

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 11-H-24-RZ **Related File Number:**
Application Filed: 9/23/2024 **Date of Revision:**
Applicant: PARKER BARTHOLOMEW

PROPERTY INFORMATION

General Location: South side of W Emerald Ave, west of Sunrise St
Other Parcel Info.:
Tax ID Number: 81 O L 006 **Jurisdiction:** City
Size of Tract: 5547 square feet
Accessibility: Access is via West Emerald Avenue, an unstriped local street with 25' of pavement width within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Single Family Residential
Surrounding Land Use:
Proposed Use: **Density:**
Planning Sector: Central City **Plan Designation:** TDR (Traditional Neighborhood Residential)
Growth Policy Plan: N/A (Within City Limits)
Neighborhood Context: This neighborhood is predominantly composed of single family homes in a grid pattern just west of I-75. It is situated between the Lonsdale and Mechanicsville neighborhoods to the north and south, respectively. The Western Heights development is a block to the southwest, and Beaumont Magnet Academy Elementary School is nearby to the southwest.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 912 W EMERALD AVE
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-2 (Single-Family Residential Neighborhood)
Former Zoning:
Requested Zoning: RN-4 (General Residential Neighborhood)
Previous Requests:
Extension of Zone: No, this is not an extension.
History of Zoning: The subject property was rezoned, along with many parcels on nearby streets, from R-2 (General Residential) to R1-A (Low Density Residential) in 1985 (7-K-85-RZ).

PLAN INFORMATION (where applicable)

Current Plan Category: TDR (Traditional Neighborhood Residential)

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Jessie Hillman

Staff Recomm. (Abbr.): Deny the RN-4 (General Residential Neighborhood) district because it is inconsistent with the intent of the zoning ordinance.

Staff Recomm. (Full):

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. There are significant ongoing development changes occurring in this area of West Knoxville. Knoxville's Community Development Corporation (KCDC) is implementing its Transforming Western Heights redevelopment project nearby to the southwest. A new Head Start preschool was opened in 2022, and additional residential, mixed use, commercial, and public park space is under construction or planned to occur with slated funded.
- 2. These changing conditions and amenities would support more residential development in the surrounding neighborhood. However, this potential is already available via the new Middle Housing standards in Article 4.6 of the zoning code, adopted in 2024. The Middle Housing standards permit more intensive residential development than would otherwise be allowed in the existing RN-2 (Single-Family Residential Neighborhood) zoning district on the subject property. These standards only apply to properties that have the TDR (Traditional Neighborhood Residential) land use designation, which is how the subject property is classified. A rezoning to the RN-4 (General Residential Neighborhood) district is not warranted in this context.

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

- 1. The requested RN-4 district is intended to accommodate mixed medium density residential development in areas characterized by such development or potential. RN-4 zoning has dimensional standards for single-family, duplex, townhouse and multifamily developments, none of which are met by the subject property's narrow width and/or lot area.
- 2. This property is already nonconforming with the dimensional standards of its current RN-2 zoning because it does not meet the 50-ft minimum lot width. A key distinction between RN-2 and RN-4 is that the RN-4 district permits more than one principal use. This could result in Middle Housing standards being utilized to develop multiple residential buildings on a lot that is slightly over 5,000 square feet. This is far more intensive than the immediately surrounding single-family neighborhood, and it does not meet the intent of the Middle Housing Article.
- 3. Rezoning a lot of this size to a more intensive district would be inappropriate and could lead to a manipulation of the Nonconforming Lot of Record rules in Article 17.3.A. These rules state that a lot of record rendered nonconforming with its current zoning's minimum lot area and/or width requirements may be used for a permitted or special use allowed within that zoning district. If this property was rezoned to RN-4, the lot could be developed with any use allowed in RN-4, including multiple structures, even if it did not meet the lot width or area requirements. The property would have to meet all other dimensional standards, such as setbacks, otherwise it would need a variance from the Board of Zoning Appeals. Approval of a variance would require evidence of a hardship, and that would be challenging for the applicant to argue in this case.
- 4. Under Article 4.6 pertaining to Middle Housing, the subject lot meets the dimensional standards for consideration of a duplex, triplex or fourplex in its current RN-2 zoning without a variance. More residential intensity under RN-4 zoning is not necessary.

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. Continuing to upzone lots that are already nonconforming with their existing zoning district compromises the integrity of the zoning code. Approving such requests may set a precedent for intensive residential development that is out of character with the City's more historic, TDR neighborhoods, where there is already ample development potential through the Middle Housing standards.

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 proposed rezoning is inconsistent with the General Plan's Development Policy 8.1 to develop infill housing that is compatible with neighboring residences in scale, design, and site layout. It is also misaligned with Development Policy 9.3 to ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities. With multi-unit development potential already attainable under the Middle Housing standards with the RN-2 district, RN-4 zoning could result in a scale and intensity of development that is grossly out of character with the single-family residential neighborhood where the subject property is located.

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. This property is in an urbanized area with ample utility and community facility infrastructure.

Action:	Denied	Meeting Date:	4/10/2025	
Details of Action:				
Summary of Action:	Deny the RN-4 (General Residential Neighborhood) district because it is inconsistent with the intent of the zoning ordinance.			
Date of Approval:	Date of Denial:	4/10/2025	Postponements:	11/14/2024
Date of Withdrawal:	Withdrawn prior to publication?: <input type="checkbox"/> Action Appealed?:			

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:	Knoxville City Council	Date of Legislative Action, Second Reading:	
Date of Legislative Action:		Other Ordinance Number References:	
Ordinance Number:		Disposition of Case, Second Reading:	
Disposition of Case:		If "Other":	
If "Other":		Amendments:	
Amendments:		Effective Date of Ordinance:	
Date of Legislative Appeal:			