

▶ **FILE #:** 8-D-13-RZ

**AGENDA ITEM #:** 40

**AGENDA DATE:** 8/8/2013

▶ **APPLICANT:** KNOX COUNTY

OWNER(S): Knox County

TAX ID NUMBER: 95 | A 006, 008 & 009 PORTIONS ZONED C-3/D-1

JURISDICTION: City Council District 6

▶ **LOCATION:** Southeast side Commerce Ave., southwest side S. Central St.

▶ **APPX. SIZE OF TRACT:** 0.8 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Commerce Ave., a local street with 26' of pavement width within 40' of right-of-way, or S. Central St., a local street with 45' of pavement width within the large right-of-way containing James White Parkway to the east.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **PRESENT ZONING:** C-3 (General Commercial) / D-1 (Downtown Design Overlay)

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

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Mixed use development

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

HISTORY OF ZONING: D-1 overlay was added in 2007 (2-P-07-RZ).

SURROUNDING LAND USE AND ZONING: North: Commerce Ave. - Surface parking / C-3 (General Commercial)/D-1 (Downtown Design Overlay)

South: Surface parking / C-2 (Central Business)/D-1

East: Dog park and James White Parkway / OS-2 (Park and Open Space) and O-1 (Office, Medical & Related Services)

West: Surface parking / C-2 (Central Business)/D-1

NEIGHBORHOOD CONTEXT: This property is located on the eastern edge of downtown between S. Gay St. and the James White Parkway in an area developed with central business district uses. Surface parking and a City of Knoxville Recycling Center are located on the subject property.

**STAFF RECOMMENDATION:**

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

Approval of the requested rezoning will bring the entire block between Commerce Ave., State St., S. Central St. and Union Ave. under one zoning category. The proposal is an extension of zoning from three sides and is consistent with the sector plan and One Year Plan proposals for the site.

**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/D-1 zoning for the subject property will bring the entire block under one zoning category to allow for the proposed mixed use development. C-2 is a mixed use zoning that will allow residential uses, in addition to commercial.
2. C-2/D-1 zoning is the most appropriate zone for properties located in CBD (Central Business District) designated areas.
3. The proposal is an extension of zoning from three sides.

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. The site is currently within the D-1 (Downtown Design Overlay), which will be retained, regardless of the proposed change to the base zoning. The D-1 overlay district is intended to foster attractive and harmonious development and rehabilitation in Downtown Knoxville that reflects the goals of adopted plans, and the principles of the Downtown Design Guidelines. Certain exterior modifications will require review and approval by the Downtown Design Review Board prior to issuance of building permits.
3. Based on the above general intent, this area is appropriate for C-2/D-1 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. C-2/D-1 zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.
2. The impact on the street system will depend on the type of development proposed. Surface parking and a recycling center are currently located on the site.
3. The proposal will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.
4. Public water and sewer utilities are available to serve the site.

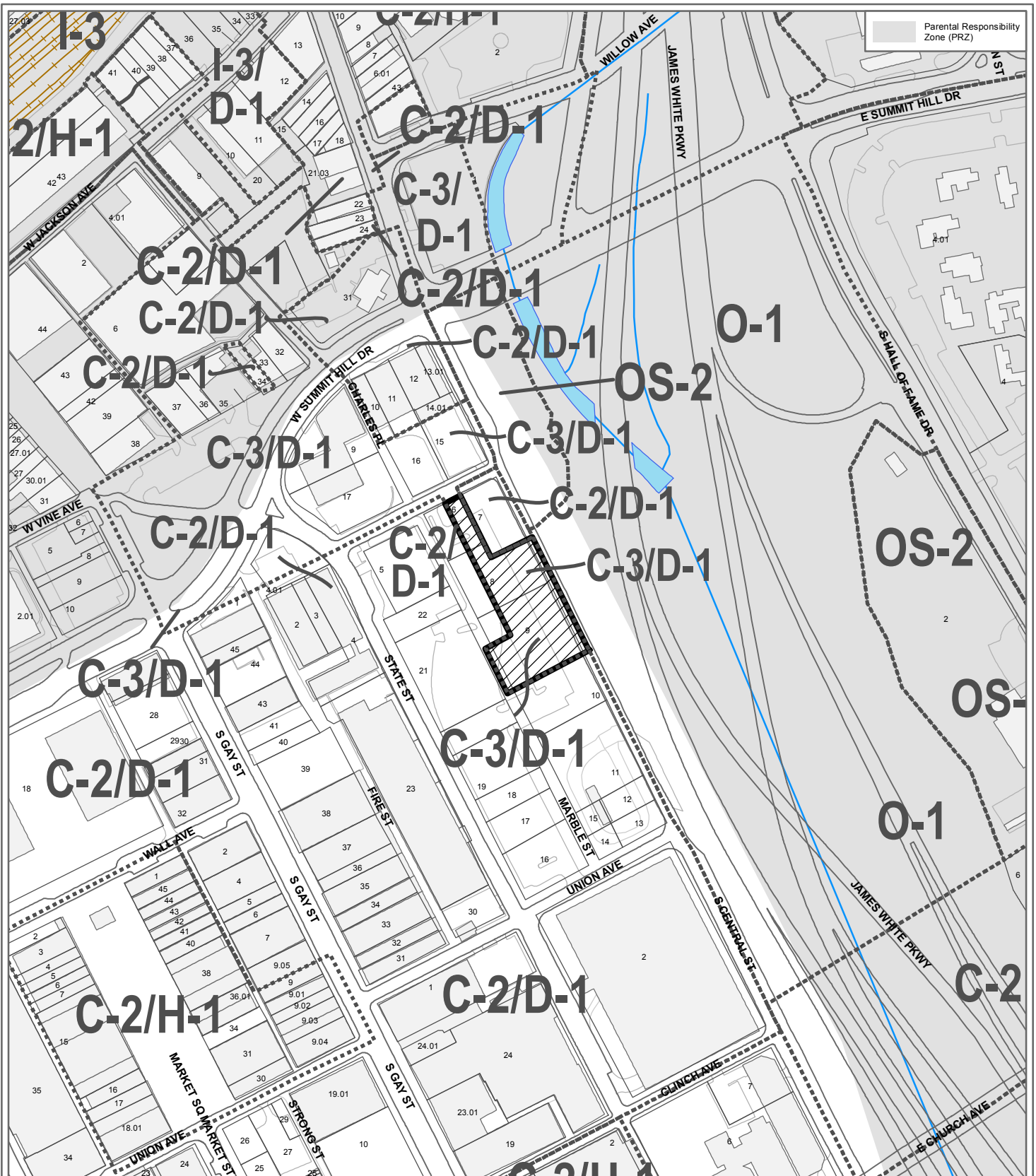
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Central City Sector Plan proposes Mixed Uses for the site, consistent with the proposed C-2/D-1 zoning.
2. The City of Knoxville One Year Plan proposes CBD (Central Business District) uses for the site, consistent with the proposed C-2/D-1 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 9/3/2013 and 9/17/2013. 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.



**8-D-13-RZ  
REZONING**

From: C-3 (General Commercial) / D-1 (Downtown Design Overlay)

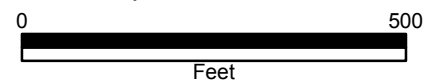
To: C-2 (Central Business District) / D-1 (Downtown Design Overlay)



Petitioner: Knox County

Map No: 95

Jurisdiction: City



Original Print Date: 7/19/2013  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902