

REZONING REPORT

▶ **FILE #:** 2-A-24-RZ

AGENDA ITEM #: 11

AGENDA DATE: 2/8/2024

▶ **APPLICANT:** DAVID VARNER

OWNER(S): GILLESPIE PAUL II & GILLESPIE ALEXIS & MCMEANS PAULA

TAX ID NUMBER: 82 O M 013

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 0 PARKVIEW AVE

▶ **LOCATION:** South side of Parkview Ave, southwest side of N Olive St

▶ **APPX. SIZE OF TRACT:** 15,283 square feet

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Parkview Avenue, a local street with a 30-ft pavement width within a 33-ft right-of-way. Access is also via N Olive Street, a local street with a 35-ft pavement width within a 38-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **PRESENT ZONING:** RN-2 (Single-Family Residential Neighborhood)

▶ **ZONING REQUESTED:** RN-4 (General Residential Neighborhood)

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

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

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Multi-family residential, public-quasi public land - RN-2 (Single-Family Residential Neighborhood)

South: Single-family residential, commercial - C-G-2 (General Commercial)

East: Public-quasi public land, commercial -RN-2 (Single-Family Residential Neighborhood), C-G-2 (General Commercial)

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

NEIGHBORHOOD CONTEXT: This area has a dense mix of residential and commercial uses. There is a dollar store adjacent to the southwest, and further southwest is the Five Points multi-family housing community. To the northwest are two churches and a fire station. Single-family, duplex and house-scale multi-family dwellings are the predominant residential form along Parkview Avenue.

STAFF RECOMMENDATION:

▶ **Approve the RN-4 (General Residential Neighborhood) district because it is consistent with the sector plan and compatible with surrounding development.**

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 subject property is located in an area of the Morningside Heights neighborhood which saw a significant multi-family renovation and expansion with the redevelopment of the KCDC Five Points community completed in 2020 one block to the southeast.
2. There is a streetscape City capital improvement to Magnolia Avenue planned ¼ mile northwest of the property. The project consists of replacing existing sidewalks and curb and reconstructing the roadway between N Bertrand Street and N Kyle Street to provide better pedestrian access to support street amenities like bike lanes, landscaping and transit stops.
3. These changes in development to the area support the residential intensity permitted with the rezoning request from RN-2 (Single-Family Residential Neighborhood) to RN-4 (General Residential Neighborhood).

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

1. The intent of the RN-4 district is to accommodate single-family, duplex, townhouse and low-rise multifamily dwellings in areas characterized by such mixed residential development or where such development would be suitable for the future.
2. In addition to the RN-6 (General Residential Neighborhood)-zoned Five Points community nearby, house-scale multifamily dwellings of three or more units are also common in the general vicinity, including directly across from the subject property. Surrounding development is consistent with the intended environment of the RN-4 district.
3. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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. RN-4 zoning at this location is not expected to have an adverse impact on the area. The property is located at the corner of Parkview Avenue and N Olive Street, where there is a transition from residential to commercial zoning along Martin Luther King Jr Avenue immediately to the southeast. The RN-4 district here provides a buffer and transition between less intensive residential development adjacent to the west and commercial uses like the Dollar General store adjacent to the south.
2. If townhouse or multi-family development were to be pursued, it would require administrative review by Planning staff or Special Use review by the Planning Commission per Article 4.2.B. The maximum number of multi-family units permitted by the minimum lot area standards in RN-4 is 7 units. These reviews would evaluate impact to surrounding properties, and conditions for development could be applied through the Special Use process.

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 and One Year Plan's land use classification for this property is TDR (Traditional Neighborhood Residential), which permits residential zoning up to RN-4.
2. This rezoning is consistent with the General Plan's development policy 8.1 to develop infill housing on vacant lots, and policy 5.2 to encourage development in areas with excess utility capacity or where utilities may be easily extended.

