



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 10-F-10-RZ
10-E-10-PA

AGENDA ITEM # 30
AGENDA DATE: 10/14/2010

▶ **APPLICANT:** MATISSE CAPITAL, LLC
OWNER(S): MATISSE CAPITAL LLC ATTN:TIM WESLEY

TAX ID NUMBER: 94 D M 002, 022 & 023
JURISDICTION: Council District 6

▶ **LOCATION:** Southwest side King St., northwest side W. Fifth Ave.

▶ **TRACT INFORMATION:** 0.75 acres.

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via W. Fifth Ave., a major collector street with 4 lanes and parking within 80' of right-of-way, or King St., a local street with 2 lanes and parking within 40' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board
Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** GC (General Commercial) / C-3 (General Commercial)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** CBD (Central Business District) / C-2 (Central Business District)

▶ **EXISTING LAND USE:** Residences

▶ **PROPOSED USE:** Continued residential use

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of C-2 zoning and CBD designation from the northeast

HISTORY OF ZONING REQUESTS: None for this site, but other properties in the area have been rezoned C-2 in recent years.

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Offices / GC / C-3 (General Commercial)
South: W. Fifth Ave. - Offices / GC / C-3 (General Commercial)
East: King St. - Commercial building / GC / C-3 (General Commercial)
West: Church / GC / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of residential, office and commercial uses under C-2, C-3 and O-1 zoning.

STAFF RECOMMENDATION:

▶ **WITHDRAW the request.**

As part of the 2010 One Year Plan Update, this area was redesignated for Mixed Uses, limited to general commercial or central business district land uses. This designation supports the requested C-2 zoning, so

the One Year Plan amendment is not needed.

► **RECOMMEND that City Council APPROVE C-2 (Central Business) zoning.**

C-2 zoning is compatible with the current use of this property for residences, as well as with the scale and intensity of surrounding development. The proposal is consistent with the sector plan, as amended by the Broadway-Central-Emory Place Small Area Plan,

COMMENTS:

At the time that the application was filed, the One Year Plan map reflected in the KGIS system had not been updated and was still showing this site designated for GC (General Commercial) uses only. It has now been updated and supports CBD (Central Business District) land use.

REZONING REQUIREMENTS:

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

1. C-2 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 closest C-2 zoning is directly across King St. to the northeast.
3. C-2 zoning allows a wider range of uses than C-3, including residential. C-2 is the primary zoning used for downtown business district development. The area containing this site is within the 'Downtown North' designated area on the Broadway-Central-Emory Place Small Area Plan, which encourages rezoning to C-2.

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 and the street system, as the residential use is already in place..

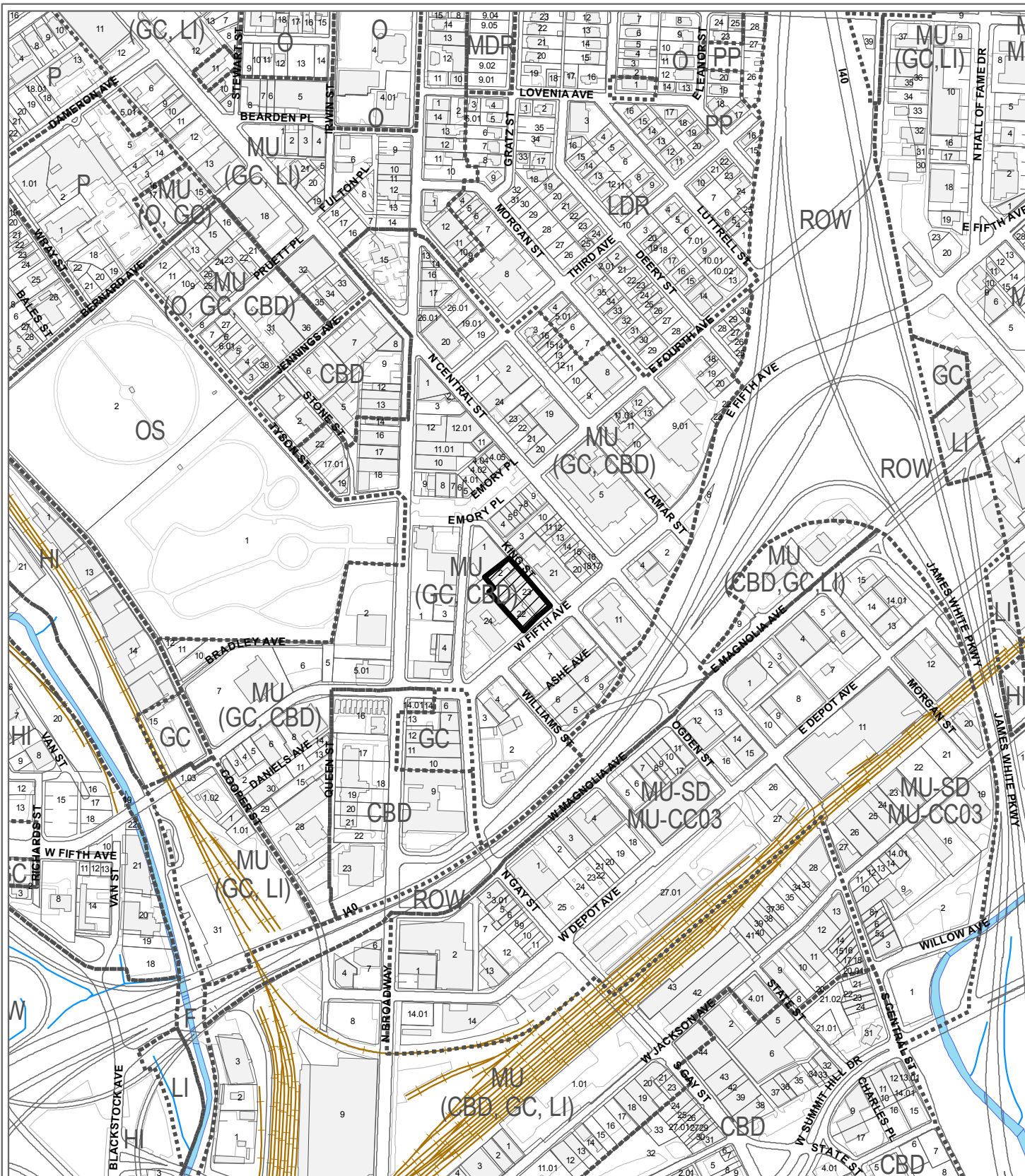
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Central City Sector Plan, as amended by the Broadway-Central-Emory Place Small Area Plan, designates the area containing this site as 'Downtown North', 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 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.

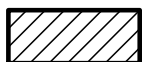
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 11/16/2010 and 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.



**10-E-10-PA / 10-F-10-RZ
KNOXVILLE ONE YEAR PLAN AMENDMENT**

From: GC (General Commercial)
To: CBD (Central Business District)



Original Print Date: 9/22/2010
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Matisse Capital, LLC

Map No: 94

Jurisdiction: City

