

▶ **FILE #:** 9-E-15-RZ

**AGENDA ITEM #:** 37

**AGENDA DATE:** 9/10/2015

▶ **APPLICANT:** JOHN C. TEXADA

OWNER(S): John and Julianna Texada

TAX ID NUMBER: 94 D M 003 & 004

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 16 Emory Pl

▶ **LOCATION:** Southeast side Emory Pl., northeast side King St.

▶ **APPX. SIZE OF TRACT:** 9500 square feet

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Emory Place, a local street with 55' feet of pavement width (including on-street parking and sidewalks) within 105' of right-of-way, or King St., a local street with 28' of pavement width within 35' 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

▶ **PROPOSED USE:** Mixed use commercial and residential

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

HISTORY OF ZONING: Other properties in the immediate area have been rezoned C-2 in recent years, consistent with the sector plan proposal for the area.

SURROUNDING LAND USE AND ZONING: North: Emory Place, businesses / C-2 (Central Business) and C-3 (General Commercial)

South: Surface parking, church in warehouse building / C-2 (Central Business)

East: Surface parking and businesses / C-3 (General Commercial)

West: King St., business / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of commercial, office and residential uses under C-2 and C-3 zoning.

**STAFF RECOMMENDATION:**

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

C-2 zoning is compatible with the current use of this property as well as with the scale and intensity of surrounding development and zoning. The proposal is consistent with both the One Year Plan and sector plan.

**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 and is an extension of the C-2 zoning district from the south.
2. Other properties in the area have been rezoned to C-2 as a result of individual requests by property owners in the area.
3. C-2 zoning allows a wider range of uses than C-3, including residential. C-2 is the primary zoning used for downtown business district development. The area containing this site has been identified by the Broadway-Central-Emory Place Small Area Plan as "Downtown North," appropriate for C-2 zoning.

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. Water and sewer utilities are in place to serve this site.
3. The proposal will have no impact on schools and a minimal impact on the street system.
4. 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, designates the site within a mixed use special district as part of the MA4 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.
2. The City of Knoxville One Year Plan designates the site within the same mixed use special district as the sector plan, consistent with 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 required.

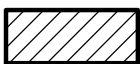
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 10/13/2015 and 10/27/2015. 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.



**9-E-15-RZ  
REZONING**

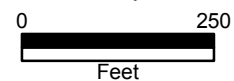
From: C-3 (General Commercial)  
To: C-2 (Central Business District)



Petitioner: Texada, John C.

Map No: 94

Jurisdiction: City



Original Print Date: 8/25/2015  
Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902