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:

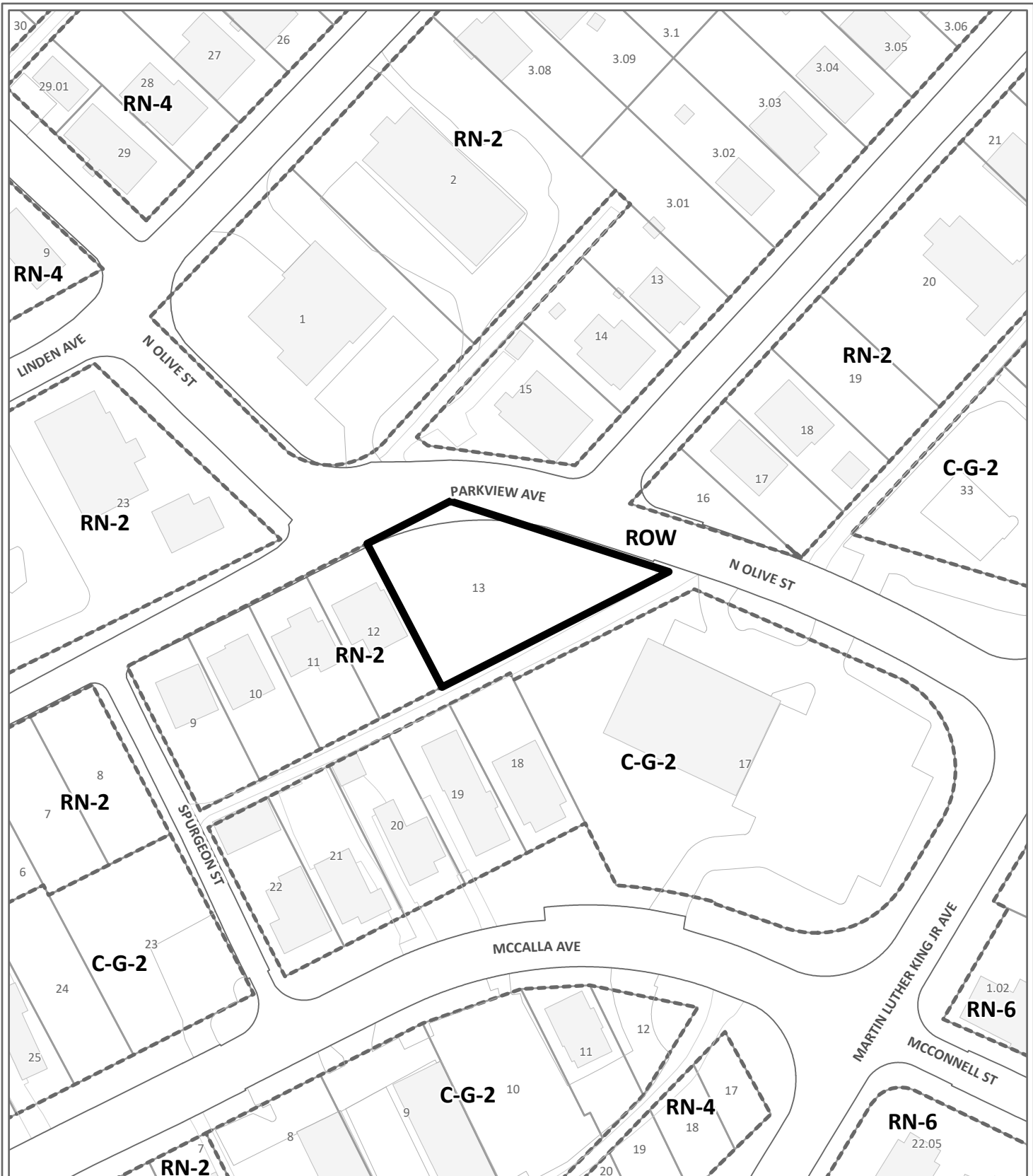
1. The property is served by sidewalks and walkable access to multiple transit stops that will remain active after the implementation of the KAT Reimagined transit network plan.
2. This is an urbanized area with ample utility infrastructure to accommodate up to 7 new dwellings.
3. The property is walking distance from community facilities like William Powell Park, and it is in the parental responsibility zone for Austin East High School and Vine Middle Magnet School.
4. This environmental context supports an increase in residential intensity at this location.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Sarah Moore Greene Magnet, Vine Middle Magnet, and Austin East High.

