

SPECIAL USE REPORT

► **FILE #:** 3-B-23-SU

AGENDA ITEM #: 16

AGENDA DATE: 3/9/2023

► **APPLICANT:** JOSHUA HENSON

OWNER(S): Joshua Henson Henson Development

TAX ID NUMBER: 94 N J 010

[View map on KGIS](#)

JURISDICTION: City Council District 1

STREET ADDRESS: 1800 CLINCH AVE

► **LOCATION:** South side of Clinch Ave, south of Eighteenth Street

► **APPX. SIZE OF TRACT:** 12285 square feet

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Clinch Avenue, a minor collector street with a 23-ft pavement width within a 50-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

► **ZONING:** O (Office)

► **EXISTING LAND USE:** Multifamily Residential

► **PROPOSED USE:** Independent living facility

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Office - O (Office)

South: Multi-family residential - O (Office)

East: Multi-family residential - O (Office)

West: Multi-family residential - O (Office)

NEIGHBORHOOD CONTEXT: The area is comprised of multi-family residential development within historic houses and new construction buildings, with nearby institutional and commercial development.

STAFF RECOMMENDATION:

► **Approve the request for an independent living facility in the O zoning district, subject to 2 conditions.**

- 1) Meeting all applicable requirements of the City of Knoxville Engineering Department.
- 2) Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval of an independent living facility in the O district.

COMMENTS:

The applicant is requesting approval of an independent living facility (a residential development with common areas for meals and socializing), which are subject to the dimensional and design standards for multi-family dwellings in the district in which they are located. The structure is within the Fort Sanders Neighborhood Conservation (NC) overlay, and proposed exterior alterations were approved by the Historic Zoning Commission on February 16, 2023 (1-D-23-HZ). Additional right-of-way sidewalk improvements and driveway improvements may be required, which will be evaluated during permitting.

STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2)

1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.

A. The Sector Plan and One Year designation for this parcel is MU-SD (Mixed-Use, Special District), specifically, MU-CC18 in the Fort Sanders neighborhood. The proposed independent living facility meets the recommended uses within the Central City Sector Plan designation as a "mix of residential uses" with "design and scale" "complimentary to the surrounding neighborhood," including Medium Density Residential.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.

A. The O (Office) zone is intended to provide for an environment of low-density office and service uses, mixed with residential uses, and additional serve as a transition between single-family residential areas and more intensely developed commercial or industrial areas within the City of Knoxville.

B. The proposed use will occur within an existing structure with no modifications to setbacks. The property meets the minimum lot area for the Office district. Design standards in the O district only apply to new construction and additions; the proposed use will not increase any design elements which do not conform with the code.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. The surrounding neighborhood features a variety of medium-density rental accommodations within existing historic houses, higher-density multi-family buildings, and office and institutional uses. Most of the other structures on the block (also zoned Office) are used for similar residential arrangements.

B. The proposed use will not involve modifications to the footprint of the existing house, which is compatible with the size and character of the block and surrounding neighborhood.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.

A. The proposed independent living facility will accommodate residential density compatible with the density of the surrounding neighborhood.

5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

A. The proposed use is similar to the existing use on the property and will draw similar traffic as any other residential use in the area.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses immediately surrounding the subject site that would pose a potential hazard or undesirable environment for the proposed use.

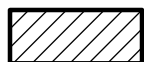
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the . The date of the hearing will depend on when the appeal application is filed.



**3-B-23-SU
SPECIAL USE**

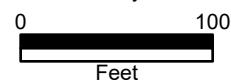


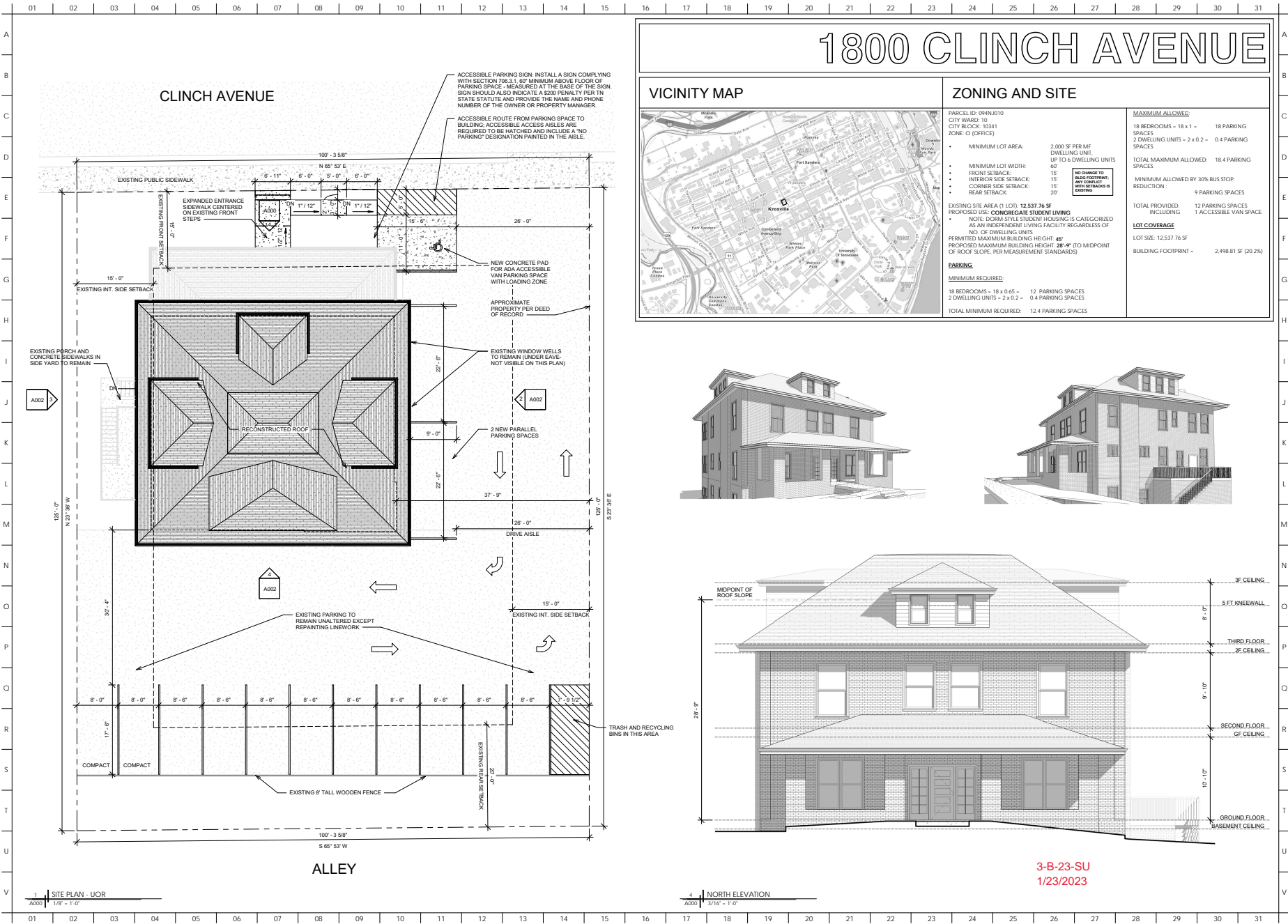
Independent living facility in O (Office)

