

REZONING REPORT

► **FILE #:** 6-J-24-RZ

AGENDA ITEM #: 50

AGENDA DATE: 6/13/2024

► **APPLICANT:** **ANDREW OSAKUE**

OWNER(S): Andrew Osakue Dream 2 Design

TAX ID NUMBER: 82 L E 031

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 3107 LANDVIEW DR

► **LOCATION:** **North of Landview Drive, east of Pickering Street**

► **APPX. SIZE OF TRACT:** **6397 square feet**

SECTOR PLAN: East City

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

ACCESSIBILITY: Access via Landview Drive, a local street with 15-ft of pavement width within a 35-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Holston-French Broad

► **PRESENT ZONING:** **RN-1 (Single-Family Residential Neighborhood)**

► **ZONING REQUESTED:** **RN-2 (Single-Family Residential Neighborhood)**

► **EXISTING LAND USE:** **Single Family Residential**

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

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant land - RN-1 (Single-Family Residential Neighborhood)

South: Single family residential - RN-1 (Single-Family Residential Neighborhood)

East: Agriculture/forestry/vacant land - RN-1 (Single-Family Residential Neighborhood)

West: Single family residential - RN-1 (Single-Family Residential Neighborhood)

NEIGHBORHOOD CONTEXT: The Town Hall East neighborhood is a predominantly residential area consisting of single-family houses. The residential character of the area has been maintained since at least 1998. The nearest non-residential use is Sarah Moore Greene Magnet Elementary School, which is approximately 600 ft southwest of the property.

STAFF RECOMMENDATION:

► **Approve the RN-2 (Single-Family Residential Neighborhood) district because it will bring zoning into compliance and is consistent with the 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 IS NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY GENERALLY

1. The existing single-family dwelling on the subject property is a nonconforming use due to the lot width and lot area size not complying with the dimensional standards for the RN-1 (Single-Family Residential Neighborhood) zoning district. RN-1 requires properties to have a minimum lot area of 10,000 sf for single-family homes and a 75-ft minimum lot width. The subject property has a lot area of approximately 6,397 sf and lot width of 47-ft. The RN-2 (Single-Family Residential Neighborhood) zoning district has a minimum lot area of 5,000 sf for single-family homes and a minimum lot width of 50-ft for residential uses. Because of this, RN-2 is a more appropriate zoning designation for this property.

THE PROPOSED AMENDMENT IS CONSISTENT WITH THE INTENT AND PURPOSES OF THIS CODE.

1. The RN-2 zoning district is intended to accommodate single-family residential development on relatively small lots with smaller setbacks within the City of Knoxville. The subject property's lot area of 6,397 sf is consistent with the intent of the RN-2 zoning district.

2. 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. The proposed rezoning is not anticipated to adversely impact the surrounding area which mostly consists of single-family houses on properties with RN-1 and RN-2 zoning districts.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE KNOXVILLE-KNOX COUNTY GENERAL PLAN AND ITS COMPONENT PARTS, INCLUDING ADOPTED SECTOR PLANS, CORRIDOR PLANS, AND RELATED DOCUMENTS.

1. The subject property is designated LDR (Low Density Residential) in the City's One Year Plan and East City Sector Plan. The proposed RN-2 zoning is permitted in Low Density Residential areas.

2. Rezoning the property to RN-2 complies with the General Plan's development policy 10.4 to rigorously enforce zoning regulations and conditions of approval to maintain public confidence in the planned development process. Per Article 17.3 of the City of Knoxville's zoning code, development of a nonconforming lot of record must meet all applicable dimensional and design regulations, of the district in which it is located with the exception of the lot area and/or width requirement that renders it nonconforming.

WHETHER ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, STORM 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 an urbanized area with ample utility and facility infrastructure. The property is serviced by Knoxville Utility Board (KUB) for water and sewer services.

2. The property is within walking distance (roughly 785 ft) of a Knoxville Area Transit (KAT) bus stop located on Boyds Bridge Pike. To the west of the bus stop is Sarah Moore Greene Greenway and Sarah Moore Greene Elementary School, both of which can be accessed from Boyds Bridge Pike as well.

