

▶ **FILE #:** 4-D-16-RZ

**AGENDA ITEM #:** 37

**AGENDA DATE:** 4/14/2016

▶ **APPLICANT:** THE COURTLAND GROUP

OWNER(S): Jeffrey Nash

TAX ID NUMBER: 94 E F 010

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 202 W Magnolia Ave

▶ **LOCATION:** South side of W. Magnolia Ave., west of Ogden St.

▶ **APPX. SIZE OF TRACT:** 0.2 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via W. Magnolia Ave., a minor collector street with 40' of pavement width within the large I-40/75 right-of-way. The site is within walking and biking distance to services in the downtown area and is near several transit routes.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

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

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

▶ **EXISTING LAND USE:** Eating and drinking establishment

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

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

HISTORY OF ZONING: The adjacent parcel to the east was rezoned to C-2 in October 2015.

SURROUNDING LAND USE AND ZONING: North: W. Magnolia Ave., elevated I-40/75, public parking / C-3 (General Commercial)

South: Open outdoor storage area / C-2 (Central Business)

East: Ogden St., Business under renovation / C-2 (Central Business)

West: Business / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of retail, restaurant, office, and residential uses 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 site with mixed uses, as proposed by the Magnolia Avenue Corridor Plan. It is an extension of zoning from the south and east, 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 site with mixed uses, as proposed by the Central City Sector Plan.
2. C-2 zoning for this property is comparable to other properties to the south and east, that have been rezoned C-2, to allow a greater mix of uses.
3. The site is located within the MA4 area of the Magnolia Avenue Corridor 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.

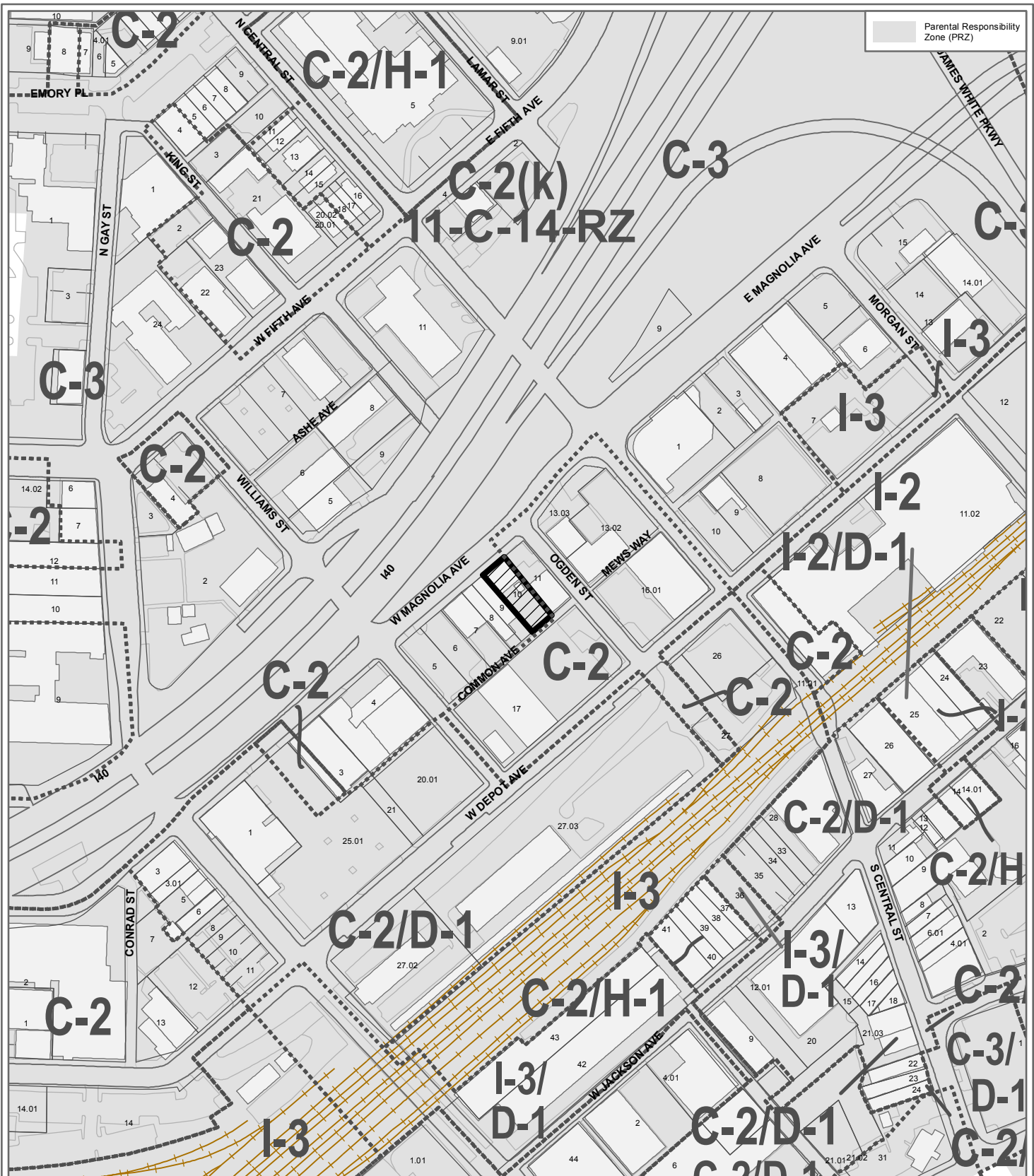
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Central City Sector Plan designates the site a Mixed Use Special District (MU-CC3) which allows consideration of the C-2 district.
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 5/10/2016 and 5/24/2016. 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.



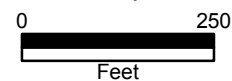
**4-D-16-RZ  
REZONING**

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



Petitioner: The Courtland Group

Map No: 94  
Jurisdiction: City



Original Print Date: 3/21/2016  
Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902