

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 8-E-24-RZ **Related File Number:**
Application Filed: 6/13/2024 **Date of Revision:**
Applicant: R. BENTLEY MARLOW

PROPERTY INFORMATION

General Location: Southwest side of Callaway St, southeast of University Ave
Other Parcel Info.:
Tax ID Number: 94 F Q 017 **Jurisdiction:** City
Size of Tract: 4046 square feet
Accessibility: Access is via Callaway Street, a local street with a 29-ft pavement width within a 40-ft 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 area of the Mechanicsville neighborhood is comprised of single-family and multifamily homes.

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

Street: 1214 CALLAWAY ST
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: Yes, this is a minor extension of the RN-4 zoning district from the west
History of Zoning: None noted.

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 the property does not meet the intent of the RN-4 district.

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 have been no significant changes in this area of the Mechanicsville neighborhood that warrant consideration of the proposed rezoning from the RN-2 (Single-Family Residential Neighborhood) to the RN-4 (General Residential Neighborhood) district on Callaway Street. The only notable change in the local built environment is a property facing University Avenue at the end of the subject property's block that was renovated under the C-N (Neighborhood Commercial) zoning district and marketed as a multifamily rental property by the applicant.
2. In 2023, a rezoning from RN-2 to RN-4 was approved per staff recommendation at 1216 Callaway Street adjacent to the subject property (7-H-23-RZ). However, there are several aspects of that property that differ from this case. The adjacent property is more than double in size and width than the subject property. With an area of 10,114 sq ft and a width of 75 ft, it meets the dimensional standards for a variety of housing forms under the RN-4 district. By contrast, the subject property has an area of 4,046 sq ft and a width of 30 ft, which does not meet the dimensional standards for any of the dwelling forms. The subject lot is considered a 'Nonconforming Lot of Record' per Article 17.3 of the zoning ordinance, and this permits development that does not meet the minimum lot size and/or width standards. However, it is not the recommendation of staff that nonconforming development potential be increased with a more intensive rezoning.
3. One major policy change that occurred within the past year is a zoning ordinance amendment to include Middle Housing standards, which permit a wider range of house-scale multifamily development for properties within the TDR (Traditional Neighborhood Residential) land use classification. The subject property is in a TDR area, and the Board of Zoning Appeals (BZA) recently approved a variance to increase the allowed building depth from 50 ft to 65 ft to permit the conversion of the lot's existing single-family house into a 'side-by-side' duplex (running from the front to the rear of the lot) under the Middle Housing standards (see Exhibit B).

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 mixed medium density residential development. Single-family and duplex dwellings are permitted by right, and townhouse and low-rise multi-family dwellings are allowed with staff-level or special use approval depending on the number of units. The RN-4 District is intended to be applied to neighborhoods that are characterized by such mixed residential development, or that have been identified as areas where such development would be suitable in the future.
2. While the Mechanicsville neighborhood does have a mix of residential forms, the previously described constraints with the subject property's size would typically prohibit the range of dwelling forms intended by the RN-4 district. Under the Middle Housing standards, a key difference between the current and requested zoning district is that a large townhouse or multiplex developments can be considered with RN-4 zoning. Pursuing a different Middle Housing development under RN-4 would again require BZA variances for building depth and potentially setbacks as well. Considering these circumstances, rezoning this property could permit development that is grossly more intensive than what is intended for a lot this size.
3. Another significant distinction between the RN-2 and RN-4 district is that RN-4 permits more than one primary use per Article 9.1.D. While staff consider all potential uses in a rezoning case instead of

specific development proposals, it is noteworthy that the applicant is already inquiring about building a second duplex in the rear of this lot under RN-4 zoning. Again, staff do not recommend a rezoning that will increase nonconforming development potential as this is a manipulation of the zoning ordinance.

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. Mechanicsville is one of the oldest neighborhoods in the City of Knoxville, and the subject property is part of an area that is included in the National Register of Historic Places. Since 2016, the applicant has purchased most of the properties on the subject property's block. Continuing to upzone these lots could lead to development that diminishes the character of the neighborhood's Victorian and early 20th century shotgun houses, and potentially risks this historic designation.

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 adequate utility infrastructure and public facilities to accommodate future development. However, it is noteworthy that off-street parking is a challenge with how these lots were originally developed, and most residents park on the street. An ongoing trend of increasing residential zoning intensity without addressing off-street parking could contribute to a shortage of street parking.

Action: Approved **Meeting Date:** 8/8/2024
Details of Action: Approve RN-4 (General Residential Neighborhood) because it is an extension of the zone.
Summary of Action: Approve RN-4 (General Residential Neighborhood) because it is an extension of the zone.
Date of Approval: 8/8/2024 **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: 9/3/2024 **Date of Legislative Action, Second Reading:** 9/17/2024
Ordinance Number: **Other Ordinance Number References:** O-118-2024
Disposition of Case: Approved **Disposition of Case, Second Reading:** Approved
If "Other": **If "Other":**
Amendments: **Amendments:**
Date of Legislative Appeal: **Effective Date of Ordinance:**