3. In Fall 2024, the City of Knoxville is anticipated to begin the Boyds Bridge Pike Sidewalk Project to improve pedestrian mobility in the area.

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.

- 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 7/9/2024 and 7/23/2024. 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

6-J-24-RZ

Petitioner: Andrew Osakue



From: RN-1 (Single-Family Residential Neighborhood)

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

Original Print Date: 5/13/2024

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

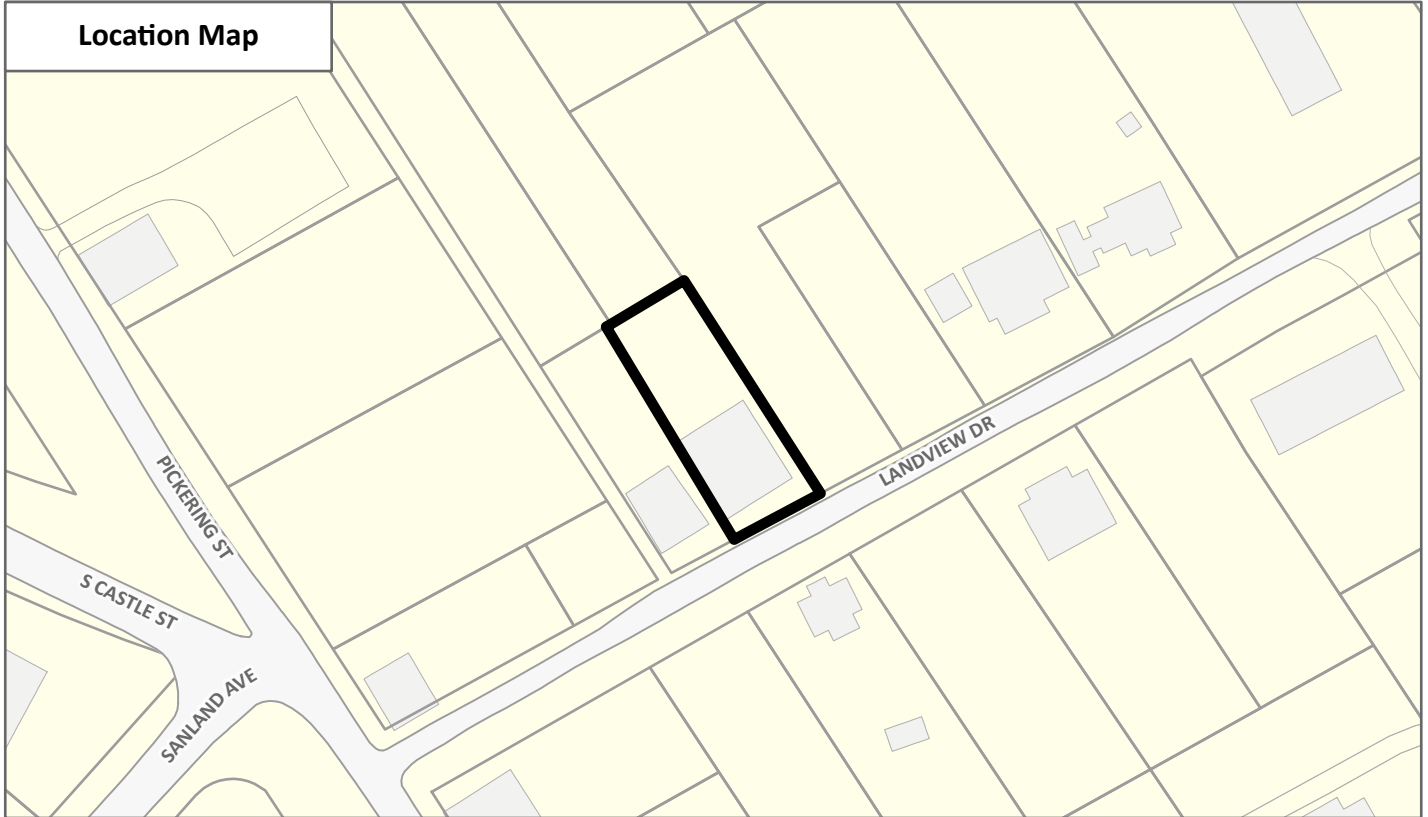
Map No: 82

Jurisdiction: City



