

▶ **FILE #:** 1-C-16-RZ

AGENDA ITEM #: 32

AGENDA DATE: 1/14/2016

▶ **APPLICANT:** BRIAN HANN

OWNER(S): Brian Hann

TAX ID NUMBER: 95 H A 020

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 301 E Jackson Ave

▶ **LOCATION:** Northwest side E. Jackson Ave., northeast side Morgan 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 Morgan St., a local street with 25' of pavement width within 52' of right-of-way. The property is also within close proximity to several transit routes.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **PRESENT ZONING:** I-2 (Restricted Manufacturing and Warehousing) / D-1 (Downtown Design Overlay)

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

▶ **EXISTING LAND USE:** Vacant lot

▶ **PROPOSED USE:** Mixed use residential/retail

EXTENSION OF ZONE: No

HISTORY OF ZONING: Several properties in this area have changed to C-2/D-1 zoning.

SURROUNDING LAND USE AND ZONING: North: Railroad ROW and Vacant lot / I-2 (Restricted Manufacturing and Warehousing District)

South: Jackson Ave. and Surface parking lot / C-3 (General Commercial District) and D-1 (Downtown Design Overlay District)

East: James White Parkway and Surface parking lot / I-4 (Heavy Industrial District)

West: Morgan St. and Surface parking lot / I-2 (Restricted Manufacturing and Warehousing District) and D-1 (Downtown Design Overlay District)

NEIGHBORHOOD CONTEXT: The property is located in the "Old City", an area with a mix of restaurants, retail, offices, residences and warehouse uses. The property is at the corner of Morgan St. and E. Jackson Ave., along the west side of the James White Parkway overpass. There is currently several surface parking lots that surround the property, including a public parking lot under the overpass. A rail line is on the north side of the property.

STAFF RECOMMENDATION:

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

C-2 / D-1 zoning is compatible with the surrounding land uses and zoning pattern and are consistent with the sector and One Year Plan proposals for the property.

COMMENTS:

The majority of the "Old City" area has historically been zoned industrial and as this area have converted to uses similar to the rest of downtown, the C-2 zone has nearly replaced all of the industrial zoning. The D-1 overlay is currently on the property and will be retained if the base zone change is approved.

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 a mix of uses, as proposed by the Central City Sector Plan (2014) and the Magnolia Avenue Corridor Plan (2009).
2. C-2 is the predominate zoning in the "Old City" area.
3. The site is located within the MU-CC3 (SOMAG Mixed Use District) of the sector plan which recommends mixed use zoning conditioned upon the applicable design concepts of the Magnolia Avenue Corridor Plan.
4. The D-1 overlay is currently on the property and will provide the necessary design review intended by the recommendations of the Magnolia Avenue Corridor Plan.

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 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 Knoxville Design Guidelines. New construction and 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 the requested 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. The proposal is compatible with the surrounding land uses and zoning pattern.
2. Any new development or other site improvements will be required to receive a Certificate of Appropriateness from the Downtown Design Review Board.
3. 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 site is within the MU-CC3 mixed use special district of the Central City Sector Plan and One Year Plan, which recommends a mix of uses, including office, wholesale and retail commercial, warehousing and light manufacturing, and residential development. The sector plan also recommends zoning be conditioned with the applicable design concepts of the Magnolia Avenue Corridor Plan. The C-2 zoning with the D-1 overlay is consistent with the recommendations of the sector plan.
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 2/2/2016 and 2/16/2016. 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.



**1-C-16-RZ
REZONING**

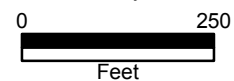
From: I-2 (Restricted Manufacturing and Warehousing) / D-1 (Downtown Design Overlay)
To: C-2 (Central Business District) / D-1 (Downtown Design Overlay)



Petitioner: Hann, Brian

Map No: 95

Jurisdiction: City



Original Print Date: 12/29/2015 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902