

▶ **FILE #:** 10-C-14-RZ

AGENDA ITEM #: 24

AGENDA DATE: 10/9/2014

▶ **APPLICANT:** HATCHER-HILL PROPERTIES, LLC

OWNER(S): Hatcher-Hill Properties, LLC

TAX ID NUMBER: 94 E D 004

JURISDICTION: City Council District 6

STREET ADDRESS: 300 W Fifth Ave

▶ **LOCATION:** Southeast side W. Fifth Ave., southwest side Williams St.

▶ **APPX. SIZE OF TRACT:** 0.34 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via W. Fifth Ave., a major arterial street with 50' of pavement width within 75' of right-of-way, or Williams St., a local street with 34' of pavement width within 45' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT ZONING:** C-3 (General Commercial)

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

▶ **EXISTING LAND USE:** Office, warehouse, vacant

▶ **PROPOSED USE:** Restaurant, retail, office

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: W. Fifth Ave. - First Christian Church surface parking / C-3 (General Commercial)

South: Business and surface parking / C-3 (General Commercial)

East: Williams St. - Surface parking / C-3 (General Commercial)

West: Surface parking / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT: This area is developed with a variety of businesses under C-3 and C-2 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 Broadway-Central-Emory Place Small Area Plan. It is an extension of zoning from the south and is consistent with the proposals of the adopted plans for the area. It is compatible with surrounding land uses 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 Broadway-Central-Emory Place Small Area Plan.
2. C-2 zoning is compatible with the scale and intensity of the surrounding land uses and zoning. Other individual properties in the area have been rezoned C-2 in recent years, consistent with approved land use plans for the area.
3. The site is located within the Downtown North area of the Broadway-Central-Emory Place Small Area 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.

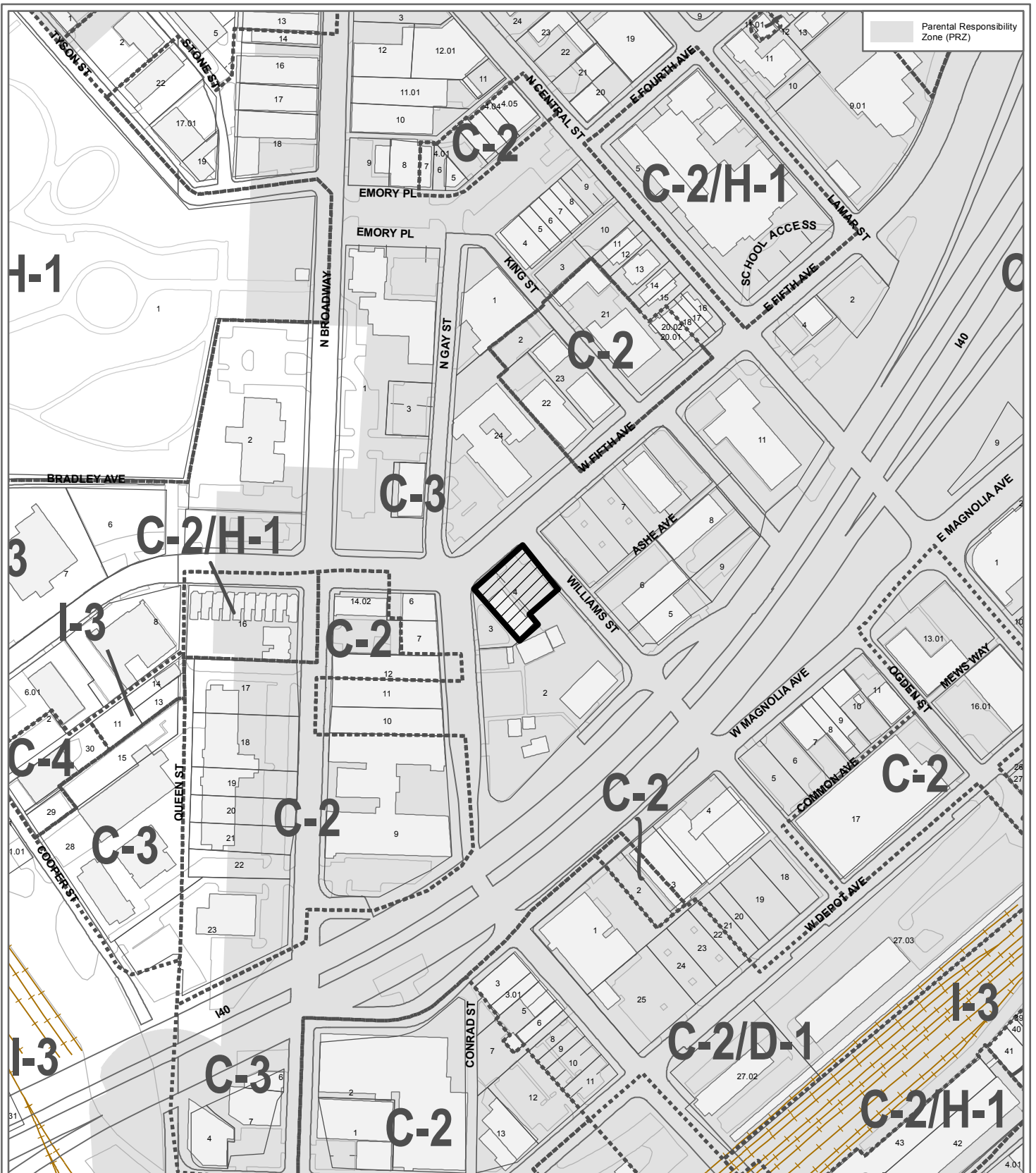
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Central City Sector Plan, as amended by the Broadway-Central-Emory Place Small Area Plan, proposes mixed uses for the site as part of the Downtown North district, consistent with the proposed C-2 zoning. The plan specifically lists C-2 as a recommended zone for mixed use development within this designated area. The section of the plan that addresses this area is attached to this report.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. 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 11/11/2014 and 11/25/2014. 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.