Exhibit A. Contextual Images

Location Map



Aerial Map

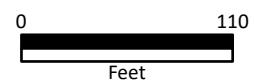


CONTEXTUAL MAPS 1

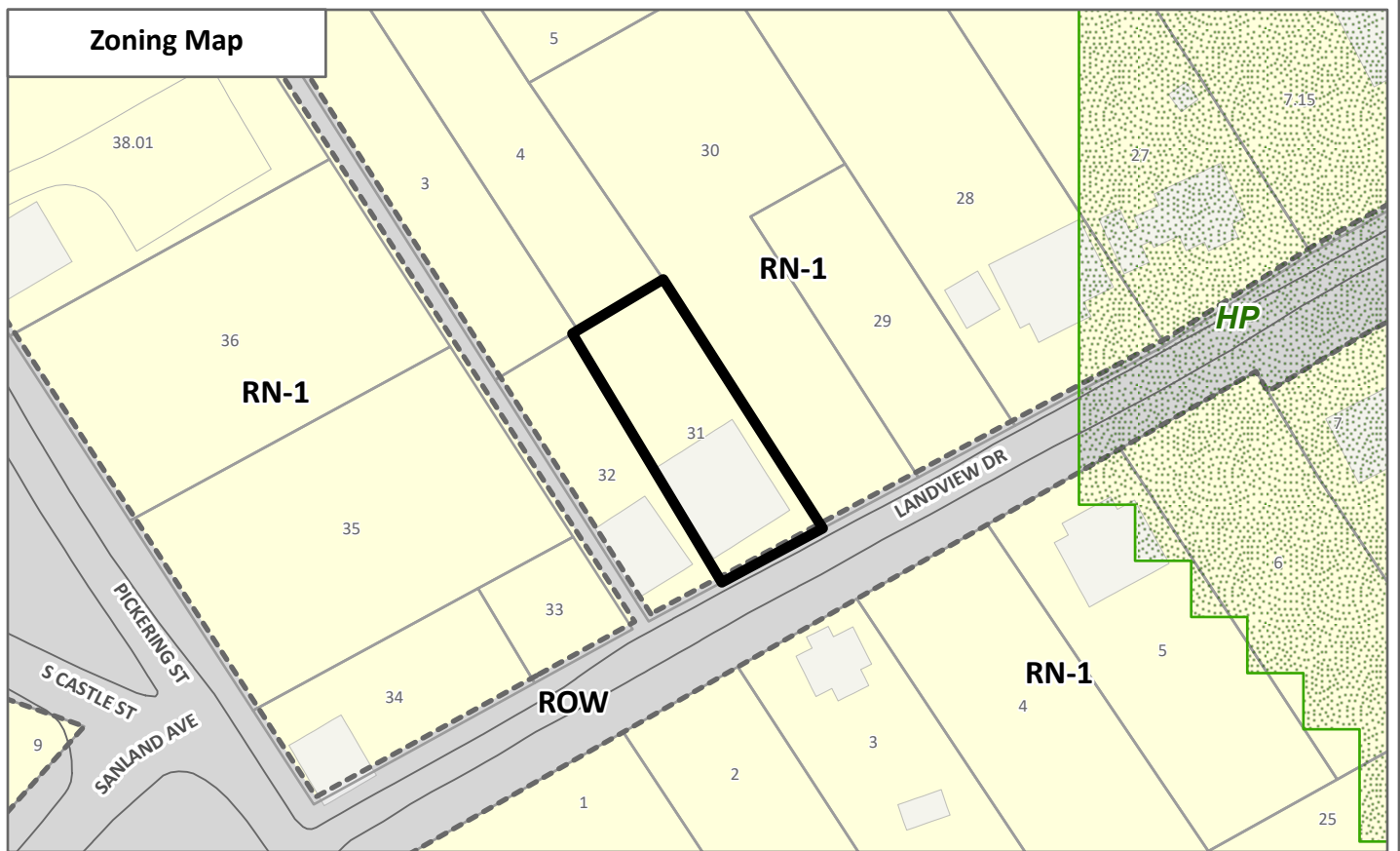
6-J-24-RZ



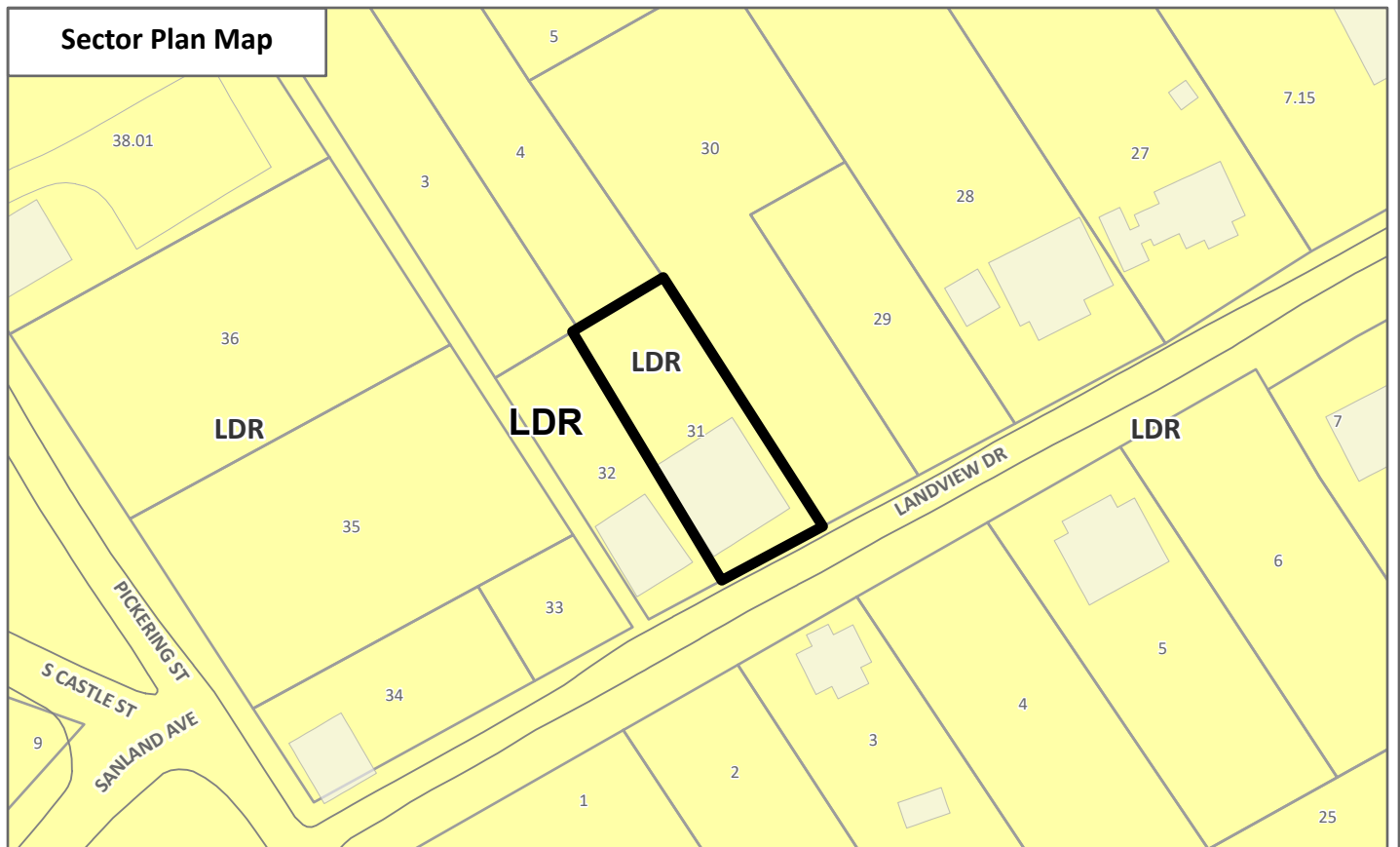
