

# REZONING REPORT

▶ **FILE #:** 11-F-23-RZ

**AGENDA ITEM #:** 10

**AGENDA DATE:** 11/9/2023

▶ **APPLICANT:** KEITH FOSTER  
OWNER(S): Keith Foster Abundant Capital Group, LLC

TAX ID NUMBER: 95 CD 012, 013, 014, 015 [View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 1124 TRIGG ST (1126, 1128, 1130 TRIGG ST)

▶ **LOCATION:** East side of Trigg St, north side of Chester Ave

▶ **APPX. SIZE OF TRACT:** 0.62 acres

SECTOR PLAN: East City

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

ACCESSIBILITY: Access is via Trigg Street, a local street with a 15-ft pavement width within a 35-ft right-of-way. Access is also via Chester Avenue, a local street with an 18-ft pavement width within a 40-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Williams Creek

▶ **PRESENT ZONING:** RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

▶ **ZONING REQUESTED:** RN-4 (General Residential Neighborhood), HP (Hillside Protection Overlay)

▶ **EXISTING LAND USE:** Single Family Residential, Agriculture/Forestry/Vacant Land

▶ EXTENSION OF ZONE: No, this is not an extension of the zoning district

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Single family residential, public parks - RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

South: Agriculture/forestry/vacant - RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

East: Single family residential, public parks - RN-2 (Single-Family Residential Neighborhood), NA (Natural Areas), HP (Hillside Protection Overlay)

West: Rural residential, agriculture/forestry/vacant - RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

NEIGHBORHOOD CONTEXT: This is a residential area comprised of single family and duplex dwellings among forested hillside. There is City-owned open space providing a natural buffer along Williams Creek to the east.

**STAFF RECOMMENDATION:**

- ▶ **Approve the RN-3 (General Residential Neighborhood) district because it is consistent with the sector plan and surrounding development. The HP (Hillside Protection Overlay) would be retained.**

**COMMENTS:**

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

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 City is implementing a capital improvement project nearby called the East Knox Greenway Trail. It will connect Harriet Tubman Park to the Knoxville Botanical Gardens and Arboretum, and then move south along Williams Creek. Williams Creek is approximately 600 ft east of the subject property.
2. The subject property is located ¼ mile southeast of the KCDC Five Points community, which was redeveloped in four phases over ten years and completed in 2020. Residential intensity was increased in Five Points with a wide range of housing forms including single-family dwellings, duplexes, townhouses and apartment buildings.
3. Adjacent to this revamped affordable housing community is a 17,000 sq ft property on Sanders Lane (parcel 095CA015), which was rezoned from RN-2 to RN-4 in September (8-D-23-RZ). It is now in the permitting stages for a townhouse development.
4. Knoxville Area Transit (KAT) will be altering bus routes in this area in 2024 as a result of the KAT Reimagined transit network plan. However, bus stops will remain within safe walking distance of the subject property.
5. These developments and amenities support more residential intensity at this location. The recommended rezoning from the RN-2 (Single-Family Residential Neighborhood) to the RN-3 (General Residential Neighborhood) district would permit single-family dwellings and duplexes, and would enable consideration of up to 8 townhouses through special use review by the Planning Commission, if the lots were merged.

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

1. The recommended RN-3 district is intended for residential neighborhoods characterized by one and two-family homes. Townhouses may be allowed to facilitate a more urban development form.
2. The requested RN-4 (General Residential Neighborhood) district is intended for a mix of residential forms including townhouses and low-rise apartment buildings. This district is designed for neighborhoods that already have this mix of residential forms, or have been identified as areas where such development is suitable for the future.
3. Although there is a range of residential types in the Five Points campus, it is an outlier in a neighborhood predominantly comprised of single-family and duplex dwellings. The requested RN-4 district would permit up to 8 townhouses or multi-family units by right and up to 13 apartments through special use review, based on the minimum lot area standards.
4. The recommended RN-3 district is more consistent with the character of the neighborhood, while still permitting consideration of the more residential development through special use review to evaluate its impact on the neighborhood.

