

REZONING REPORT

▶ **FILE #:** 9-B-23-RZ

AGENDA ITEM #: 6

AGENDA DATE: 9/14/2023

▶ **APPLICANT:** JOSH JORDAN

OWNER(S):

TAX ID NUMBER: 82 F F 017

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 3134 LINDEN AVE

▶ **LOCATION:** South side of Linden Ave, west of N Mary St

▶ **APPX. SIZE OF TRACT:** 7944 square feet

SECTOR PLAN: East City

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

ACCESSIBILITY: Access is via Linden Ave, a local street with a pavement width of 28 ft within a 45-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)

▶ **ZONING REQUESTED:** RN-3 (General Residential Neighborhood)

▶ **EXISTING LAND USE:** Public/Quasi Public Land (dwelling unit)

▶

EXTENSION OF ZONE: No, this is not an extension.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Public/quasi public land (vacant) - RN-4 (General Residential Neighborhood)

South: Public/quasi public land (group home) - RN-2 (Single-Family Residential Neighborhood)

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

West: Public/quasi public land (group home) - RN-2 (Single-Family Residential Neighborhood)

NEIGHBORHOOD CONTEXT: The area is a part of the Burlington neighborhood, which abuts a commercial corridor along Magnolia Avenue to the north. It primarily comprises single family residences on smaller than ¼ acre lots. There are a few duplexes and group homes and a couple of daycare facilities in close proximity to the subject property.

STAFF RECOMMENDATION:

▶ **Deny the RN-3 (General Residential Neighborhood) district because it is not an extension of the zoning, and it would allow development that may be out of character with the surrounding area.**

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 pattern here demonstrates the type of transitions that are ideal - the proposed RN-3 (General Residential Neighborhood) district is the intermediate zoning between RN-2 and RN-4.
2. Both Magnolia Avenue and Martin Luther King Jr. Avenue are proposed to have higher frequency bus routes via KAT Reimagined, which is expected to improve the connectivity of this area.

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

1. The proposed RN-3 district is intended to accommodate medium density residential neighborhoods in the City of Knoxville characterized by one and two-family homes.
2. The area primarily comprises single family units with a few duplexes and group homes, and it would be consistent with the RN-3 district's intent. However, it would not be an extension of the zoning and it would allow a lower front setback, which may be out of character with other structures on the blockface.

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 minimum front setback for this property is 20' under the current RN-2 district, while the minimum front setback would be 10' in the requested RN-3 district. The average of the blockface is approximately 30'. Therefore, should this property be rezoned, any development could be built 10' from the front lot line, which may visually impact the character of the block.
2. The dimensional standards of the requested RN-3 district would allow up to one two-family unit on this property, which would not be allowed with the minimum lot size requirements of the current RN-2 district. However, a two-family dwelling would be compatible with the adjacent group homes and is not expected to adversely affect the surrounding 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 proposed rezoning is consistent with the General Plan's development policy 8.1 that encourages growth in the existing urban area through infill housing opportunities.
2. The RN-3 district is consistent with the One Year Plan and East City Sector Plan's TDR (Traditional Residential Neighborhood) land use classification.
3. The Martin Luther King, Jr. Avenue Corridor Plan (adopted in 2007) recommends an areawide downzoning from R-2 (General Residential District) to R-1A (Low Density Residential District) for properties along Linden Avenue. For reference, RN-2 is the zone that was considered corresponding to the former R-1A zone.