Case boundary



Zoning Map



Sector Plan Map



CONTEXTUAL MAPS 2

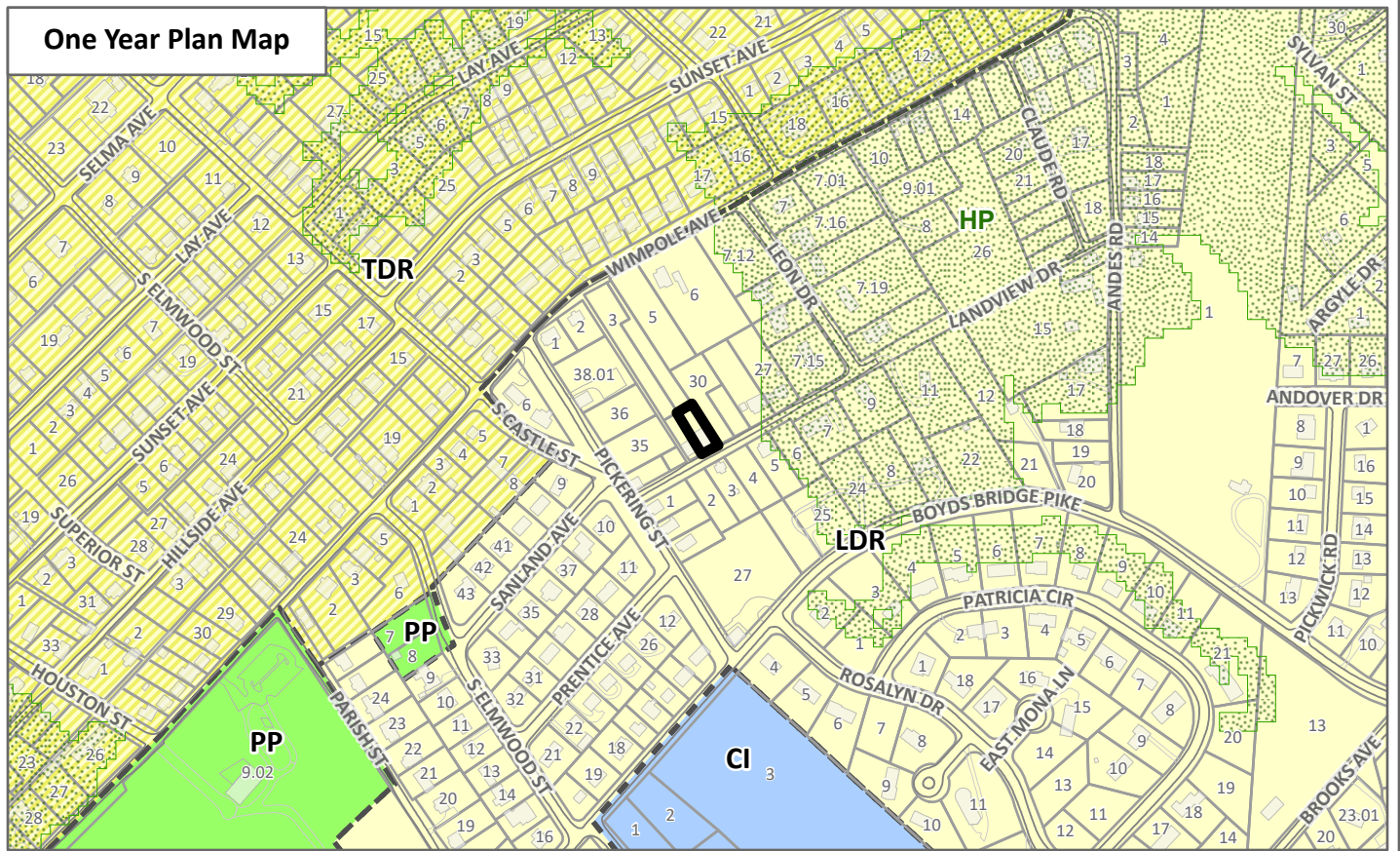
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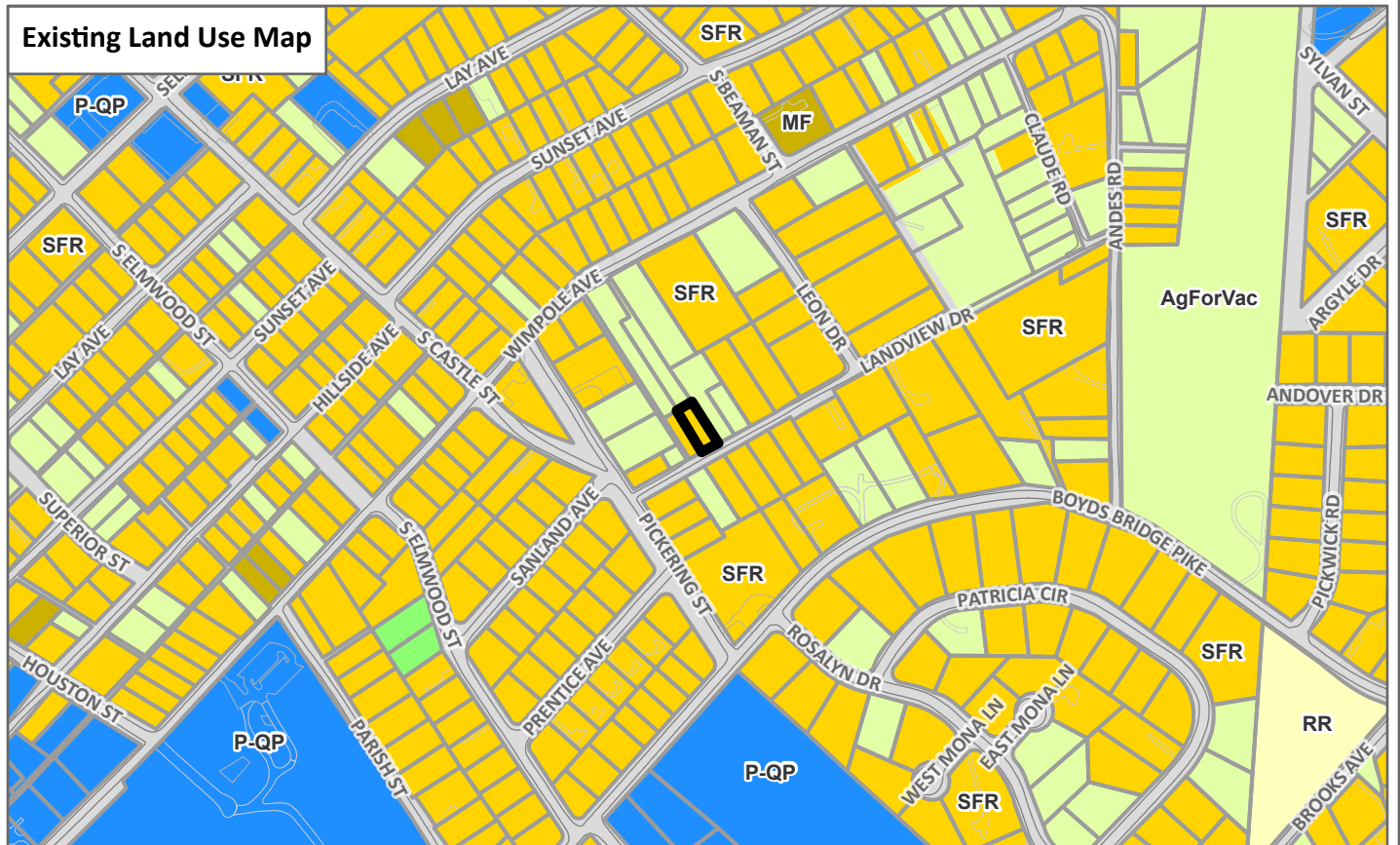
Case boundary