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 recommended RN-3 district is not anticipated to have an adverse impact on the surrounding neighborhood. Although the property is surrounded by RN-2 zoning, there are several neighboring lots that do not conform with the RN-2 district because there are multiple duplexes on a single lot or a duplex on a lot that is smaller than what is permitted. RN-3 zoning is consistent with existing development in the immediate area.
2. There are properties northeast of the subject property that were purchased by the City to maintain a conservation easement supporting water quality in the Williams Creek watershed. No adverse impacts are anticipated to occur from RN-3 zoning in relation to this uphill conservation 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 land use classification for the property is TDR (Traditional Residential Neighborhood), which permits consideration of the recommended RN-3 and requested RN-4 zoning districts.
2. The RN-3 zoning district at this location is consistent with the General Plan's development policy 8.1 to develop infill housing on vacant lots in a way that is compatible with neighboring residences in scale, design and site layout. The approval of RN-3 zoning over the requested RN-4 zoning is also supported by policy 9.3 to ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities.

3. A rezoning to the RN-3 or RN-4 district does not conflict with any other adopted plans for the area.

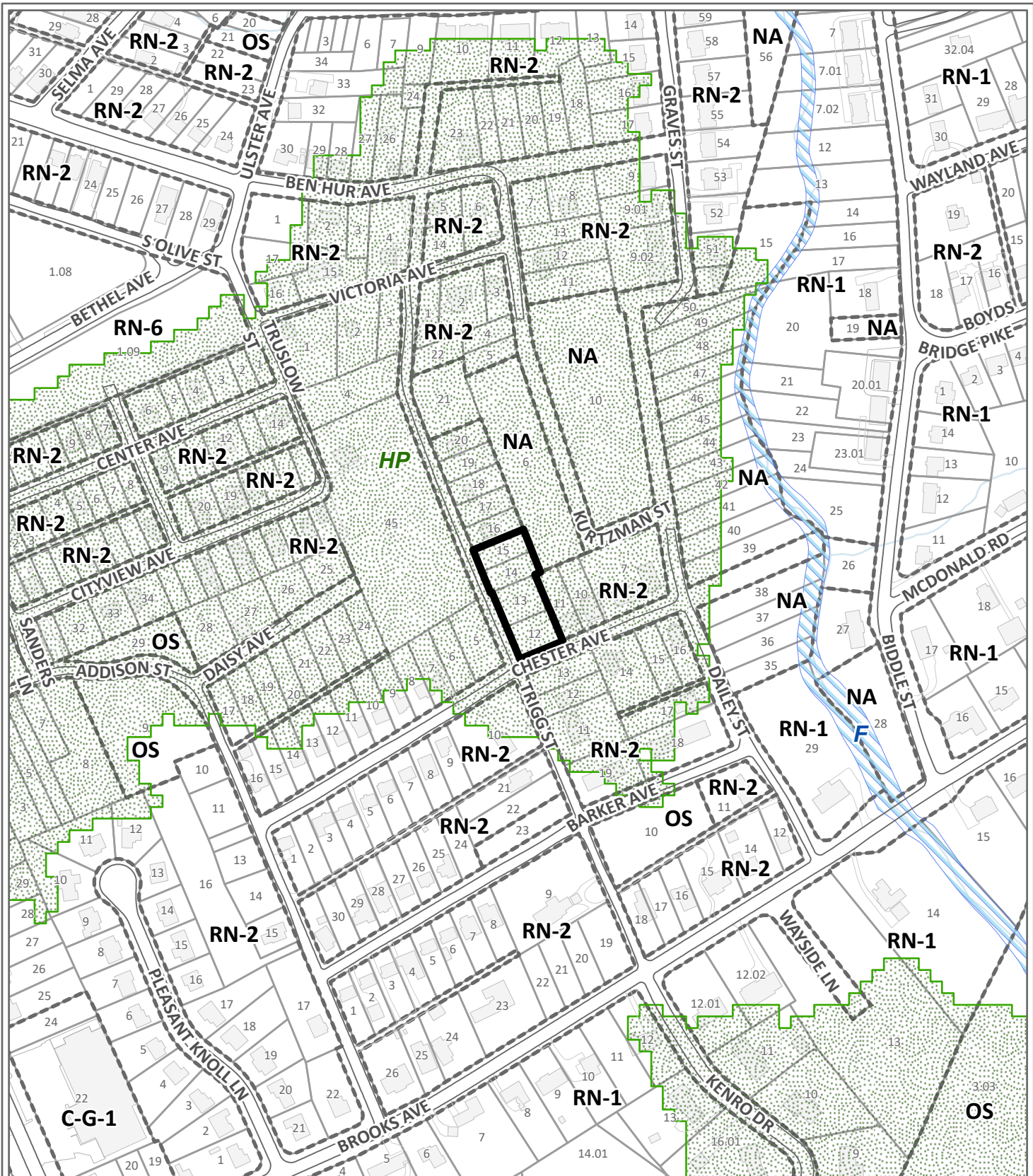
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Green Magnet Academy, Vine Middle Magnet, and Austin East High.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