If approved, this item will be forwarded to Knoxville City Council for action on 3/5/2024 and 3/19/2024. 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

2-A-24-RZ

Petitioner: David Varner



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

To: RN-4 (General Residential Neighborhood)

Map No: 82

Jurisdiction: City

Original Print Date: 1/8/2024

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

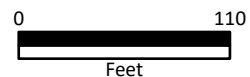
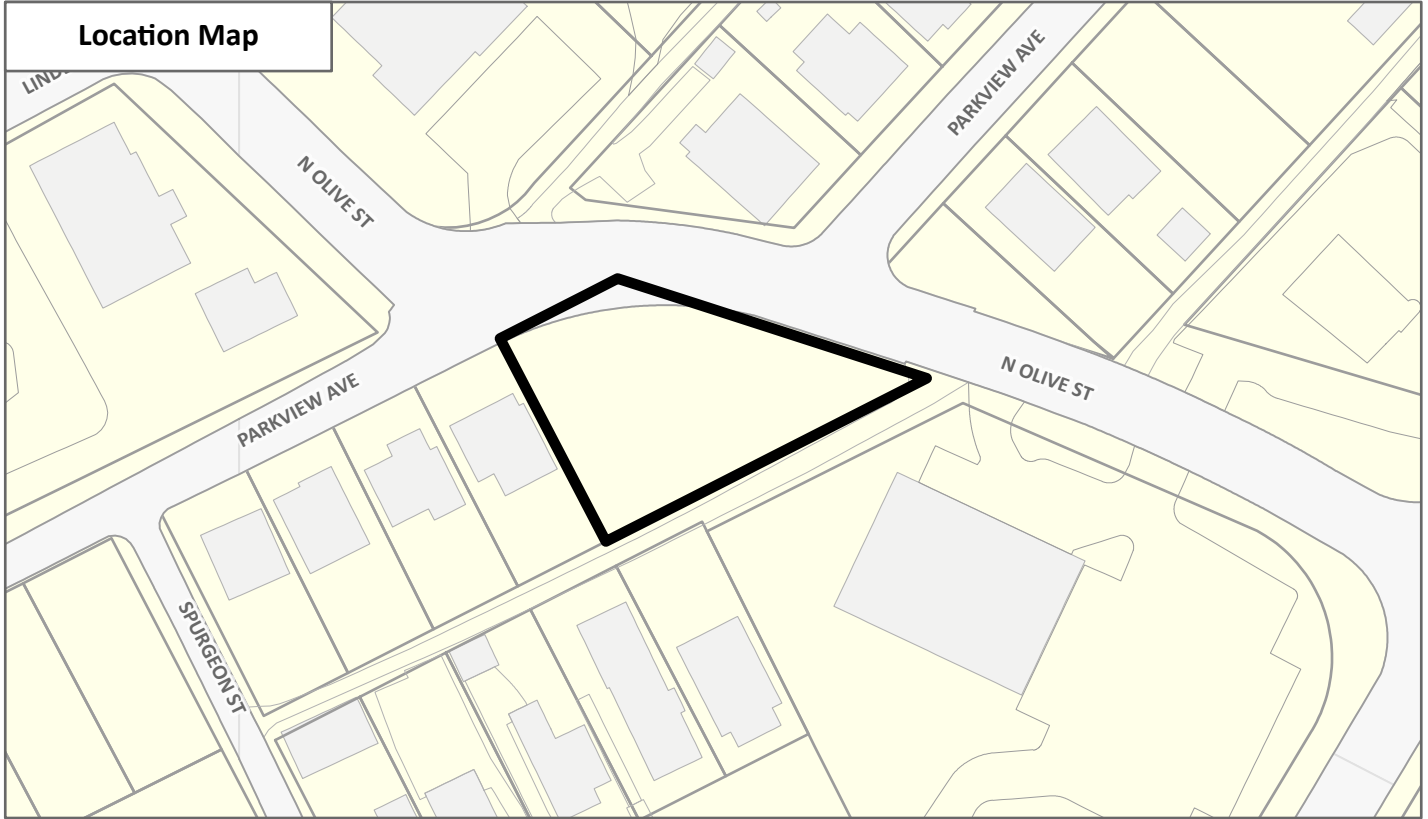