One Year Plan Map



Existing Land Use Map

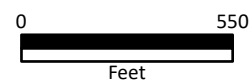


CONTEXTUAL MAPS 3

6-J-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

- ☒ Rezoning
- ☐ Plan Amendment
 - ☐ Sector Plan
 - ☐ City OYP / County Comp Plan

Andrew Osakue

Applicant Name

Affiliation

4/26/2024

Date Filed

6/13/2024

Meeting Date (if applicable)

6-J-24-RZ

File Number(s)

CORRESPONDENCE

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

Andrew Osakue Dream 2 Design

Name / Company

8285 Elm Circle Knoxville TN 37919

Address

504-250-2866 / Hello@dream2Design.org

Phone / Email

CURRENT PROPERTY INFO

Andrew Osakue Dream 2 Design

Owner Name (if different)

8285 Elm Circle Knoxville TN 37919

Owner Address

504-250-2866 / Hello@dream2

Owner Phone / Email

3107 LANDVIEW DR

Property Address

82 L E 031

Parcel ID

6397 square feet

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

North of Landview Drive, east of Pickering Street

General Location

☒ City

Council District 6

RN-1 (Single-Family Residential Neighborhood)

Single Family Residential

☐ County

District

Zoning District

Existing Land Use

East City

LDR (Low Density Residential)

N/A (Within City Limits)

Planning Sector

Land Use (City)/Place Type (County)

Growth Policy Plan Designation

DEVELOPMENT REQUEST

- ☐ Development Plan ☐ Planned Development ☐ 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

Related Rezoning File Number

Unit / Phase Number

Total Number of Lots Created

Additional Information

- ☐ Attachments / Additional Requirements

ZONING REQUEST

- ☒ Zoning Change **RN-2 (Single-Family Residential Neighborhood)**
Proposed Zoning

Pending Plat File Number

- ☐ Plan Amendment Proposed Plan Designation(s)

Proposed Density (units/acre) Previous Rezoning Requests

Additional Information

STAFF USE ONLY

PLAT TYPE

- ☐ Staff Review ☐ Planning Commission

ATTACHMENTS

- ☐ Property Owners / Option Holders ☐ Variance Request
☐ Amendment Request (Comprehensive Plan)

ADDITIONAL REQUIREMENTS

- ☐ Use on Review / Special Use (Concept Plan)
☐ Traffic Impact Study
☐ COA Checklist (Hillside Protection)

Fee 1

\$650.00

Total

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.

Andrew Osakue

4/26/2024

Applicant Signature

Please Print

Date

Phone / Email

Andrew Osakue Dream 2 Design

4/26/2024

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

Andrew Osakue

Applicant Name

Affiliation

4/25/24

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

Andrew Osakue

Dream2Design

Name

Company

8285 Elm Hill Circle

Knoxville

TN

37919

Address

City

State

ZIP

504-250-2866

Hello@Dream2Design.org

Phone

Email

CURRENT PROPERTY INFO

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

3107 Landview

082LE031

Property Address

Parcel ID

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

May 1, 2023

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

RN-2

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

☒ 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



Andrew Osakue

4/25/24

Applicant Signature

Please Print

Date

504-250-2866

Hello@Dream2Design.org

Phone Number

Email



Andrew Osakue

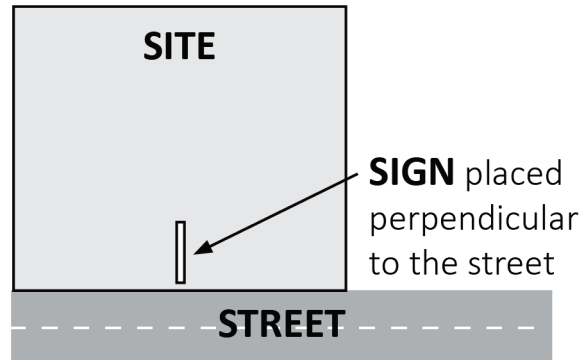
4/26/24

Property Owner Signature

Please Print

Date Paid

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:

_____ **May 10, 2024** _____ and _____ **June 14, 2024** _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Andrew Osakue

Date: 4/26/2024

File Number: 6-J-24-RZ



Sign posted by Staff



Sign posted by Applicant