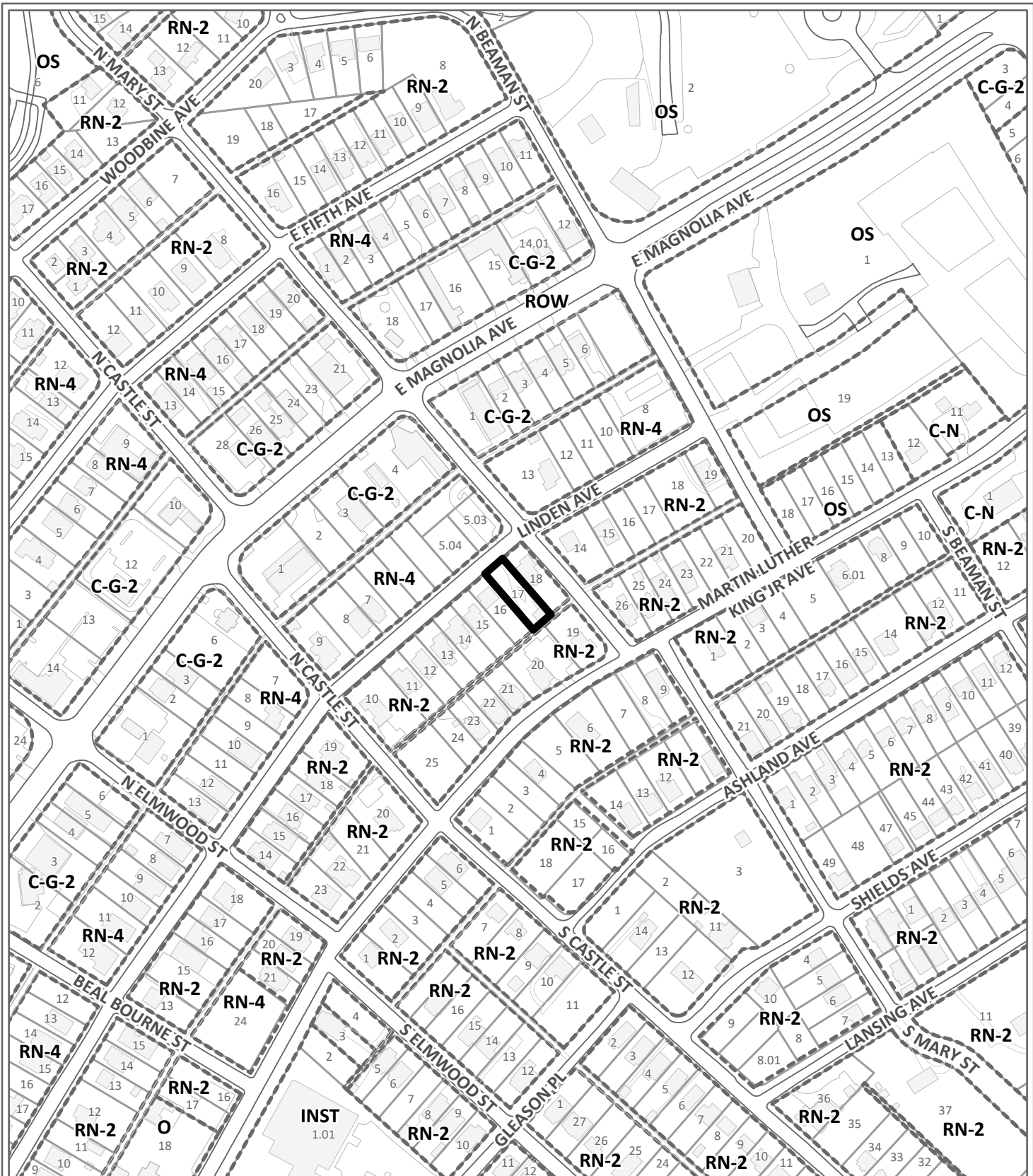
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Spring Hill Elementary, 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 10/17/2023 and 10/31/2023. 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

9-B-23-RZ

Petitioner: Josh Jordan



From: RN-2 (Single-Family Residential Neighborhood)

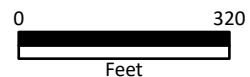
To: RN-3 (General Residential Neighborhood)

Map No: 82

Jurisdiction: City

Original Print Date: 8/18/2023

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



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

(3) Print the completed form and bring it to the
Knoxville-Knox County Planning offices OR email it to
applications@knoxplanning.org

Reset Form



Request to Postpone • Table • Withdraw

JOSH JORDAN

9/11/2023

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

9/14/2023

9-B-23-RZ

File Number(s)

Scheduled Meeting Date

POSTPONE

POSTPONE: All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30-day automatic postponement. If payment is not received by the deadline, the item will be tabled.