If approved, this item will be forwarded to Knoxville City Council for action on 12/12/2023 and 1/9/2024. 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**

**11-F-23-RZ**

Petitioner: Keith Foster

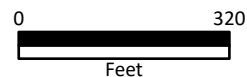


**From:** RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)  
**To:** RN-4 (General Residential Neighborhood);HP (Hillside Protection Overlay)

**Map No:** 95  
**Jurisdiction:** City

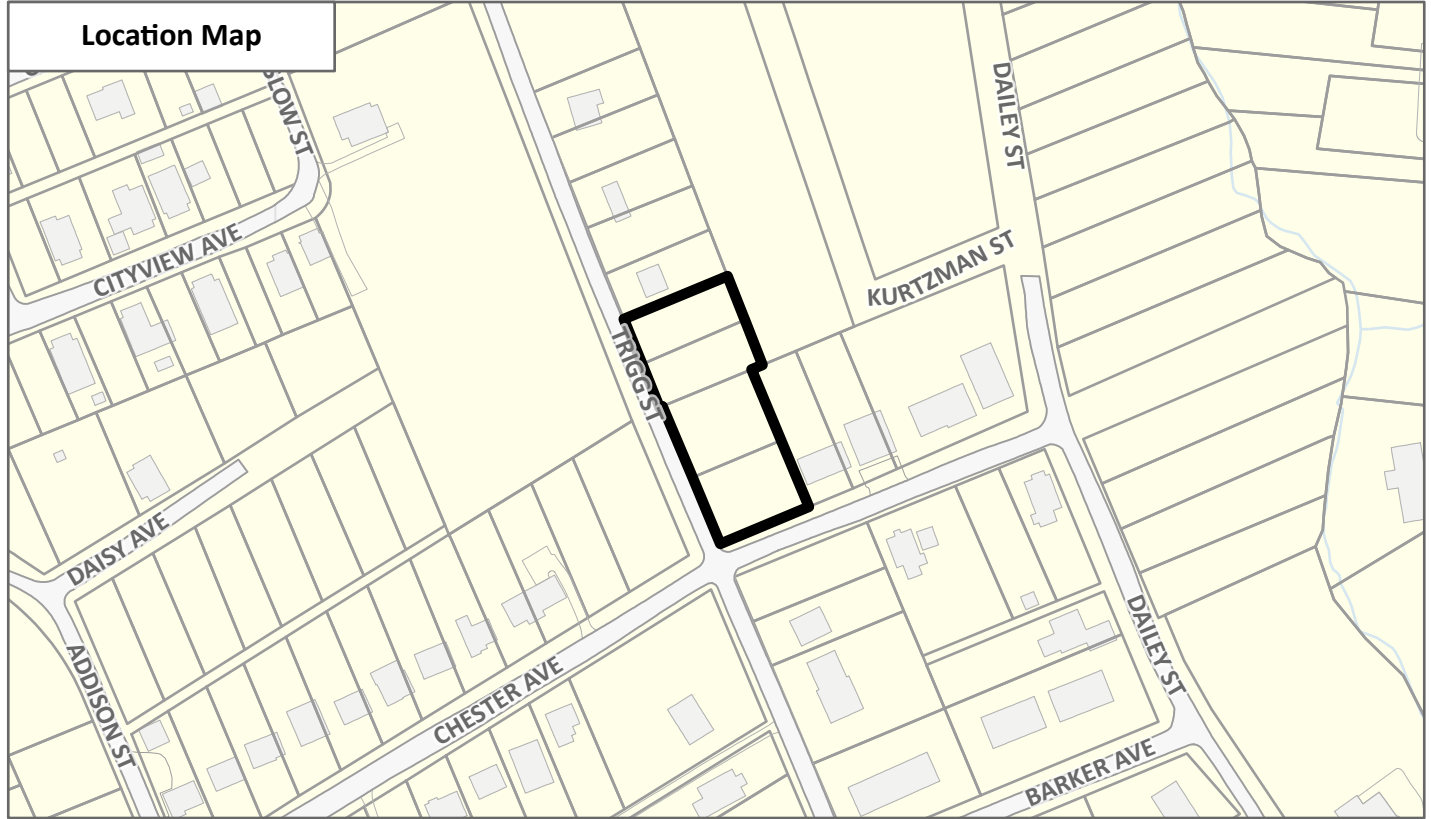
**Original Print Date:** 10/4/2023

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