Exhibit A. Contextual Images

Location Map



Aerial Map

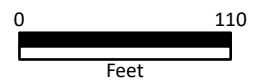


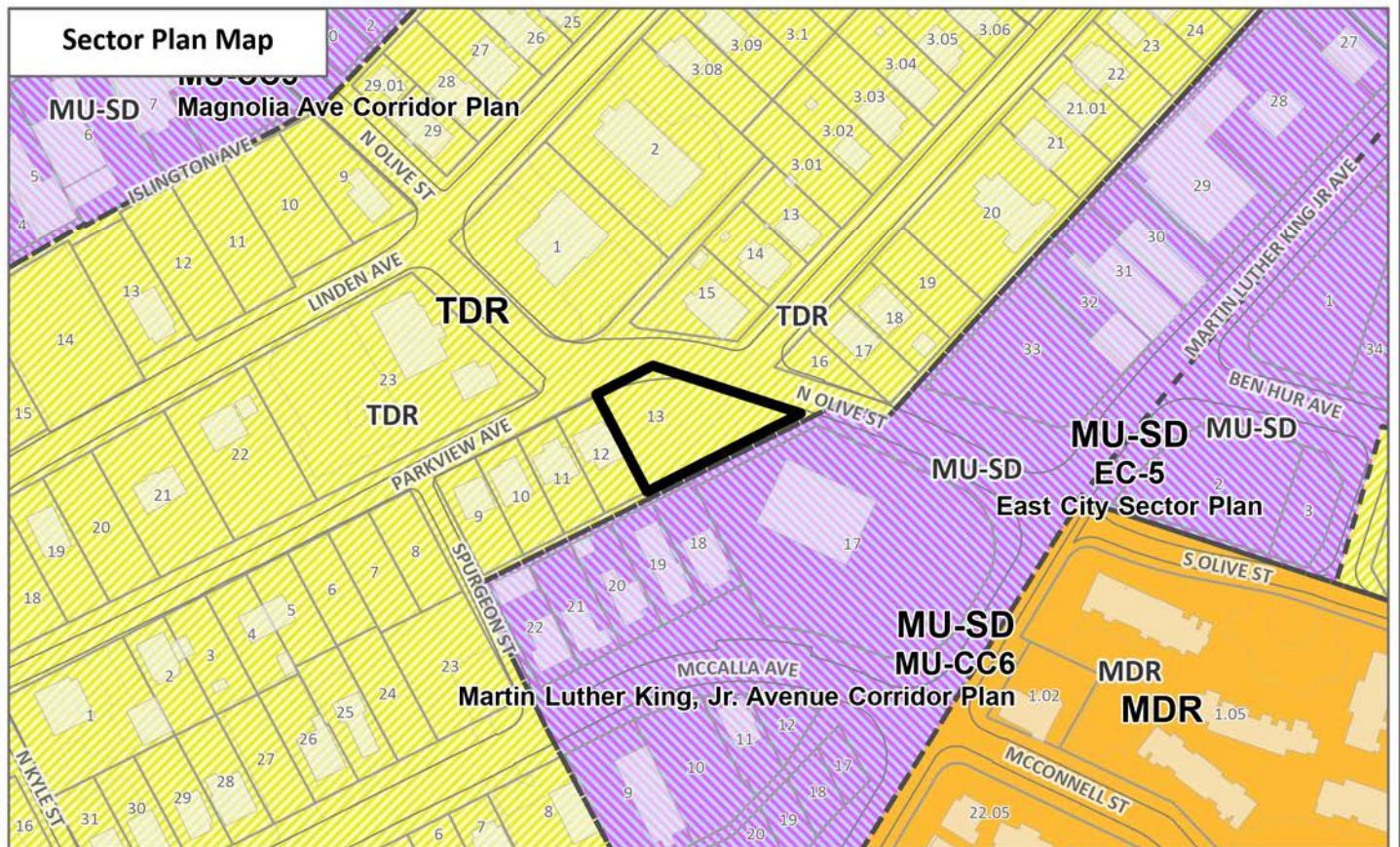
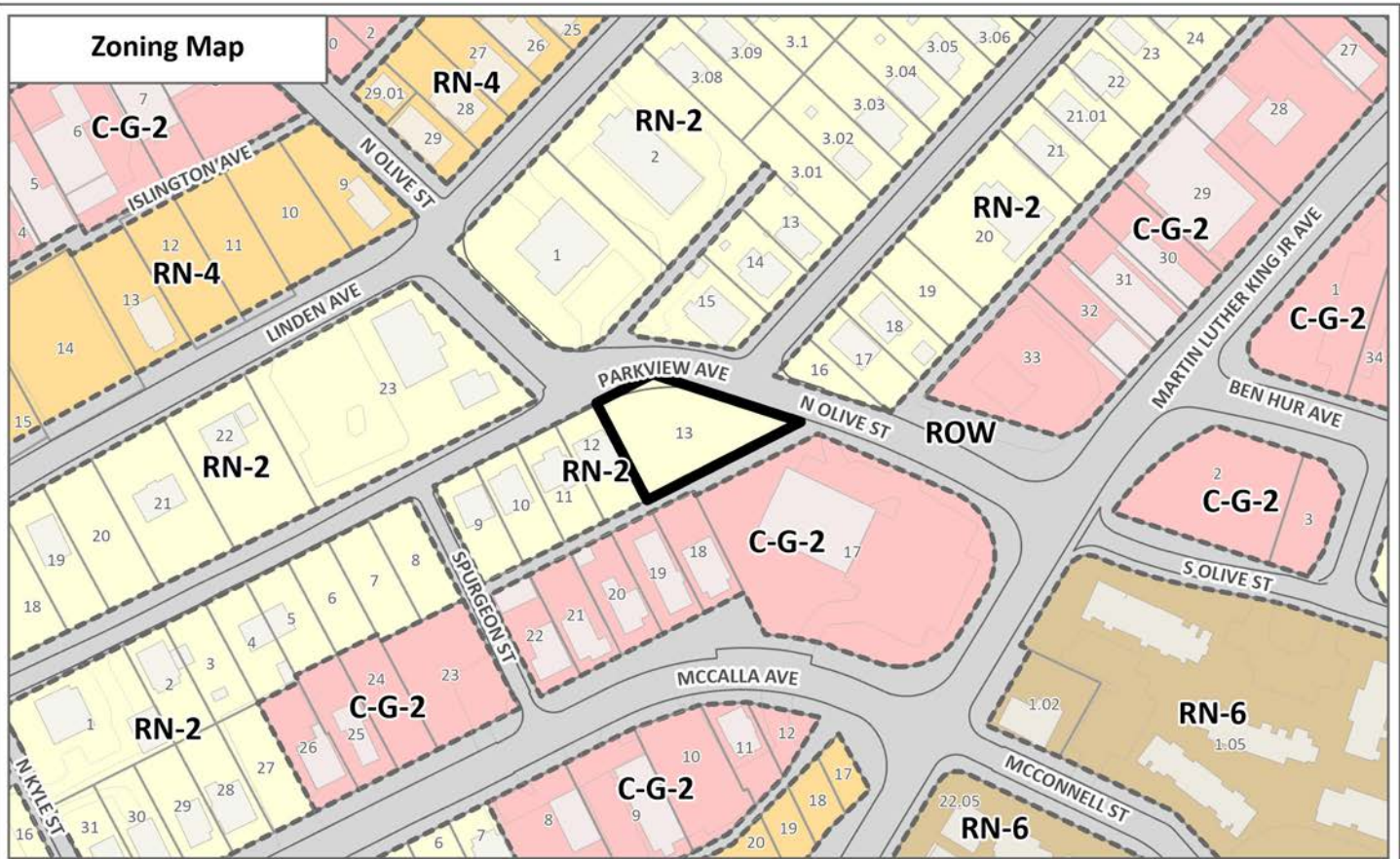
CONTEXTUAL MAPS 1