Original Print Date: 2/14/2023
 Revised:
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Joshua Henson

Map No: 94
 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

Joshua Henson

Applicant Name

Affiliation

1/24/2023

Date Filed

3/9/2023

Meeting Date (if applicable)

3-B-23-SU

File Number(s)

CORRESPONDENCE

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

Logan Higgins Heyoh, LLC

Name / Company

133 S. Gay St. St. Knoxville TN 37902

Address

865-236-0430 / logan@heyohdesign.com

Phone / Email

CURRENT PROPERTY INFO

Joshua Henson

Owner Name (if different)

900 Phillips Ave. Ave. Unit 103 Knoxville TN 37920

Owner Address

865-805-9684 / johdevelopmen

Owner Phone / Email

1800 CLINCH AVE

Property Address

94 N J 010

Parcel ID

12285 square feet

Part of Parcel (Y/N)?

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

South side of Clinch Ave, south of Eighteenth Street

General Location

☒ City

Council District 1

O (Office)

Multifamily Residential

☐ Count

District

Zoning District

Existing Land Use

Central City

Planning Sector

MU-SD (Mixed Use Special District)

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

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 type="checkbox"/> Zoning Change	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
\$450.00	
Fee 2	
Fee 3	

AUTHORIZATION

Joshua Henson	1/24/2023
Applicant Signature	Date

Phone / Email

Joshua Henson	1/24/2023
Property Owner Signature	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.

(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



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

Joshua Henson

Owner

Applicant Name

Affiliation

1/23/23

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

Logan Higgings

Heyoh LLC

Name

Company

133s Gay St

Knoxville

TN

37902

Address

City

State

ZIP

865-236-0430

logan@heyohdesign.com

Phone

Email

CURRENT PROPERTY INFO

HENSON DEVELOPMENT

900 PHILLIPS AVE 103 KNOXVILLE

865.805.9684

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

1800 CLINCH AVE KNOXVILLE - 37916

094NJ010

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

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

Home Occupation (specify) _____

Other (specify) Chang of use from MF to Independant Living

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Unit / Phase Number ☐ Combine Parcels ☐ Divide Parcel

Total Number of Lots Created _____

Related Rezoning File Number

☐ Other (specify) _____

☐ Attachments / Additional Requirements

ZONING REQUEST

☐ Zoning Change

Proposed Zoning _____

☐ Plan Amendment Change

Proposed Plan Designation(s) _____

Pending Plat File Number

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	

AUTHORIZATION

Joshua Henson (Jan 23, 2023 13:56 EST)

Applicant Signature

Joshua Henson

Please Print

1/23/23

Date

865.805.9684

Phone Number

joshua@hensondev.com

Email

Joshua Henson (Jan 23, 2023 13:56 EST)

Property Owner Signature

Joshua Henson

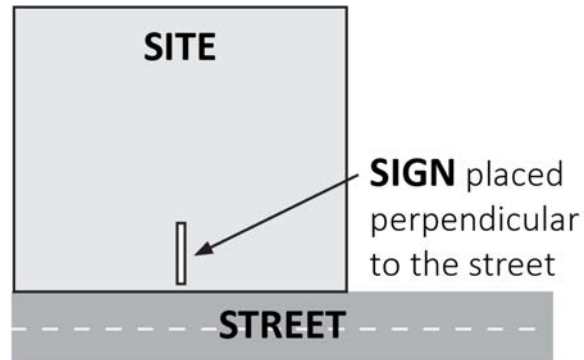
Please Print

1/23/23

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:

_____ 2/24/2023 _____ and _____ 3/10/2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Joshua Henson

Date: 1/24/23

File Number: 3-B-23-SU

☒ Sign posted by Staff
☐ Sign posted by Applicant