# Exhibit A. Contextual Images

Location Map



Aerial Map

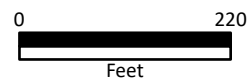


CONTEXTUAL MAPS 1

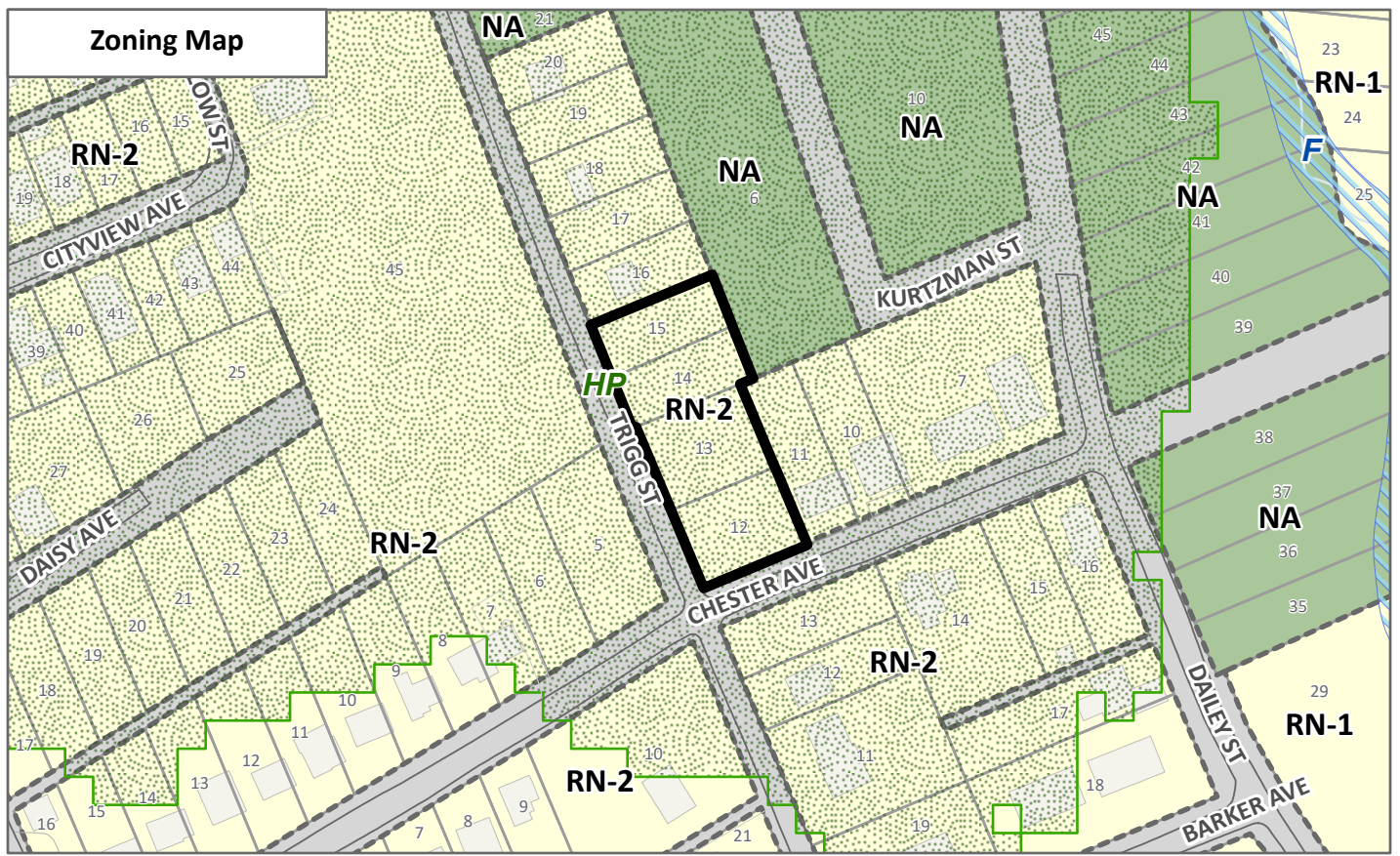
11-F-23-RZ



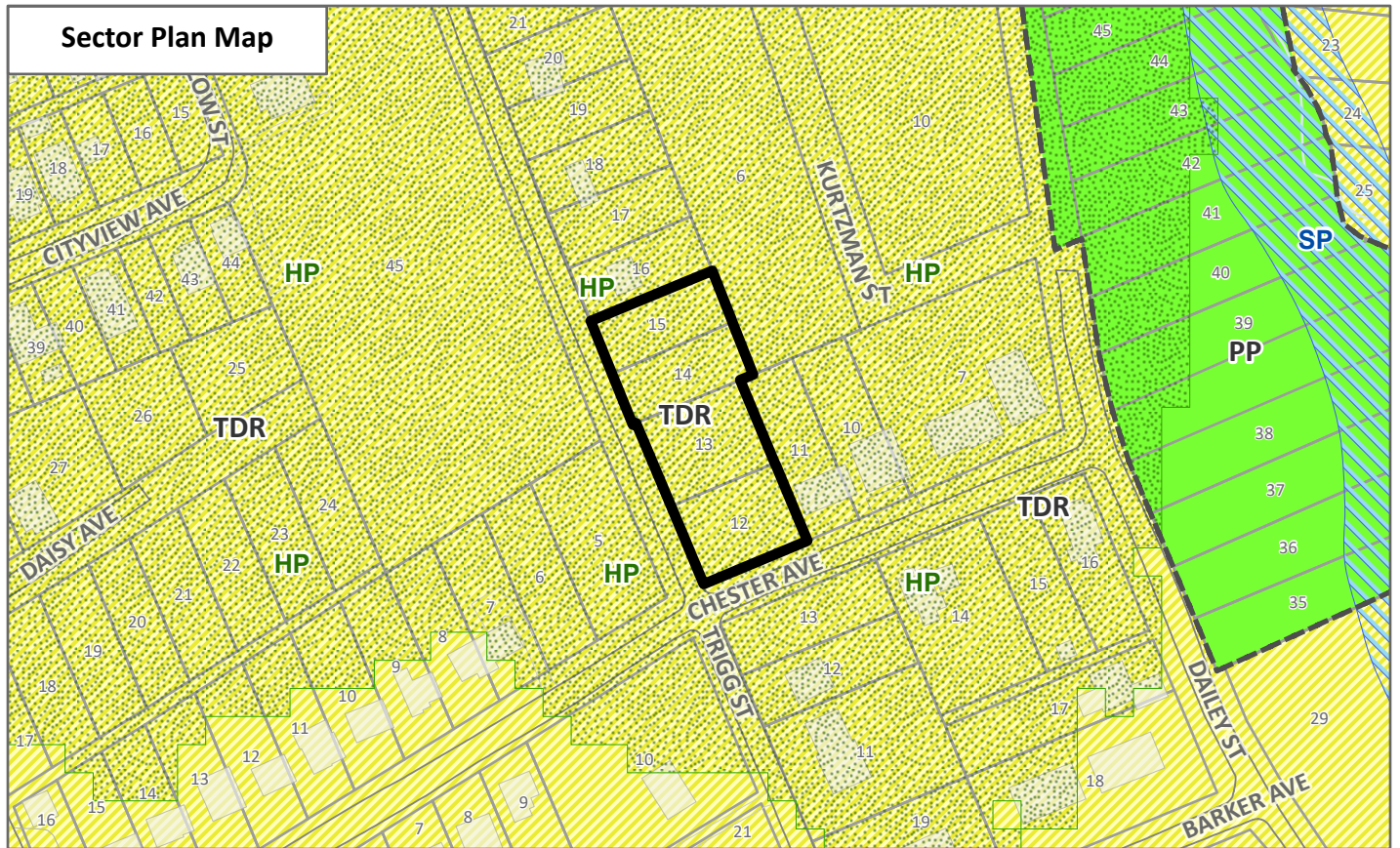
Case boundary



