

▶ **FILE #:** 12-E-12-RZ

AGENDA ITEM #: 26

AGENDA DATE: 12/13/2012

▶ **APPLICANT:** DAVID DEWHIRST

OWNER(S): David W. Dewhirst

TAX ID NUMBER: 94 E E 01101

JURISDICTION: City Council District 6

▶ **LOCATION:** Southeast side E. Depot Ave. northeast side N. Central St.

▶ **APPX. SIZE OF TRACT:** 10358 square feet

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via N. Central St., a minor arterial street with 35' of pavement width within 45' of right-of-way, or E. Depot Ave., a local street with 42' of pavement width within 55' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **PRESENT ZONING:** I-2 (Restricted Manufacturing and Warehousing)

▶ **ZONING REQUESTED:** C-2 (Central Business District)

▶ **EXISTING LAND USE:** Vacant building

▶ **PROPOSED USE:** Residential

EXTENSION OF ZONE: Yes, extension of C-2 from the southeast

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: E. Depot Ave. - Greyhound parking lot / C-3 (General Commercial)

South: Railroad right-of-way / I-2 (Restricted Manufacturing & Warehousing) and C-2 (Central Business)

East: Knoxville Milling Co. building / I-2 (Restricted Manufacturing & Warehousing)

West: N. Central St. - Parking / I-3 (General Industrial)

NEIGHBORHOOD CONTEXT: This area, just north of the Old City, on the north side of the railroad right-of-way, is developed with light industrial and commercial uses under I-2, I-3, C-2 and C-3 zoning.

STAFF RECOMMENDATION:

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

C-2 zoning for the subject property will allow redevelopment of the building for mixed uses, as proposed by the Magnolia Avenue Corridor Plan. It is an extension of zoning from the south and is consistent with the proposals of the adopted plans for the area.

COMMENTS:

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

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. C-2 zoning for the subject property will allow redevelopment of the building for mixed uses, as proposed by the sector plan, as amended by the Magnolia Avenue Corridor Plan.
2. C-2 is an extension of zoning from the south.
3. The site is located within the MA4 area of the Magnolia Avenue Corridor Plan, which specifically lists C-2 as a recommended zone for mixed use development.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE 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 PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. The proposal is compatible with the surrounding land uses and zoning pattern.
2. The proposal will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.

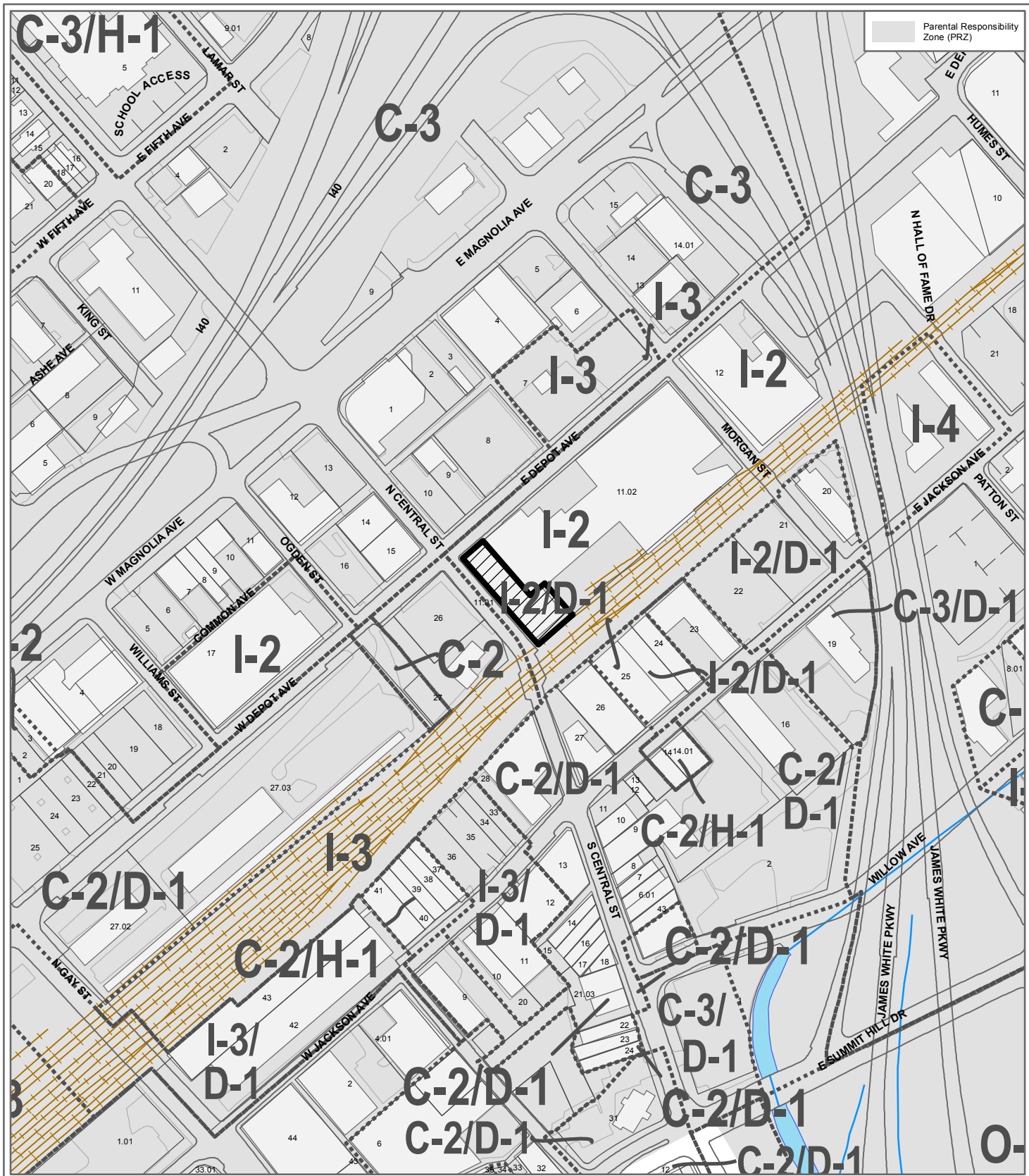
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Central City Sector Plan, as amended by the Magnolia Avenue Corridor Plan, proposes mixed uses for the site as part of a mixed use special district (MU-SD), consistent with the proposed C-2 zoning. The Magnolia Plan specifically lists C-2 as a recommended zone for mixed use development with this MA4 designated area.
2. The City of Knoxville One Year Plan also shows this site within a MU-SD, the same as the sector plan, consistent with the proposed C-2 zoning.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not calculated.

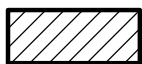
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 1/8/2013 and 1/22/2013. 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.



**12-E-12-RZ
REZONING**

Petitioner: Dewhirst, David



From: I-2 (Restricted Manufacturing and Warehousing)
To: C-2 (Central Business District)

Map No: 94
Jurisdiction: City

Original Print Date: 11/19/2012 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