2-A-24-RZ



Case boundary





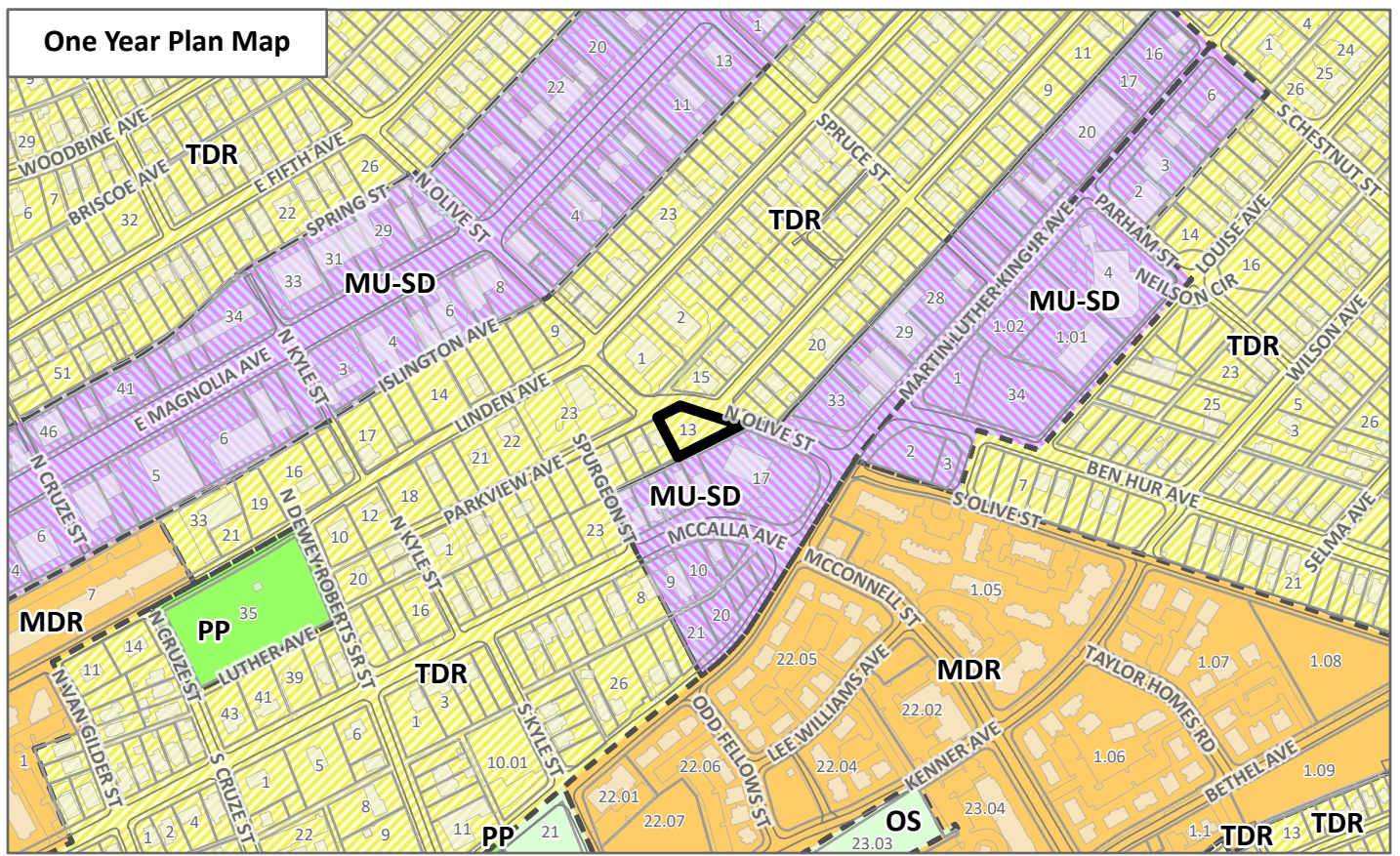
CONTEXTUAL MAPS 2 2-A-24-RZ

Case boundary

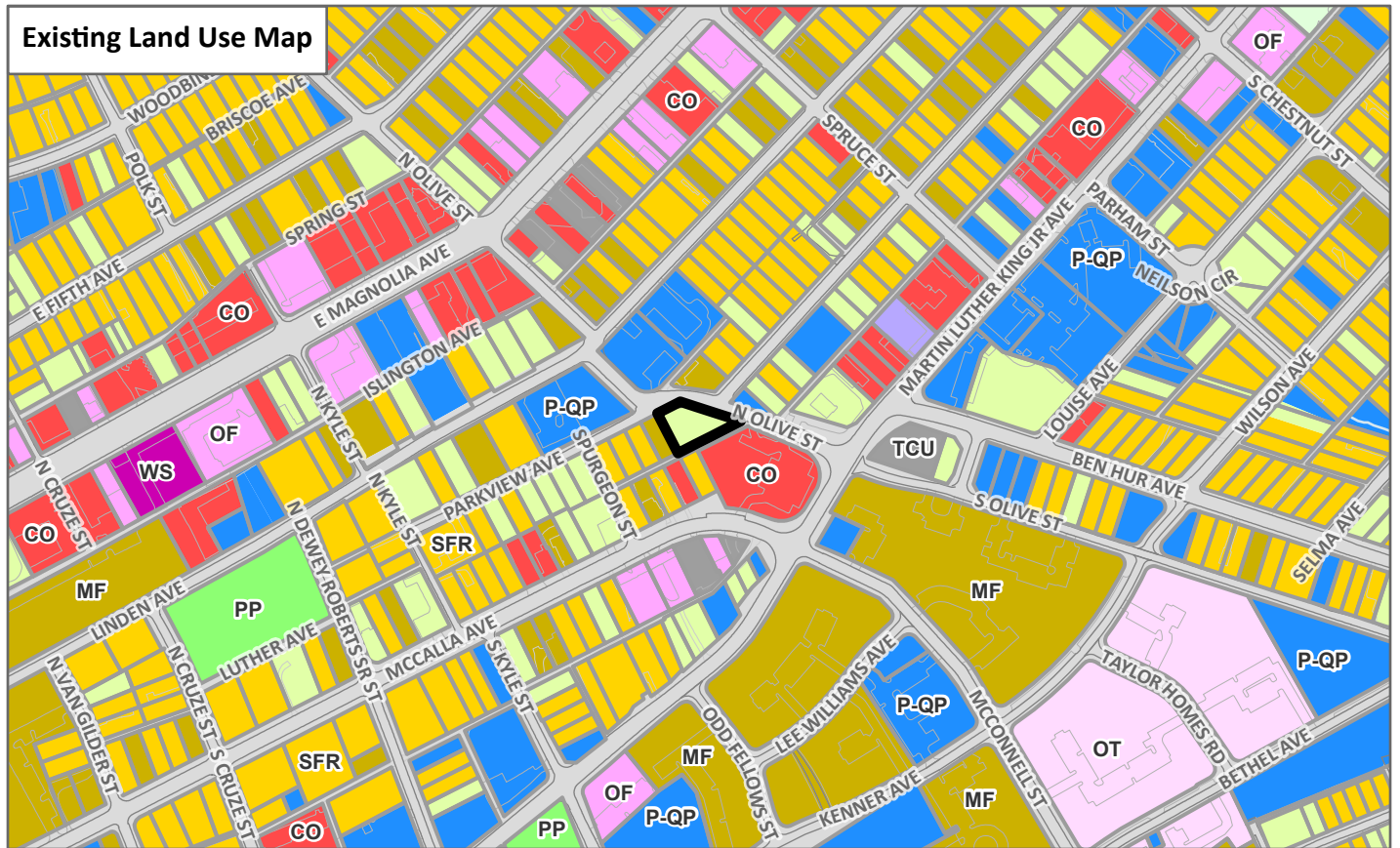
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Feet

N

One Year Plan Map



Existing Land Use Map



CONTEXTUAL MAPS 3

2-A-24-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

David Varner

Applicant Name

Affiliation

12/8/2023

Date Filed

2/8/2024

Meeting Date (if applicable)