SELECT ONE: 30 days 60 days 90 days

Postpone the above application(s) until the _____ Planning Commission Meeting.

WITHDRAW

WITHDRAW: Applications may be withdrawn automatically if the request is received in writing no later than 3:30pm on Thursday the week prior to the Planning Commission meeting. Requests made after this deadline must be acted on by the Planning Commission. Applicants are eligible for a refund only if a written request for withdrawal is received no later than close of business 2 business days after the application submittal deadline and the request is approved by the Executive Director or Planning Services Manager.

TABLE

**The refund check will be mailed to the original payee.*

TABLE: Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled. There is no fee to table or untable an item.

APPLICANT CERTIFICATION

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

JOSH JORDAN

Applicant Signature

Please Print

865-740-4846

JosJordan@gmail.com

Phone Number

Email

STAFF ONLY

SHELLEY GRAY

7/05/2023

No Fee

Staff Signature

Please Print

Date Paid

Eligible for Fee Refund? Yes No Amount: []

Approved by:

Date:

N/A

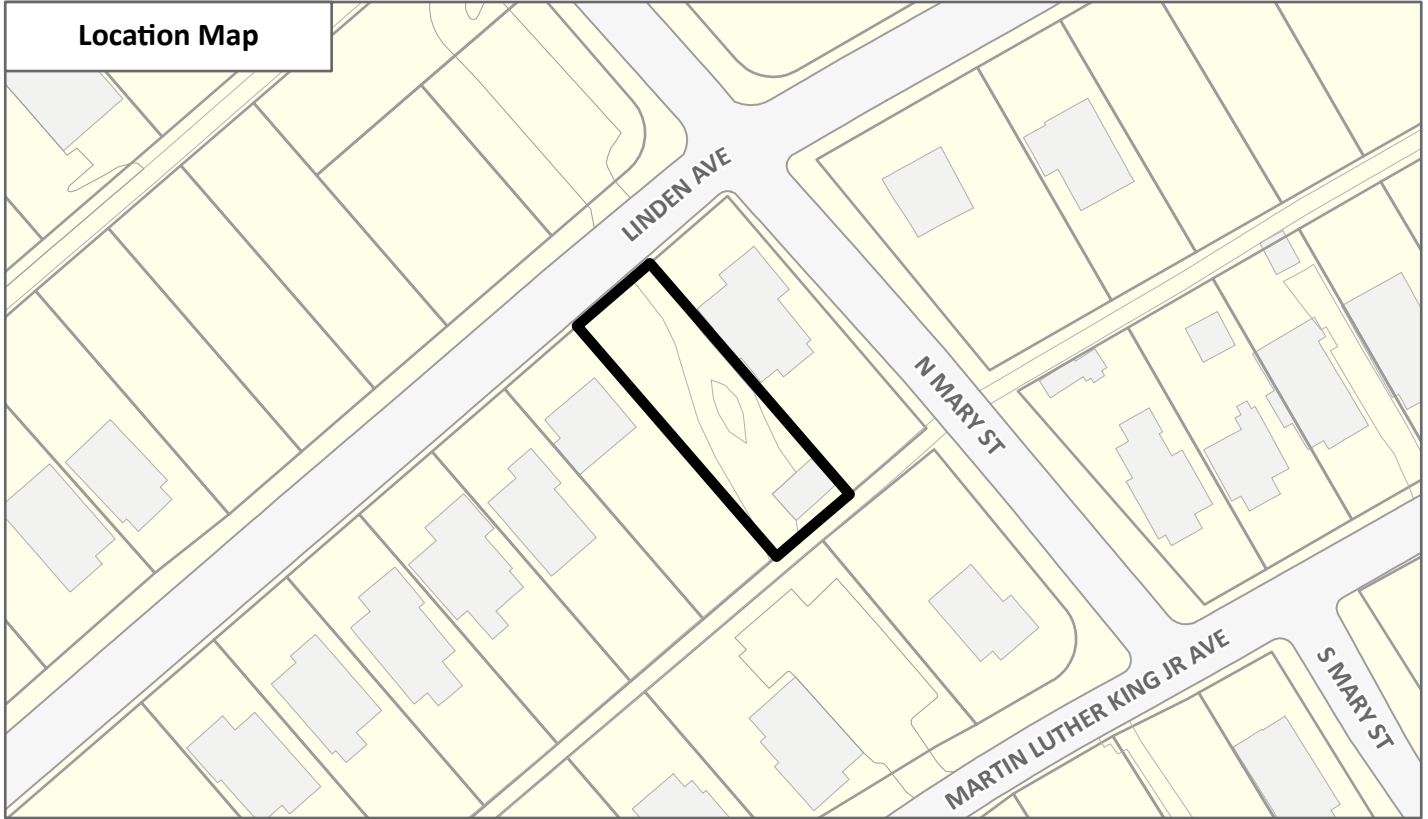
Payee Name

Payee Phone

Payee Address

Exhibit A. Contextual Images

Location Map



Aerial Map

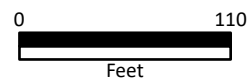


CONTEXTUAL MAPS 1

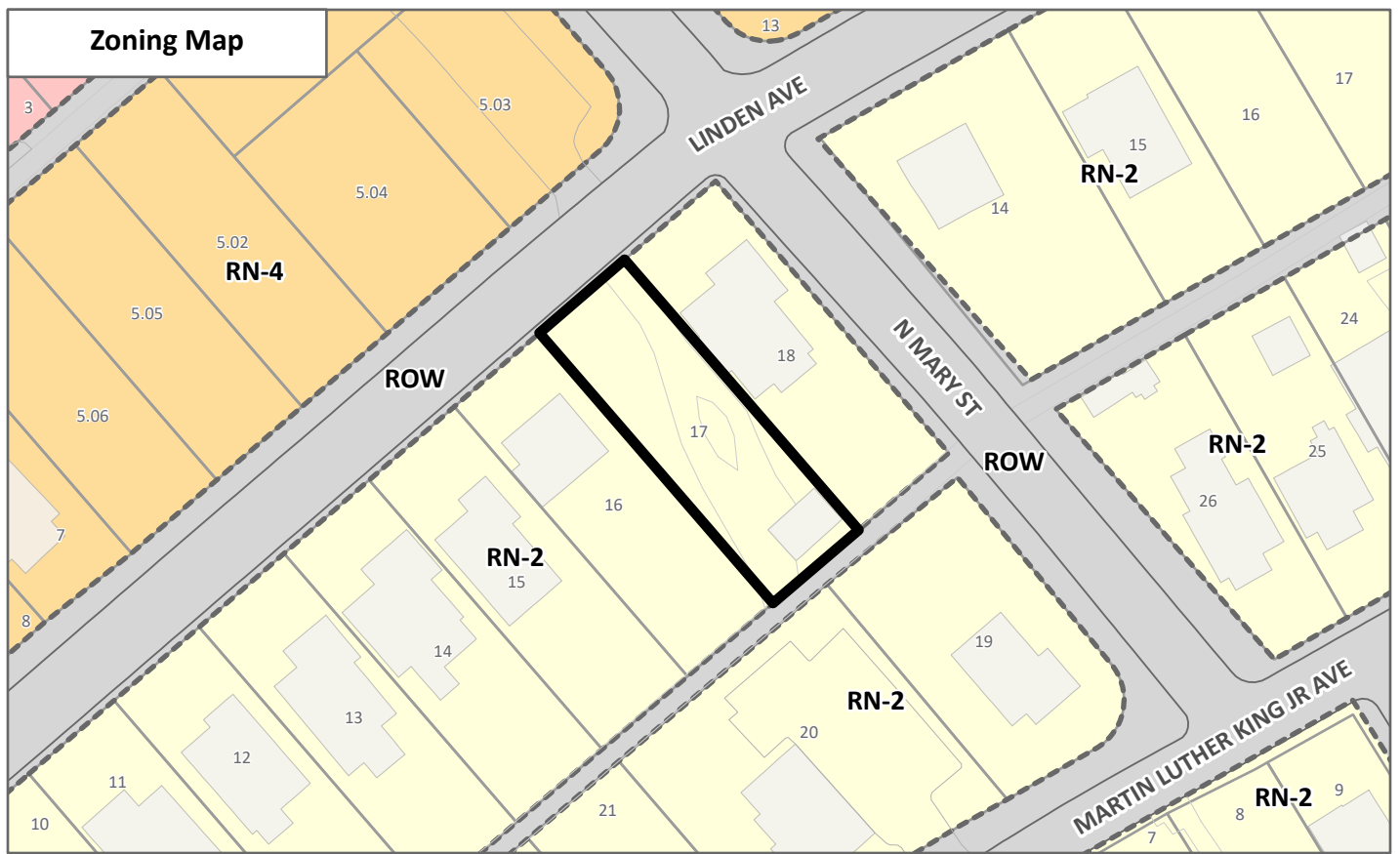
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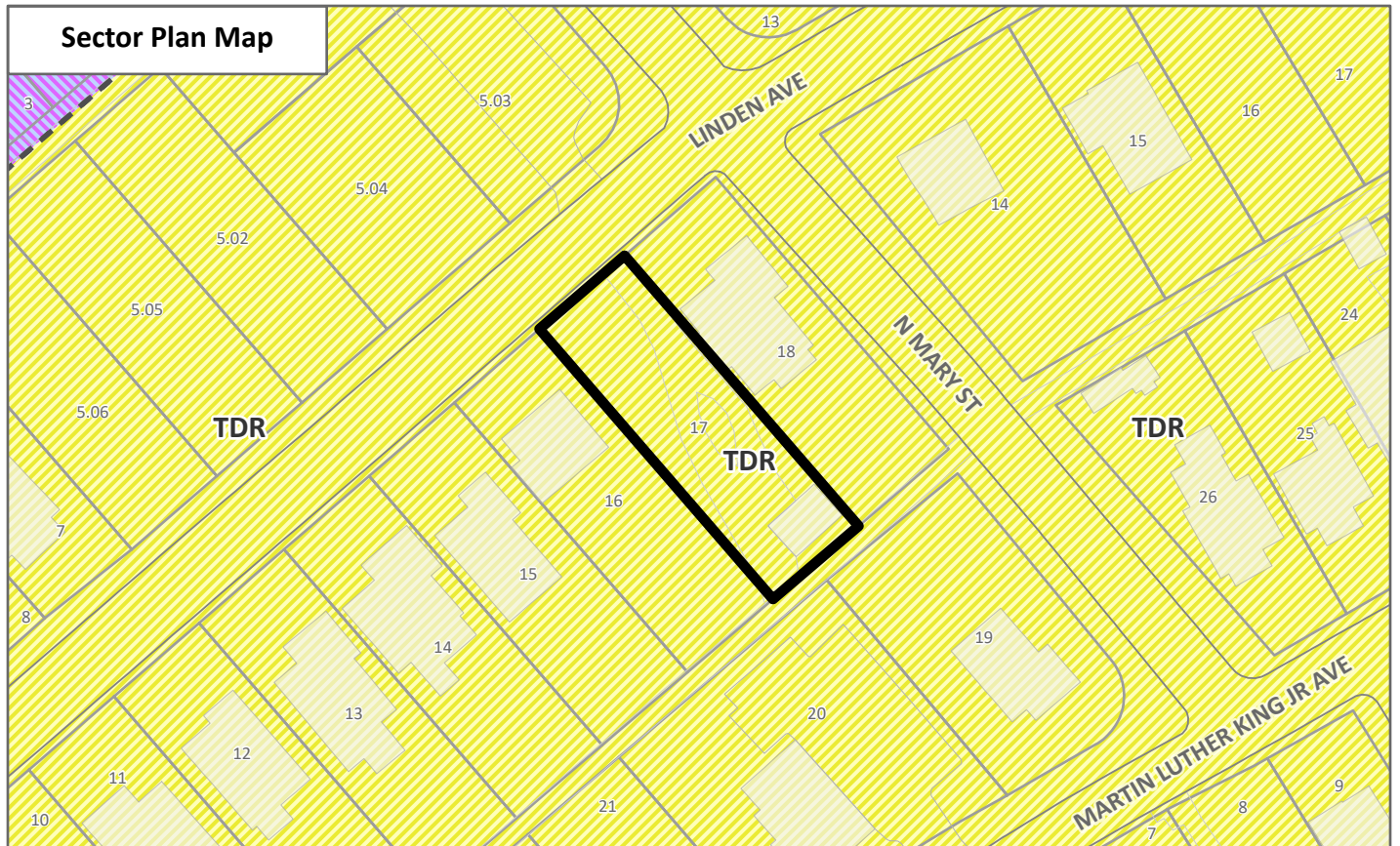
Case boundary