### Zoning Map



### Sector Plan Map

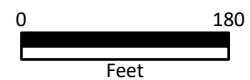


### CONTEXTUAL MAPS 2

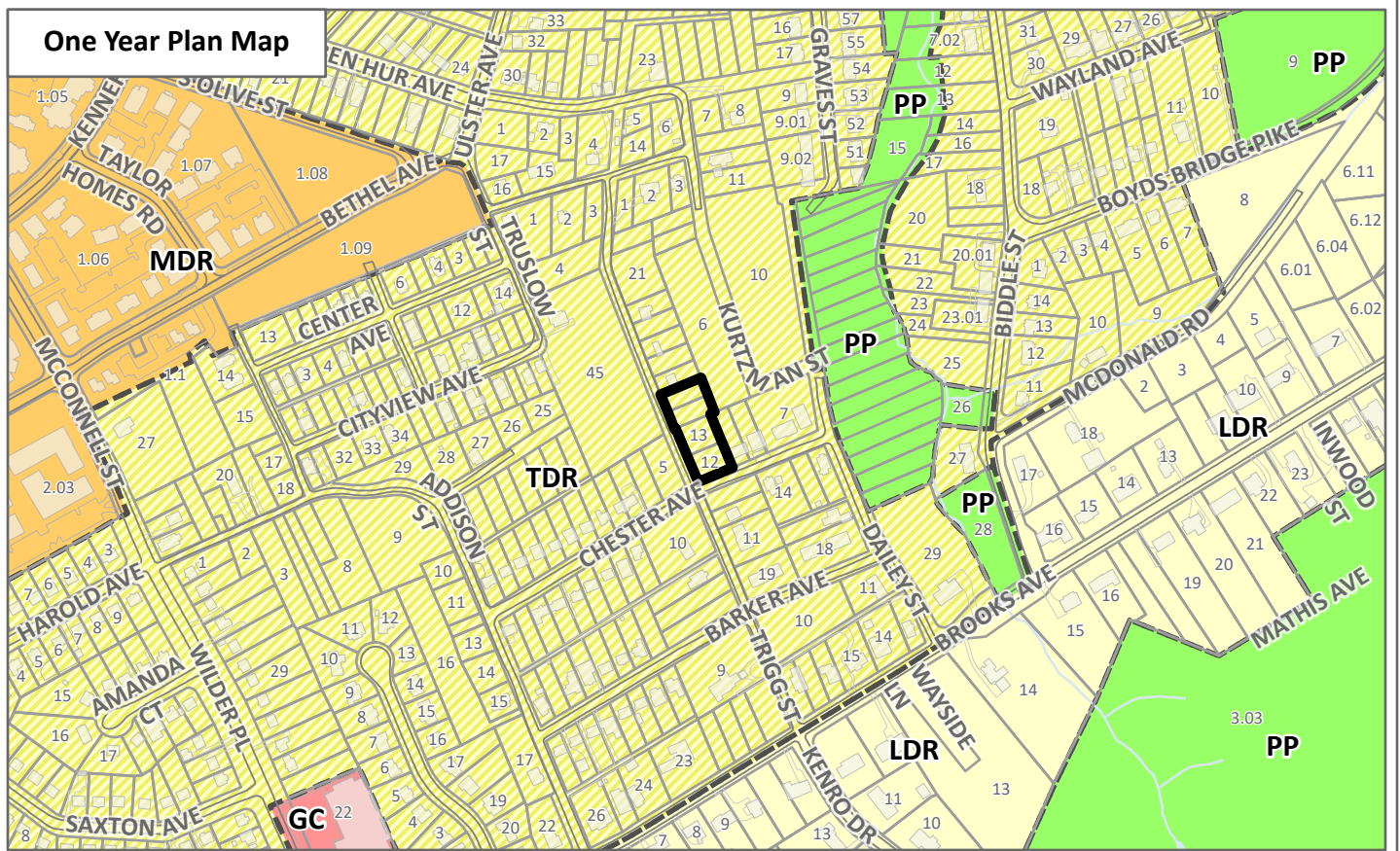
11-F-23-RZ



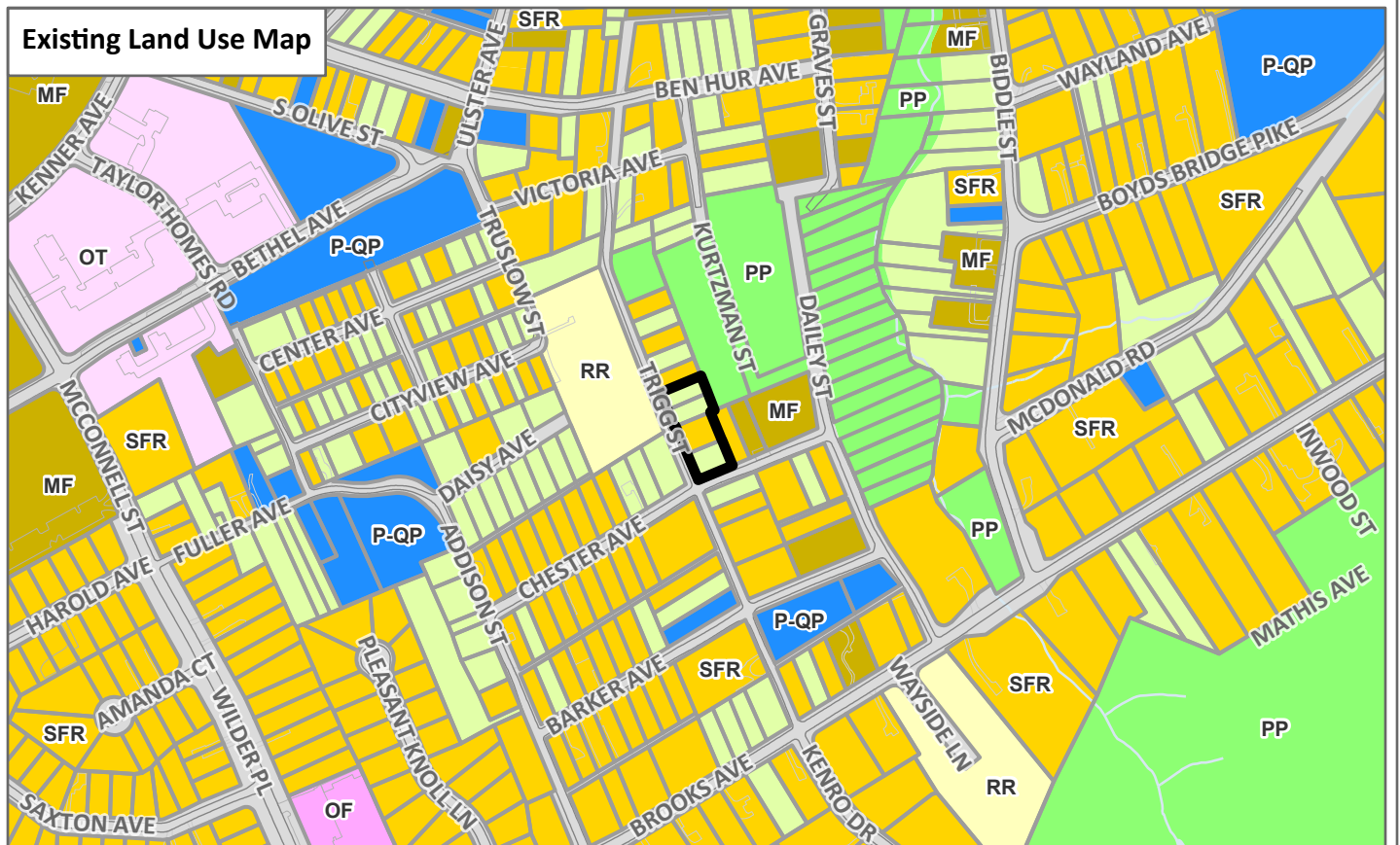
Case boundary



### One Year Plan Map



### Existing Land Use Map

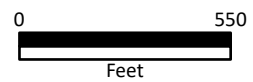


### CONTEXTUAL MAPS 3

11-F-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
- SP  OYP
- Rezoning

*Keith Foster*

Applicant Name

Affiliation

*14 Sept 2022*  
Date Filed

*11-9-2023*  
Meeting Date (if applicable)

File Number(s)

