

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 9-C-24-RZ **Related File Number:**
Application Filed: 7/16/2024 **Date of Revision:**
Applicant: MARK & EMILY CAMPEN

PROPERTY INFORMATION

General Location: Southwest side of Fenwood Dr, northwest side of Montrose Rd
Other Parcel Info.:
Tax ID Number: 58 J A 01001 **Jurisdiction:** City
Size of Tract: 4.88 acres
Accessibility: Access is via Fennwood Drive, Montrose Road, Hamlet Road and Westchester Drive, which are all local streets within right-of-ways that vary in width.

GENERAL LAND USE INFORMATION

Existing Land Use: Rural Residential
Surrounding Land Use:
Proposed Use: **Density:**
Planning Sector: North City **Plan Designation:** LDR (Low Density Residential), HP (Hillside Ridgetop Prote
Growth Policy Plan: N/A (Within City Limits)
Neighborhood Context: This Fountain City neighborhood is predominantly single-family residential and wooded. A stream runs through the property towards First Creek.

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

Street: 1916 FENWOOD DR
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: No.
History of Zoning: None noted.

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential), HP (Hillside Ridgetop 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.):

Deny the RN-2 (Single-Family Residential Neighborhood) district because it does not meet the criteria for a rezoning. 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.The subject property is in the middle of the Fountain City Town Hall neighborhood and is surrounded by RN-1 (Single-Family Residential Neighborhood) and EN (Established Neighborhood) zoning. This neighborhood has remained unchanged for decades. There are no developments or residential amenities nearby that warrant a more intensive residential rezoning at this location.
- 2.The subject parcel is adjacent to a 154-acre area of EN zoning that was granted in 2008 in response to petitions from property owners there. The intent of the EN zone is to provide stability to older, large-lot neighborhoods by preserving the existing character and development pattern through design guidelines. This indicates that the lack of change in this neighborhood is a deliberate choice by residents.

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

- 1.The requested RN-2 (Single-Family Residential Neighborhood) district is intended to accommodate low density single-family residential development on relatively small lots with smaller setbacks compared to the RN-1 district.
- 2.The RN-2 district permits all the same uses as the RN-1 district, but there are significant differences in the dimensional standards. For example, rezoning from RN-1 to RN-2 would reduce the minimum lot size for a single-family home from 10,000 to 5,000 sq ft. The subject property is 4.88 acres in size. The RN-1 zone permits consideration of up to 21 single-family units based on the minimum lot size. This would be doubled to 42 units in the RN-2 zone. The feasibility of this number of units would be limited topographical challenges and protections as well as other dimensional standards. However, this dramatic increase in residential intensity is worth noting since the dimensional standards are the primary distinction between the two zoning districts.

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. Most of the lots surrounding the subject property far exceed the minimum lot size in the RN-1 district. Halving the minimum lot size requirements with a rezoning to RN-2 on such a large parcel could result in development that is out of character with the neighborhood.
2. The subject property is part of a wooded, stream-bed corridor that connects to undisturbed forest along Black Oak Ridge to the north. The property is within the HP (Hillside Protection) overlay zone and contains undisturbed slopes exceeding 40%. This is a sensitive environmental area where a more intensive residential rezoning could have adverse impacts on the surrounding environment.

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 not in conflict with the LDR (Low Density Residential) land use classification in the North City Sector Plan.
2. A more intensive rezoning at this location would conflict with the General Plan's Development Policy

7.2 to protect water resources by reducing pollution and retaining trees and ground cover on ridges, streams, rivers lakes and sinkholes. It also conflicts with Policy 7.5 to protect the natural drainage systems associated with floodways and floodplains.

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 roads that access the subject property are narrow, winding residential streets. Traffic congestion and sight distance could be problematic with more intensive residential development at this location.
- 2.This property does not have access to sidewalks or close proximity to public schools, transit or commercial amenities that would support a residential upzoning.

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

Details of Action:

Summary of Action: Deny the RN-2 (Single-Family Residential Neighborhood) district because it does not meet the criteria for a rezoning. The HP (Hillside Protection Overlay) would be retained.

Date of Approval: **Date of Denial:** 9/12/2024 **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: