 W Baxter Ave Knoxville TN 37921**

Address

**865-548-5023 / irakoze franco3@gmail.com**

Phone / Email

## CURRENT PROPERTY INFO

**Franco Irakoze Definity Investments**

Owner Name (if different)

**1327 W Baxter Ave Knoxville TN 37921**

Owner Address

**865-548-5023 / irakoze franco3**

Owner Phone / Email

**0 STERCHI ST**

Property Address

**94 A J 019**

Parcel ID

Part of Parcel (Y/N)?

**15988 square feet**

Tract Size

**Knoxville Utilities Board**

Sewer Provider

**Knoxville Utilities Board**

Water Provider

Septic (Y/N)

## STAFF USE ONLY

**West side of Sterchi St, south side of Tennessee Ave**

General Location

City

**Council District 3**

**I-G (General Industrial)**

**Agriculture/Forestry/Vacant Land**

County District

Zoning District

Existing Land Use

**Central City**

Planning Sector

**LI (Light Industrial), SP (Stream Protection)**

Sector Plan Land Use Classification

**N/A (Within City Limits)**

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	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

## ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change <b>I-MU (Industrial Mixed-Use)</b>	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

Staff Review     Planning Commission

### ATTACHMENTS

Property Owners / Option Holders     Variance Request

### ADDITIONAL REQUIREMENTS

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

Fee 1	Total
<b>\$1,000.00</b>	
Fee 2	
Fee 3	

## 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: **Franco Irakoze**    Date: **4/24/2023**  
Please Print

Phone / Email: \_\_\_\_\_  
Property Owner Signature: **Franco Irakoze Definity Investments**    Date: **4/24/2023**  
Please Print

(1) Download and fill out this form at your convenience.  
(2) Sign the application digitally (or print, sign, and scan).

(3) Either print the completed form and bring it to the  
Knoxville-Knox County Planning offices  
OR email it to [applications@knoxplanning.org](mailto:applications@knoxplanning.org)

Reset Form



# 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

Franco Irakoze

Owner

Applicant Name

Affiliation

4/21/23

6/8/23

Date Filed

Meeting Date (if applicable)

File Number(s)
<b>6-G-23-RZ</b>

## 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

Franco Irakoze

Definity Investments

Name

Company

1327 w baxter ave

knoxville

tn

37921

Address

City

State

ZIP

865-548-5023

IrakozeFranco3@gmail.com

Phone

Email

## CURRENT PROPERTY INFO

Same as above

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

0 Sterchi St Knoxville Tn 37921

094AJ019

Property Address

Parcel ID

KUB

KUB

Sewer Provider

Water Provider

Septic (Y/N)

## STAFF USE ONLY

West side of Sterchi St, south side of Tennessee Ave

0.36 acre

General Location

Tract Size

City  County

3rd

I-G

Vacant land

District

Zoning District

Existing Land Use

Central City

LI & SP

N/A

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

## 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 \_\_\_\_\_

Unit / Phase Number    Combine Parcels    Divide Parcel   Total Number of Lots Created \_\_\_\_\_

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

Attachments / Additional Requirements

Related Rezoning File Number

## ZONING REQUEST

Zoning Change   **I-MU**  
Proposed Zoning \_\_\_\_\_

Plan Amendment Change   Proposed Plan Designation(s) \_\_\_\_\_

Proposed Density (units/acre)   Previous Rezoning Requests \_\_\_\_\_

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

Pending Plat File Number

## 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	Fee 2	Fee 3	Total
803			\$1,000
	Rezoning nonresidential		

## AUTHORIZATION



Applicant Signature

Franco Irakoze

Please Print

4/21/23

Date


8655485023

Phone Number

Irakoze franco3@gmail.com

Email

4/21/23



Property Owner Signature

Franco Irakoze

Please Print

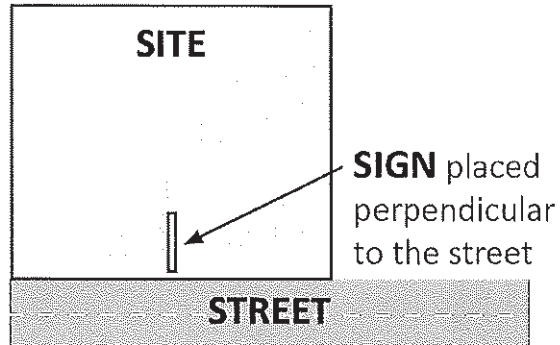
4/21/23

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:*

5/26/2023 and 6/9/2023  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Franco Irakoze

Date: 4/24/2023

File Number: 6-6-23-RZ

- Sign posted by Staff
- Sign posted by Applicant