

▶ **FILE #:** 4-K-14-RZ

**AGENDA ITEM #:** 40

**AGENDA DATE:** 4/10/2014

▶ **APPLICANT:** ANTHONY P. CAPIELLO, JR.

OWNER(S): Anthony P. Cappiello, Jr.

TAX ID NUMBER: 94 M D 031

JURISDICTION: City Council District 6

STREET ADDRESS: 912 Henley St

▶ **LOCATION:** East side Henley St., north of W. Hill Ave.

▶ **APPX. SIZE OF TRACT:** 5360 square feet

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Henley St., a major arterial street with 4 lanes within 95'm of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Tennessee River

▶ **PRESENT ZONING:** R-3 (High Density Residential) / D-1 (Downtown Design Overlay)

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

▶ **EXISTING LAND USE:** Parking lot

▶ **PROPOSED USE:** Covered parking with 14 spaces

EXTENSION OF ZONE: Yes, extension C-2 from the north and east

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Hampton Inn - C-2 (Central Business) / D-1 (Downtown Design Overlay)

South: Residence - R-3 (High Density Residential) / H-1 (Historic Overlay)

East: Lord Linsey Mansion - C-2 (Central Business) / H-1 (Historic Overlay)

West: Henley St. - Church - R-3 (High Density Residential) / D-1 (Downtown Design Overlay)

NEIGHBORHOOD CONTEXT: This site is at the northeast end of the Henley St. Bridge, wedged between the Lord Linsey Mansion, Hampton Inn and a large four story residence, at the southern end of downtown. Surrounding zoning includes C-2 and R-3 with either a D-1 or H-1 zoning overlay.

**STAFF RECOMMENDATION:**

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

Approval of the requested rezoning will allow a mix of uses rather than strictly residential, consistent with the mixed use proposal on the sector plan. The proposal is an extension of zoning from two sides and is also consistent with the One Year Plan which calls for Central Business District uses.

**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 is consistent with adjacent uses, allowing mixed use development. C-2 is a mixed use zoning that will allow other uses in addition to residential.
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 two 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 minimal impact on adjacent properties.
2. The impact on the street system will depend on the type of development proposed. The site is currently used for surface parking.
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.

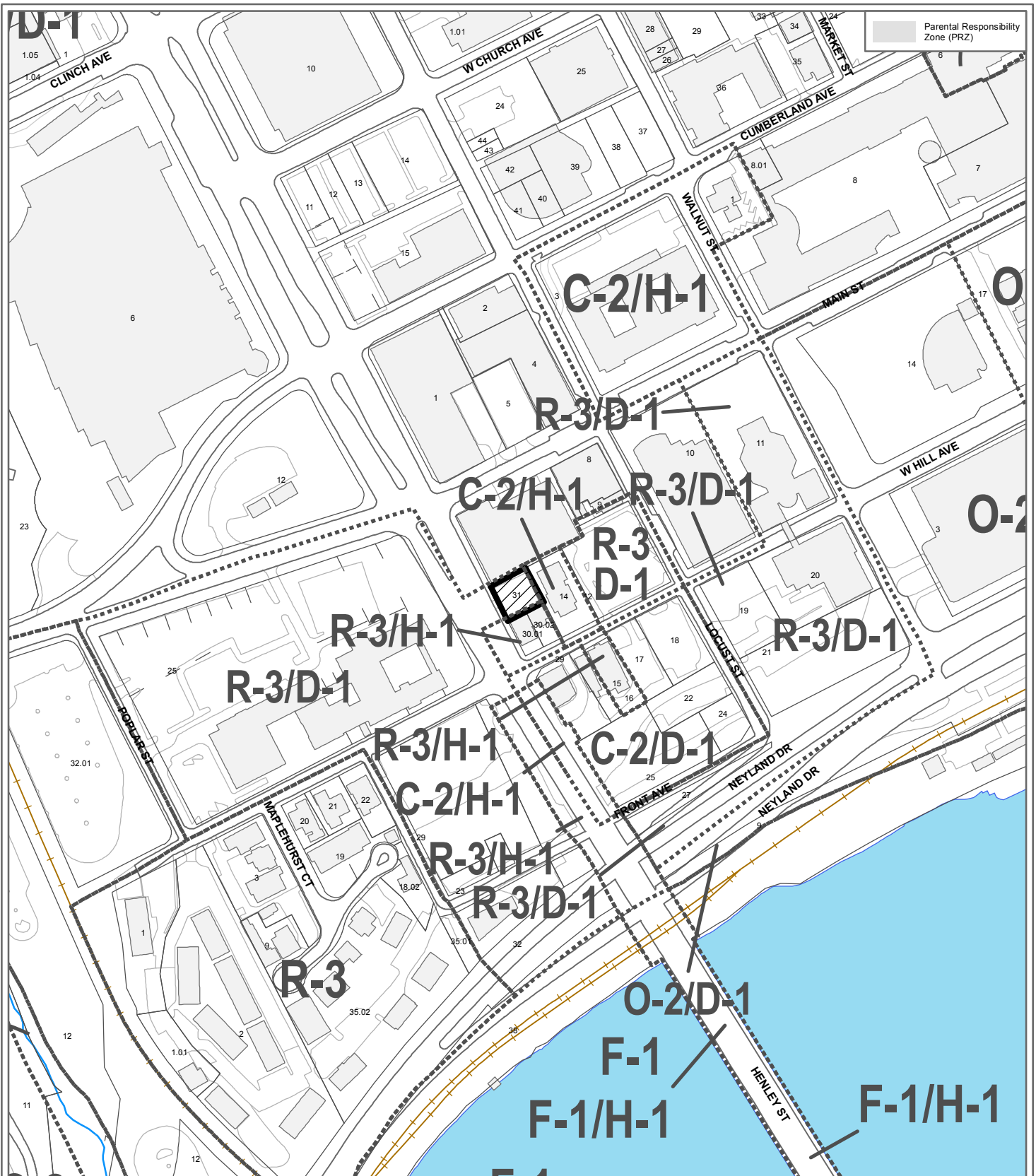
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

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 required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 5/13/2014 and 5/27/2014. 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.



**4-K-14-RZ  
REZONING**

From: R-3 (High Density Residential) / D-1 (Downtown Design Overlay)

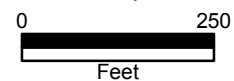
To: C-2 (Central Business District) / D-1 (Downtown Design Overlay)



Petitioner: Capiello, Jr., Anthony P.

Map No: 94

Jurisdiction: City



Original Print Date: 3/25/2014

Revised:

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