Zoning Map



Sector Plan Map



CONTEXTUAL MAPS 2

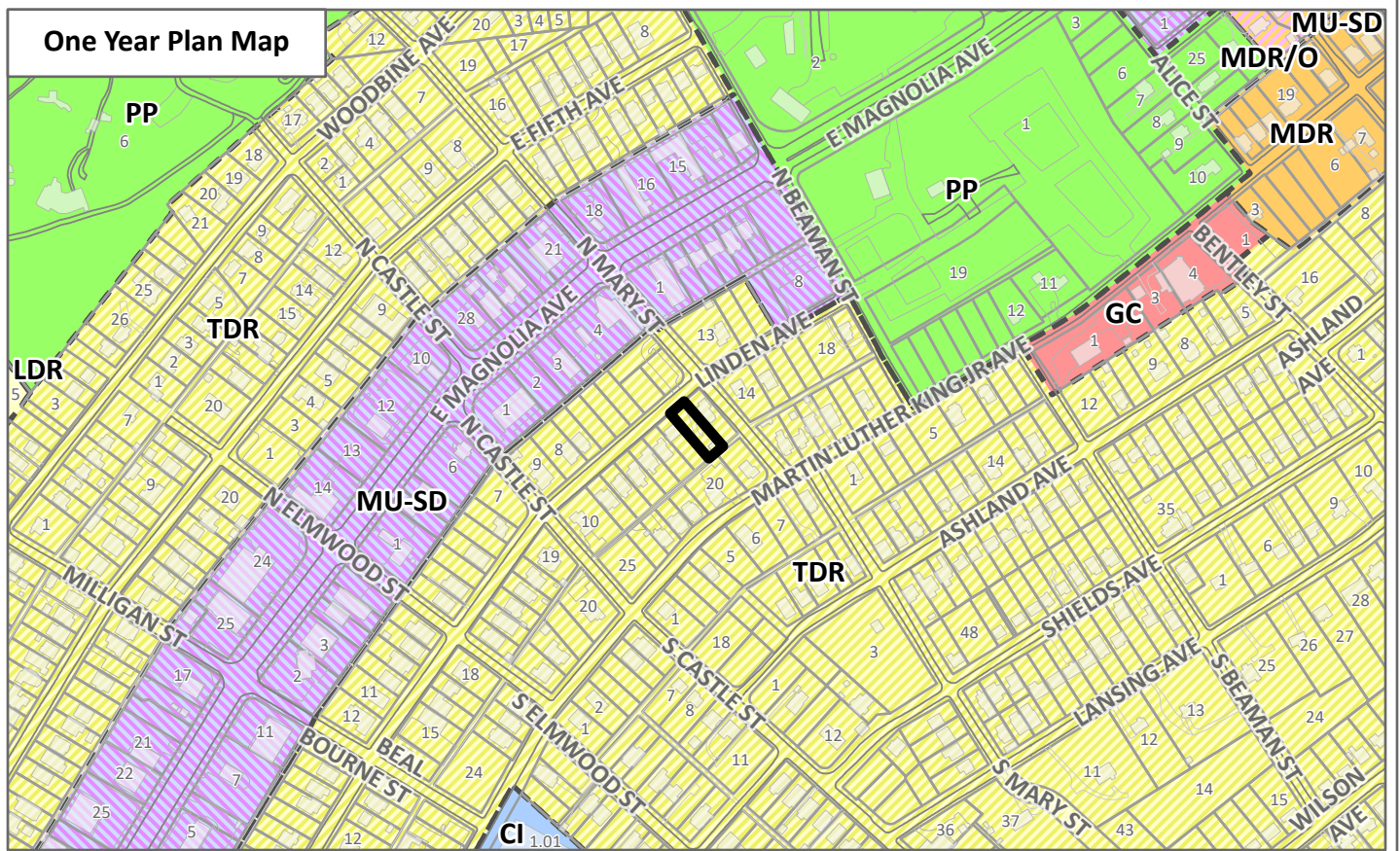