### 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

*Keith Foster*

Name

*Abundant Capital Group LLC*

Company

*4004 Seahorn Ave*

Address

*Knoxville TN*

City

*TN*

State

*37914*

ZIP

*865-235-0029*

Phone

Email

*Bigidea.keith@gmail.com*

### CURRENT PROPERTY INFO

*Abundant Capital Group*

Property Owner Name (if different)

*4004 Seahorn Ave Knox TN*

Property Owner Address

*865-235-0029*

Property Owner Phone

*1124-1130 Trigg Street*

Property Address

*095CD012, 015, 014, 013*

Parcel ID

*KUB*

Sewer Provider

*KUB*

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



### DEVELOPMENT REQUEST

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

Related City Permit Number(s)

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

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

### SUBDIVISION REQUEST

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

Related Rezoning File Number

Unit / Phase Number \_\_\_\_\_

- Combine Parcels   
  Divide Parcel

Total Number of Lots Created \_\_\_\_\_

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

Attachments / Additional Requirements

### ZONING REQUEST

Zoning Change

RN-4 HP

Proposed Zoning

Pending Plat File Number

Plan Amendment Change

Proposed Plan Designation(s)

Up to eight units

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	Fee 2	Fee 3	Total
0801	650 -		\$ 650.00

### 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

[Signature]                      Keith L. Foster                      14 Sept 2023  
 Applicant Signature                      Please Print                      Date

365-235-0029                      Bigidea.Keith@gmail.com  
 Phone Number                      Email

[Signature]                      Keith L. Foster                      14 Sept 2023  
 Property Owner Signature                      Please Print                      Date Paid



# 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

**Keith Foster**

Applicant Name

Affiliation

**9/25/2023**

Date Filed

**11/9/2023**

Meeting Date (if applicable)

**11-F-23-RZ**

File Number(s)

## CORRESPONDENCE

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

**Keith Foster Abundant Capital Group, LLC**

Name / Company

**4004 Seahorn Ave Knoxville TN 37914**

Address

**865-235-0029**

Phone / Email

## CURRENT PROPERTY INFO

**Keith Foster Abundant Capital Group, LL 4004 Seahorn Ave Knoxville TN 37914**

Owner Name (if different)

Owner Address

**865-235-0029**

Owner Phone / Email

**1124 TRIGG ST / 1126, 1128, 1130 TRIGG ST**

Property Address

**95 CD 012, 013, 014, 015**

Parcel ID

Part of Parcel (Y/N)?

**0.62 acres**

Tract Size

**Knoxville Utilities Board**

Sewer Provider

**Knoxville Utilities Board**

Water Provider

Septic (Y/N)

## STAFF USE ONLY

**East side of Trigg St, north side of Chester Ave**

General Location

City **Council District 6**

**RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)**

**Single Family Residential, Agriculture/Forestry/Vacant Land**

County District

Zoning District

Existing Land Use

**East City**

Planning Sector

**TDR (Traditional Neighborhood Residential), HP (Hillside**

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	
Total Number of Lots Created	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

## ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change <b>RN-4 (General Residential Neighborhood);HP (Hillside Protection Overlay)</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>\$650.00</b>	
Fee 2	
Fee 3	

## AUTHORIZATION

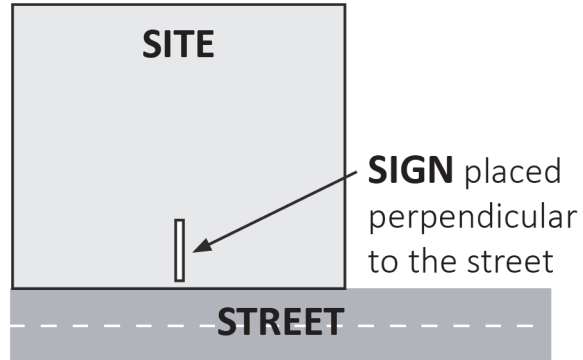
I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Applicant Signature	<b>Keith Foster</b> Please Print	<b>9/25/2023</b> Date
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Phone / Email

Property Owner Signature	<b>Keith Foster Abundant Capital Group, LLC</b> Please Print	<b>9/25/2023</b> Date
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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:*

\_\_\_\_\_ 10/28/2023 \_\_\_\_\_ and \_\_\_\_\_ 11/10/2023 \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Keith Foster

Date: 9/25/2023

File Number: 11-F-23-RZ

- Sign posted by Staff
- Sign posted by Applicant