

# CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 9-A-24-RZ Related File Number:  
Application Filed: 7/5/2024 Date of Revision:  
Applicant: BARNES CAPITAL MANAGEMENT, LLC

### PROPERTY INFORMATION

General Location: East side of Hollywood Rd, north of Sutherland Ave  
Other Parcel Info.:  
Tax ID Number: 107 F F 02503, 02401,024,022,021, OTHER: 02101, 0200 Jurisdiction: City  
Size of Tract: 3.15 acres  
Accessibility: Access is via Hollywood Road, a major collector street with a 28-ft pavement width within a right-of-way ranging from 68 ft to 83 ft. Access is also via Apex Drive, a local street with a 12-ft pavement width within a 12-ft right-of-way.

### GENERAL LAND USE INFORMATION

Existing Land Use: Single Family Residential, Agriculture/Forestry/Vacant Land  
Surrounding Land Use:  
Proposed Use: Density:  
Planning Sector: West City Plan Designation: MDR (Medium Density Residential), HP (Hillside Protection)  
Growth Policy Plan: N/A (Within City Limits)  
Neighborhood Context: The Pond Gap neighborhood has a mix of single family and multifamily neighborhoods. There is a commercial corridor along Sutherland Avenue approximately 700 ft south of the property. The property has sidewalk connections to the Pond Gap Elementary School and West High School.

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

Street: 800 HOLLYWOOD RD  
Location:  
Proposed Street Name:  
Department-Utility Report:  
Reason:

### ZONING INFORMATION (where applicable)

Current Zoning: RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)  
Former Zoning:  
Requested Zoning: RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)  
Previous Requests:  
Extension of Zone: There is RN-2 zoning across Apex Dr.  
History of Zoning: None noted.

### PLAN INFORMATION (where applicable)

Current Plan Category: MDR (Medium Density Residential), HP (Hillside Protection)

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.): Approve the RN-2 (Single-Family Residential Neighborhood) district because it is compatible with surrounding development and is supported by existing infrastructure and amenities. The HP (Hillside Protection Overlay) would be retained.

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. This area of the Pond Gap neighborhood has seen substantial development changes in recent years that support consideration of the proposed increase in residential intensity from the RN-1 (Single-Family Residential Neighborhood) to the RN-2 (Single-Family Residential Neighborhood) district.
2. In 2021, Knoxville's Community Development Corporation (KCDC) built the Flats at Pond Gap apartment community directly across Hollywood Road from the subject property under the RN-6 (Multi-Family Residential Neighborhood) zoning district. A sidewalk was added to the west side of Hollywood Road next to the development, and a well-marked pedestrian crossing was created to connect the new sidewalk to the existing sidewalk on the east side of the road. The new apartments on a formerly vacant lot and the pedestrian improvements activate this section of Hollywood Road and make it feel more like a part of the neighborhood than a thoroughfare (see before and after pictures in Exhibit B).
3. In 2018, Pond Gap Elementary School completed 58,000 sq ft of new construction for facilities including a Special Education suite, a media center, art and music classrooms, and a new gymnasium. This expansion increased school capacity to serve residents in the area.

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

1. The intent of the RN-2 district is to accommodate traditional low density residential neighborhoods, exhibiting a predominant pattern of single-family homes on relatively small lots with smaller setbacks compared to RN-1. Duplexes may be permitted through special-use approval.
2. The subject property is in an area that is consistent with the development pattern of the RN-2 district.

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. Of the 10 contiguous lots included in this rezoning request, 6 of them contain new single-family homes that were developed by the applicant. With RN-2 zoning, these lots could be subdivided to permit 1-2 additional single-family lots. Only 3 of the 10 lots are addressed on Apex Drive and 2 of those have new single-family homes, which limits the number of future units that could access this steep and narrow residential street.
2. The HP (Hillside Protection Overlay) district covers most of the 10 contiguous lots within the subject property for this rezoning. Most of the lots are currently exempt from the HP regulations as single-family lots of record preceding the effective date of the current code (Article 8.9.B.2). However, if any lots were subdivided or developed for two-family dwellings, this exemption would no longer apply. This means that if development permitted by RN-2 zoning were pursued, there may be increased opportunity to enforce land disturbance restrictions. Steep topography and the HP overlay serve as natural and regulatory limiters to the amount of residential intensity that is feasible here.
3. RN-2 zoning is already the predominant district in this area of the Pond Gap neighborhood, and is

not anticipated to have any adverse impacts on surrounding properties.

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 One Year Plan and West City Sector Plan's land use classification for the subject property is MDR (Medium Density Residential), which permits consideration of residential zoning districts from RN-1 to RN-5 (General Residential).

2. The proposed rezoning is consistent with the General Plan's principle that increased density and a mix of housing types will support neighborhood services, shops, public transit and recreational opportunities. These lots are located within walking distance of all of those amenities.

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 subject property is an urbanized area with adequate utility infrastructure. It is served by sidewalks on Hollywood Road that lead to transit on Sutherland Avenue to the south. Sutherland Avenue is an active, service-oriented commercial corridor that provides pedestrian access to the University of Tennessee sports fields. It is in the Parental Responsibility Zone for both Pond Gap Elementary and West High School. These amenities and infrastructure support more residential development in the area.

**Action:** Approved **Meeting Date:** 9/12/2024

**Details of Action:**

**Summary of Action:** Approve the RN-2 (Single-Family Residential Neighborhood) district because it is compatible with surrounding development and is supported by existing infrastructure and amenities. The HP (Hillside Protection Overlay) would be retained.

**Date of Approval:** 9/12/2024 **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:** 10/15/2024 **Date of Legislative Action, Second Reading:** 10/29/2024

**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:**