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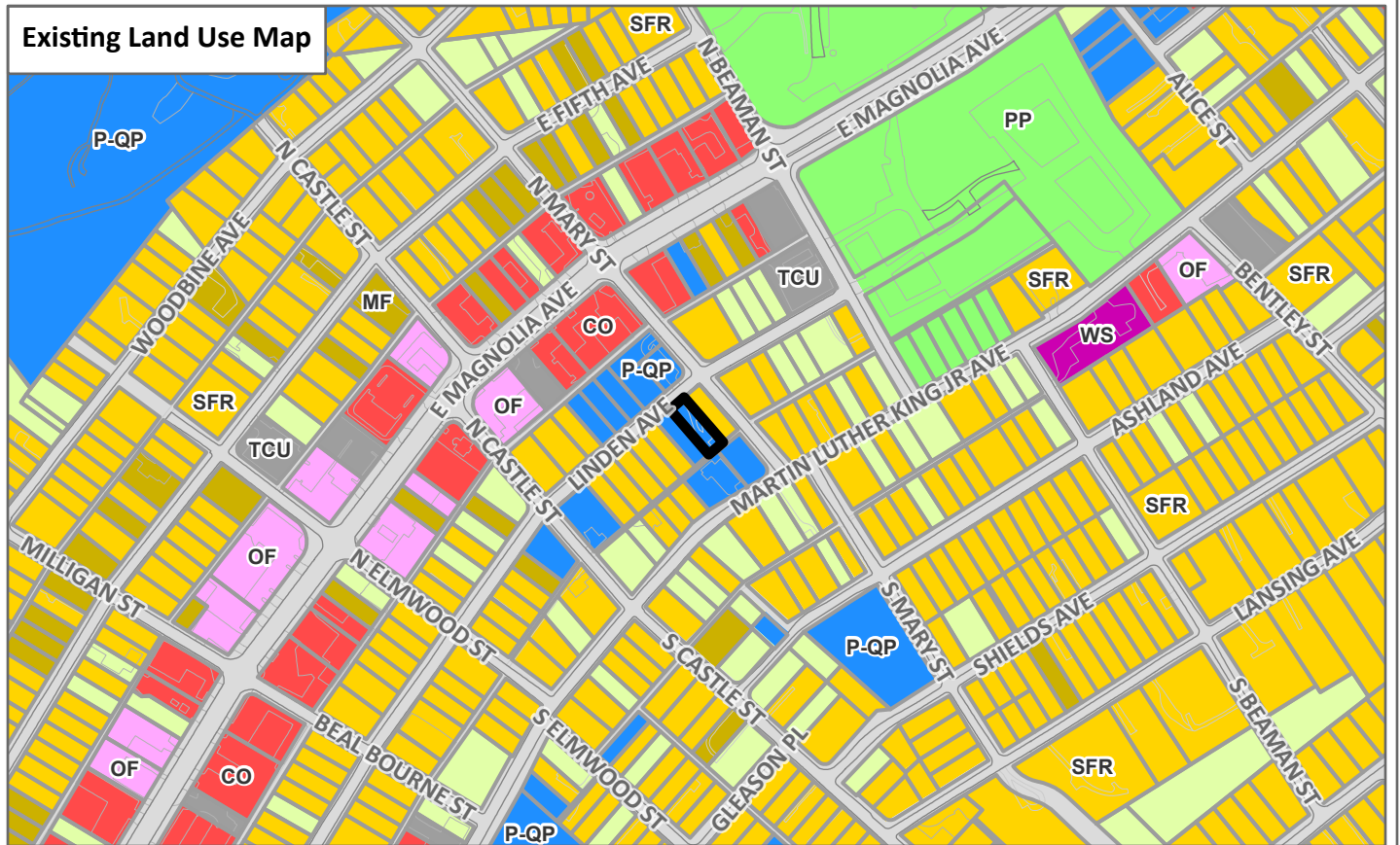
Case boundary



