

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 11-U-24-RZ **Related File Number:**
Application Filed: 10/3/2024 **Date of Revision:**
Applicant: HEYOH DESIGN & DEVELOPMENT

PROPERTY INFORMATION

General Location: Northwest side of Milton St, north of Ludlow Ave
Other Parcel Info.:
Tax ID Number: 69 K B 008, 009, 00901, 010 **Jurisdiction:** City
Size of Tract: 0.51 acres
Accessibility: Access is via Milton Street, an unstriped local street with a pavement width varying from 15.5-18.5 ft within a railroad right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: **Density:**
Planning Sector: Central City **Plan Designation:** MDR/O (Medium Density Residential/Office)
Growth Policy Plan: N/A (Within City Limits)
Neighborhood Context: The subject property is in a neighborhood with single and multi-family residential uses, with transportation/communications/utilities nearby. Railroad tracks run on the eastern side of Milton Street.

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

Street: 4011 4013, 4017, 4025 MILTON ST
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-4 (General Residential Neighborhood)
Former Zoning:
Requested Zoning: RN-5 (General Residential Neighborhood)
Previous Requests:
Extension of Zone: No, this is not an extension.
History of Zoning: None noted.

PLAN INFORMATION (where applicable)

Current Plan Category: MDR/O (Medium Density Residential/Office)
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:

Kelsey Bousquet

Staff Recomm. (Abbr.):

Deny the RN-5 (General Residential Neighborhood) zoning district because it is inconsistent with the Knoxville-Knox County General Plan and the surrounding development.

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 IS NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY GENERALLY

1. Conditions in this area have not significantly changed, and new residential development has been limited. The surrounding neighborhoods were established before the 1980s and have remained largely unchanged. The few rezonings that have occurred since the 1980s have been to office and commercial zoning.

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

1. The RN-5 (General Residential Neighborhood) zoning district is intended to accommodate medium-density residential neighborhoods with a mix of single-family, two-family, townhouse, and multi-family dwellings. The RN-5 District may also serve as a functional transition between traditionally single-family and two-family residential neighborhoods within the City, and more intensely developed residential or commercial areas.
2. This property is near N Broadway, a commercial corridor to the east, but it is separated from that by a railroad right-of-way, isolating Milton Street from that commercial development. Similarly, Milton Street is separated from the single-family neighborhoods to the south, which are part of the Infill Housing Overlay District. Those lots range in size from 5,000-7,000 sq ft and align with their RN-2 zoning. The nearest development with which RN-5 could be considered compatible is the two apartment complexes zoned RN-6 to the west. These apartments abut I-640 and are accessed off of a different road. They are nearby on the map but not as traveled by vehicle.
3. This property does not meet the intent of the RN-5 District as it is in an isolated area devoid of medium-density development. It is not a transitional area despite the close proximity of N Broadway due to the wide railroad right-of-way to the east and the power lines and electrical substation occupying several parcels to the south. The other development along Milton Street consists of single-family homes on large lot sizes that are more consistent with RN-1 zoning.
4. Rezonings should be based on the entire range of uses allowed within a zone to ensure that any future development is compatible with the surrounding land uses. The existing RN-4 district allows similar uses to the requested RN-5 district. Single-family, two-family, and townhouse dwellings (as long as the development contains 8 units or less) are allowed by right in the RN-4 district. Townhouse developments and some small multifamily developments are permitted with special use approval.

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 primary difference between the RN-5 and RN-4 districts is the intensity of multi-family and townhouse developments allowed by right. The RN-4 district requires special use approval for multi-family and townhouse developments with nine or more units. In contrast, regardless of intensity, the RN-5 district does not require special use approval for residential developments. The special use process allows the Planning Commission to review developments for compatibility with the area and recommend conditions to mitigate adverse impacts on the subject or neighboring properties. In this case, special use approval would be appropriate due to the utility lines and railroad abutting the property and the proximity to single-family homes.

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 MDR/O (Medium Density Residential/Office) under the City's One Year Plan and Central City Sector Plan, which permits the RN-5 district.

2. The proposed rezoning does not comply with the General Plan's Development Policy 9.3, to ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities. The allowable minimum lot sizes in the RN-5 district and the more intensive uses permissible by right could lead to development that is not in scale with the residential development in the neighborhood, which is mainly single-family homes on larger lots and small-scale multi-family developments.

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. Access to the subject property is from Milton Street, an unstriped local street with pavement widths varying from 15.5 to 18.5 ft. Due to the narrow and uneven width of the street, roadway improvements may be required. The need for improvements will be determined during the permitting phase.

2. Three Knoxville Area Transit (KAT) bus stops are within 0.25 miles of the subject property. However, there are no sidewalks between Milton Street and N Broadway, and pedestrians must cross an active railroad crossing to reach them.

Action: Approved **Meeting Date:** 11/14/2024

Details of Action: Approve the RN-5 (General Residential Neighborhood) district because it is consistent with the One Year Plan and the Knoxville Future Land Use Plan.

Summary of Action: Approve the RN-5 (General Residential Neighborhood) district because it is consistent with the One Year Plan and the Knoxville Future Land Use Plan.

Date of Approval: 11/14/2024 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 12/10/2024

Date of Legislative Action, Second Reading: 1/7/2025

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: