

▶ **FILE #:** 11-D-10-RZ

AGENDA ITEM # 27

AGENDA DATE: 11/10/2010

▶ **APPLICANT:** **PROFESSIONAL LAND SYSTEMS (RALPH SMITH)**

OWNER(S): DAVID DEWHIRST PROPERTIES DEWHIRST
 LANGHAM VILLAGE, LLC

TAX ID NUMBER: 94 E J 014-015, 017-020 & 033

JURISDICTION: City Council District 6

▶ **LOCATION:** **Southeast side W. Jackson Ave., southwest side W. Gay St.**

▶ **APPX. SIZE OF TRACT:** **1.1 acres**

SECTOR PLAN: Central City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via W. Jackson Ave., a local street with 20' of pavement width within 35' of right-of-way, or S. Gay St., a minor arterial street with 60' of pavement width (including on-street parking) within 75' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT ZONING:** **I-3 (General Industrial) / D-1 (Downtown Design Overlay) and C-3 (Gene**

▶ **ZONING REQUESTED:** **C-2 (Central Business District) / D-1 (Downtown Design Overlay)**

▶ **EXISTING LAND USE:** **Business**

▶ **PROPOSED USE:** **Commercial**

EXTENSION OF ZONE: Yes, extension of C-2/D-1 from the north, south and east

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: W. Jackson Ave. - Parking and railroad ROW - C-2 (Central Business)/D-1 (Downtown Design Overlay)

South: Parking - C-2/D-1

East: S. Gay St. - Businesses - C-2/D-1

West: Businesses - I-3/D-1

NEIGHBORHOOD CONTEXT: This area is located within the northern section of the downtown central business district and is comprised of various business uses.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE C-2 (Central Business)/D-1 (Downtown Overlay) zoning.**

C-2/D-1 zoning will allow compatible development with the surrounding land uses and zoning. The proposal is consistent with the sector plan and One Year Plan proposals for the property.

COMMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. C-2/D-1 zoning is compatible with the scale and intensity of the surrounding development and zoning.
2. Other properties in the area have been rezoned to C-2 as a result of individual requests by property

owners in the area. The request is an extension of C-2/D-1 zoning from the north, south and east.
3. C-2 zoning allows a wider range of uses than I-3, including residential and retail. C-2 is the primary zoning used for downtown business district development.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The C-2 zoning district, with complementary office, medical, civic, residential and historical areas, forms the metropolitan center for commercial, financial, professional, governmental and cultural activities. The intent is to protect and improve the central business district for the performance of its primary functions. In addition, uses are discouraged which do not require a central location or would create friction in the performance of functions that should be centralized.
2. Based on the above general intent, this area is appropriate for C-2 zoning.

THE EFFECTS OF THE PROPOSAL:

1. Water and sewer utilities are in place to serve this site.
2. The proposal will have a minimal impact on schools.
3. The impact to the street system will depend on the type of uses that are developed at the site. There are currently parking lots to the north and south of the property that could accommodate the parking needs for this proposal.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Central City Sector Plan designates this site for mixed uses, eligible for C-2 zoning.
2. C-2 zoning is consistent with the City of Knoxville One Year Plan, which designates the site for mixed uses, limited to GC, LI and CBD.
3. Approval of this request could lead to future requests for C-2 zoning on other parcels in the area. These requests will need to be reviewed on a case-by-case basis according to their own merits. Since C-2 zoning does not require on-site parking, the availability of off-site parking will have to be considered as part of any future requests.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 11/30/2010. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.