One Year Plan Map



Existing Land Use Map

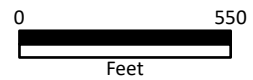


CONTEXTUAL MAPS 3

9-B-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

Josh Jordan

Applicant Name

Affiliation

7/5/2023

Date Filed

9/14/2023

Meeting Date (if applicable)

9-B-23-RZ

File Number(s)

CORRESPONDENCE

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

Slemons Mathes

Name / Company

1100 Lula Powell Dr Apt D-207 Knoxville TN 37915

Address

865-313-6579 / smathes1958@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Owner Name (if different)

Owner Address

Owner Phone / Email

3134 LINDEN AVE

Property Address

82 F F 017

Parcel ID

Part of Parcel (Y/N)?

7944 square feet

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

City

Council District 6

RN-2 (Single-Family Residential Neighborhood)

Public/Quasi Public Land

County District

Zoning District

Existing Land Use

East City

Planning Sector

TDR (Traditional Neighborhood Residential)

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 RN-3 (General Residential Neighborhood)	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	Josh Jordan Please Print	7/5/2023 Date
---------------------	------------------------------------	-------------------------

Phone / Email		7/5/2023 Date
Property Owner Signature	Please Print	Date



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

Applicant Name: Stemons Mathes Affiliation: _____

Date Filed: 07/05/2023 Meeting Date (if applicable): _____

File Number(s)
9-B-23-RZ

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

Name: Stemons Mathes Company: _____

Address: 1100 Lula Powell Dr. APT D-207 Knox, TN, 37915 City: _____ State: _____ ZIP: _____

Phone: 865-313-6579 Email: S.MATHES195R@gmail.com

CURRENT PROPERTY INFO

Property Owner Name (if different): John Jordan Property Owner Address: _____ Property Owner Phone: _____

Property Address: 3134 Clendon Ave Knox TN, 37914 Parcel ID: 082FF01T

Sewer Provider: KUB Water Provider: KUB 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

Rezone from RN-2 to RN-3

Related Rezoning File Number

Proposed Subdivision Name

- Combine Parcels
 Divide Parcel

Unit / Phase Number

Total Number of Lots Created

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Zoning Change

RN-3

Proposed Zoning

Pending Plat File Number

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
0801 \$650.00	\$650.00
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

Stemon Mathos

Stemon Mathos

07/05/23

Applicant Signature

Please Print

Date

865-313-6579

smathos1958@gmail.com

Phone Number

Email

Josh Jordan

Josh Jordan

07/05/23

Property Owner Signature

Please Print

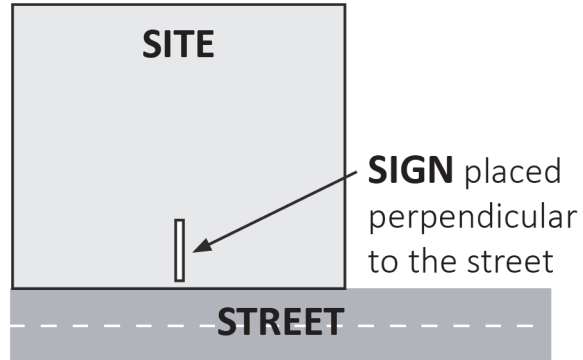
Date Paid

Josh Jordan

Josh Jordan

07-05-2023

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: Josh Jordan

Date: 7/5/2023

File Number: 9-B-23-RZ

- Sign posted by Staff
- Sign posted by Applicant