2-A-24-RZ

File Number(s)

CORRESPONDENCE

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

David Varner Southeast Capital LLC

Name / Company

800 S Gay St Ste 700 Knoxville TN 37929

Address

865-335-0323 / david@southeastcapitaltn.com

Phone / Email

CURRENT PROPERTY INFO

GILLESPIE PAUL II & GILLESPIE ALEXIS &

Owner Name (if different)

2921 Lochlond Dr Conyers GA 30094

Owner Address

865-368-1054

Owner Phone / Email

0 PARKVIEW AVE

Property Address

82 O M 013

Parcel ID

Part of Parcel (Y/N)?

15283 square feet

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

South side of Parkview Ave., west of Spurgeon St.

General Location

City

Council District 6

RN-2 (Single-Family Residential Neighborhood)

Agriculture/Forestry/Vacant Land

Count

District

Zoning District

Existing Land Use

Central 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-4 (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 <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	Fee 1	Total
ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	\$650.00	
ADDITIONAL REQUIREMENTS <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)	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	David Varner Please Print	12/8/2023 Date
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Property Owner Signature	GILLESPIE PAUL II & GILLESPIE ALEXIS & MCMEANS PAULA Please Print	12/8/2023 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

David Varner

Option Holder

Applicant Name

Affiliation

12/6/2023

February 8, 2024

File Number(s)

Date Filed

Meeting Date (if applicable)

2-A-24-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

David Varner

Southeast Capital, LLC

Name

Company

800 S. Gay Street, Suite 2126

Knoxville

TN

37929

Address

City

State

ZIP

(865) 335-0323

david@southeastcapitaltn.com

Phone

Email

CURRENT PROPERTY INFO

Paul Gillespie II, Alexis Gillespie, Paula MCN 2921 Lochlmond Dr. Conyers GA 30094

865-368-1054

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

0 Parkview Ave

0820M013

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

Northwest side of Parkview Ave., West of Spurgeon St.

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

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Combine Parcels
 Divide Parcel

Unit / Phase Number _____ Total Number of Lots Created _____

Other (specify) _____
 Attachments / Additional Requirements _____

Related Rezoning File Number

ZONING REQUEST

Zoning Change
 RN-4
 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

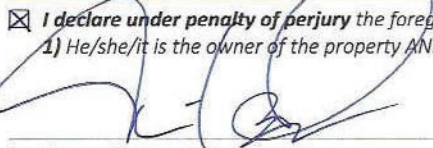
ADDITIONAL REQUIREMENTS

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

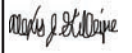
Fee 1	0801	\$650.00	Total
Fee 2			\$650.00
Fee 3			

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
 David Varner
 Please Print
 (865) 335-0323
 david@southeastcapitaltn.com
 Email


 12/6/23
 Date


 Property Owner Signature

dotloop verified
 12/05/23 9:33 PM EST
 NXFE-BBPV-SOGH-AQUF

Alexis Gillespie
 Please Print
 12/11/2023, SG

 Date Paid



dotloop verified
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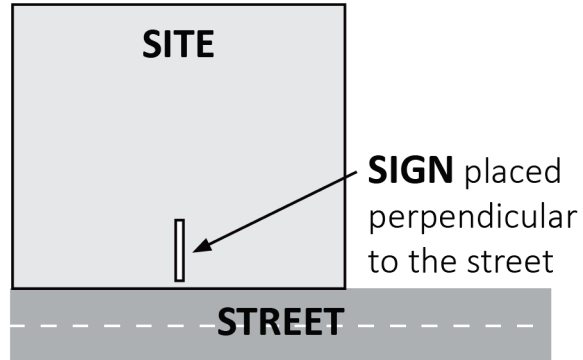
Paul A Gillespie
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Paula McMeans c/o Juliet McMeans

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:

_____ 01/26/2023 _____ and _____ 02/08/2024 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: David Varner

Date: 12/08/2023

File Number: 2-A-24-RZ

- Sign posted by Staff
- Sign posted by Applicant