**10-C-14-RZ
REZONING**

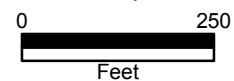
From: C-3 (General Commercial)
To: C-2 (Central Business District)



Petitioner: Hatcher-Hill Properties, LLC

Map No: 94

Jurisdiction: City



Original Print Date: 9/18/2014
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

- Use the area for a skate park. Setting up a skate park brings life and activity, as well as small businesses to an area and helps reduce crime. While the City and County are collaborating to develop a skate park in Tyson Park, this area is another ideal spot since the popularity of skate boarding continues to grow.
- Consider other kinds of public recreational facilities, a basketball court for example, or a rock climbing wall, that could be used at night with sufficient lighting. Such spaces could also address needs of downtown residents who need access to recreational space.
- Use the area as a cultural open space, where artists can show their work. It could be mural paintings, which would bring colors and design quality, or sculptures.



Painting is an inexpensive way to improve underpasses

- Repair shops and fleet storage for City, County or other agencies
- An open air market, such as a farmers market or a flea market.
- Some possibilities can work together: a green space can be a cultural space at the same time, and a sport park can be used once or twice a week for a market for example.

Environmental Improvements

During the 20th century, several businesses located in the study area that had the potential to cause environmental degradation. These include several former service stations,

where underground gasoline tanks may still be in place or where soils may have become contaminated. One example is the property at the corner of 5th Avenue and Gay Street. That site is being proposed for church parking because it currently has old underground tanks and cannot be used as a building site. The expense of rehabilitating such properties can be considerable. However, these sites should be restored for development to foster the viability of the area.

The City, KCDC and the Development Corporation, through their respective redevelopment programs, should work with the Environmental Protection Agency and respective state agencies to clean up former gas stations and related sites, enabling redevelopment of all property in the study area.







Summary of Proposed Land Use Plan Changes

1. Extend the downtown to a wider area around Emory Place, by rezoning to C-2 or a similar mixed-use district. This area should be considered “Downtown North.” Allow vertical mixed-use buildings on the south side of Fifth Avenue, targeting this area for redevelopment. The blocks between Fifth Avenue and I-40 can have a greater building height to protect the mixed-use district from the noise and view of the Interstate. Structured parking or office buildings would be appropriate.
2. Rezone south side of Luttrell Street between Third and Fourth avenues to residential (R-1 A).
3. Central Corridor should be rezoned from C-3 to a mixed-use district that includes offices, residential or retail.
4. Replace C-3 zoned area between Cullen Place and Silver Place with Mixed Use (Medium Density Residential or Office). Recommended zoning: RP-1, R-4 or a new urban small lot district and H-1.
5. Rezone land around Guy B. Love Towers to medium-density residential.
6. H-1 overlay should be considered in the following locations:
 - The southern portion of Old North Knoxville
 - Greater Emory Place, including the Central-Broadway intersection
 - Buildings on Broadway, on the edge of Fourth and Gill
 - Buildings on Central between Anderson and Oklahoma avenues (Happy Hollow)

Broadway-Central Emory Place Study

MAP 8: Land Use Plan & Historic Zoning Overlay Proposals

Legend

-  Proposed H-1 Overlay
-  Downtown North Mixed Use District
-  Medium Density Residential
-  Central St Corridor Mixed Use District
-  Medium Density Residential/Office
-  Low Density Residential

1 inch equals 800 feet

