

▶ **FILE #:** 10-D-13-RZ

**AGENDA ITEM #:** 24

**AGENDA DATE:** 10/10/2013

▶ **APPLICANT:** KENN DAVIN

OWNER(S): Kenn Davin

TAX ID NUMBER: 82 P C 006 & 007

JURISDICTION: City Council District 4

▶ **LOCATION:** Southeast side N. Sixth Ave., north side Abilene Place

▶ **APPX. SIZE OF TRACT:** 1.7 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via N. Sixth Ave., a minor collector street with 22' of pavement width within 60' of right-of-way.

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

WATERSHED: First Creek

▶ **PRESENT ZONING:** I-3 (General Industrial)

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

▶ **EXISTING LAND USE:** Vacant warehouses / loft

▶ **PROPOSED USE:** Mixed uses - Residential/commercial

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: First Creek - F-1 (Floodway)

South: Abilene Place - House / I-3 (General Industrial)

East: Railroad right-of-way and Standard Knitting Mill building / I-3 (General Industrial)

West: N. Sixth Ave. - House, church and business / I-3 (General Industrial) and O-1 (Office, Medical & Related Services)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of uses, including residential, under I-3 and O-1 zoning.

**STAFF RECOMMENDATION:**

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

C-2 zoning will allow redevelopment and reuse of this now vacant site. It is consistent with the sector plan proposal, as amended by the Magnolia Avenue Corridor Plan, and is compatible with surrounding land uses and zoning.

**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 is compatible with the scale and intensity of the surrounding development and zoning.
2. This site has been identified in the Magnolia Avenue Corridor Plan as appropriate for redevelopment. The plan states that the First Creek Greenway can be a catalyst for reuse and redevelopment. The plan proposes mixed uses for this site that will allow reuse of the Standard Knitting Mill property and surrounding area for a mix of higher density residential, wholesale commercial/distribution and utility uses.
3. C-2 zoning allows a wider range of uses than I-3, including residential. C-2 is the primary zoning used for downtown business district 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 impact on schools and the street system will depend on the type of redevelopment that eventually take place.
2. There are numerous existing and proposed greenways in the vicinity of this site. (See attached maps.) The applicant will be expected to work with MPC and the City of Knoxville Greenways Coordinator to maintain easements for future greenway connections to the north and south of the site. The Magnolia Avenue Corridor Plan specifically proposes to continue the significant public improvements in and around Caswell Park to the southeast of the subject property.
3. The Magnolia Avenue Corridor Plan includes this site within the Hall of Fame and Magnolia Gateway area. One specific recommendation for this area is to complete the First Creek Greenway with a rails-to-trails connection to downtown. Also, easements should be maintained along the railroad on the eastern portion of the site in order to accommodate a future rails-to-trails connection to downtown. The attached aerial photo shows a proposed greenway along the southern boundary of this site.
4. MPC's historic preservation planner has determined that the building on site is potentially eligible for the National Register of Historic Places, but it has not been determined officially eligible by the State Historic Preservation Office. An H-1 (Historical Overlay) zone may also be appropriate for this site in the future.
5. Water and sewer utilities are in place to serve this site.
6. No other area of the County will be impacted by this rezoning request.

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, designates the area containing this site as a mixed use special district, eligible for C-2 zoning, which is a mixed use zoning district.
2. C-2 zoning is consistent with the City of Knoxville One Year Plan, which also designates the site as the same mixed use special district.
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.
4. The 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 11/12/2013 and 11/26/2013. 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.