

▶ **FILE #:** 5-A-18-RZ

AGENDA ITEM #: 33

AGENDA DATE: 5/10/2018

▶ **APPLICANT:** KNOXVILLE PRESERVATION AND DEVELOPMENT, LLC

OWNER(S): Knoxville Preservation and Development, LLC

TAX ID NUMBER: 81 N H 00801

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 108 W Oklahoma Ave

▶ **LOCATION:** Southeast side W. Oklahoma Ave., southwest side N. Central St.

▶ **APPX. SIZE OF TRACT:** 0.93 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via N. Central St., a minor arterial street with 48' of pavement width within 80' of right-of-way, or W. Oklahoma Ave., a local street with 40' of pavement width within 65' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT ZONING:** C-3 (General Commercial) and I-2 (Restricted Manufacturing & Warehouse)

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

▶ **EXISTING LAND USE:** Commercial building

▶ **PROPOSED USE:** Commercial development

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: W. Oklahoma Ave., business / C-3 (General Commercial)

South: Business / C-3 (General Commercial)

East: N. Central St., business / C-3 (General Commercial)

West: Business / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT: This area is developed with commercial and light industrial uses under C-3 and I-2 zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE C-2 (General Business) zoning, subject to one condition.**

1. MPC use on review approval of complete development plans for the site shall be required before any new uses or development are permitted. Development plans will need to meet development and design criteria of the Central City Sector Plan and the Broadway-Central-Emory Place Small Area Plan.

The sector plan proposes mixed uses for the site. C-2 is the only true mixed use zoning district currently available in the current City Ordinance. Although this site is located outside of the central business area, it is appropriate for C-2 zoning with the recommended conditions that will insure that the development meets sector plan development criteria for the area. The current zoning of the area makes most existing structures non-conforming.

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. With the recommended condition, staff is of the opinion that the proposed rezoning meets the intent of the sector plan proposal for the area.
2. Both the sector plan and One Year Plan propose mixed uses for the site, consistent with the proposed C-2 zoning.
3. C-2 zoning is appropriate for this site, which is adjacent to commercial, office and light industrial zoning in an area designated on the sector plan for mixed uses.

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, commercial, financial, professional, governmental, and cultural activities. 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 site is appropriate to be rezoned to C-2.

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 recommended C-2 zoning is compatible with the surrounding land uses and zoning pattern.
2. C-2 zoning will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.
3. N. Central St. is classified as a minor arterial street, adequate to handle any additional traffic generated by allowing general mixed uses on 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 City of Knoxville One Year Plan proposes mixed uses for the site, consistent with C-2 zoning.
2. The Central City Sector Plan proposes mixed uses for the site, 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 recommended C-2 zoning 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 6/5/2018 and 6/19/2018. 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.



**5-A-18-RZ
REZONING**

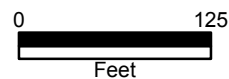
From: C-3 (General Commercial) and I-2 (Restricted Manufacturing & Warehousing)
To: C-2 (Central Business District)



Original Print Date: 4/16/2018 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Knoxville Preservation and Development, LLC

Map No: 81
Jurisdiction: City



MU-CC2:

Central Street Corridor Mixed Use District

(south of Woodland Avenue)

This district is intended to preserve the historic qualities of this area and promote new development that creates a consistent built pattern with that of the historic structures. As part of this plan, the MU-CC2 district is being extended to include the properties facing West Baxter Avenue between North Central Street and Wray Street, and North Central Street from Oklahoma Avenue to Woodland Avenue. The residential character of West Baxter Avenue should be retained by renovating/reusing the existing houses, and scaling new structures in respect to these houses.



Two-story, mixed-use development is appropriate for the Central Street corridor, particularly in the area of Happy Holler.

Recommended Uses

A mix of uses should be allowed for the entire district, including residential, office and commercial development. The concept is to allow mixed-use building forms that are more urban-oriented (for example, multiple stories with small or no front yard setbacks) and designed to enhance the pedestrian experience. Along local streets the scale of buildings and uses should be compatible with adjacent residential uses.

- Urban Corridor Mixed Use (MU-UC)
- Office (O)
- Medium Density Residential (MDR)
- Traditional Neighborhood Residential (TDR)
- General Commercial (GC) uses can also be considered on side streets where these uses currently exist, such as Baxter Avenue and West Scott Avenue.

Recommended Zoning

Form District or Corridor Overlay District zoning should be developed for the area. Basic and Planned Development district zones that allow a “recommended use”, or mix of these uses, for this district can be considered and should be conditioned to the applicable “Development characteristics” of Appendix 3 (Mixed-Use Development Guidelines) in the *Broadway-Central-Emory Place Small Area Plan* (MPC, 2007). The development characteristics include guidelines for building setbacks and height, commercial building design, parking, driveway access, open space, and lighting.

Transportation Improvements

- Continue to implement the concepts presented in the *Downtown North Streetscape Project* (City of Knoxville, 2010) schematic designs.
- Make all major streets a ‘complete street’ that is designed and operated to enable safe access for all users, including pedestrians, bicyclists, motorists and bus riders of all ages and abilities.
- Consolidate curb-cuts as redevelopment occurs.
- Enhance Knoxville Area Transit (KAT) service by frequency and amenities.

REZONING **PLAN AMENDMENT**

Name of Applicant: KNOXVILLE PRESERVATION AND DEVELOPMENT, LLC

Date Filed: March 22, 2018 Meeting Date: May 10 2018

Application Accepted by: M. Payne

Fee Amount: 750.00 File Number: Rezoning 5-A-18-RZ

Fee Amount: 75 File Number: Plan Amendment 75



PROPERTY INFORMATION

Address: 108 W OKLAHOMA AVE
 General Location: N Central AT West Oklahoma
 Parcel ID Number(s): 081NH00801
 Tract Size: 40,613 sq ft +/-
 Existing Land Use: Commercial Structures
 Planning Sector: Central City
 Growth Policy Plan: City
 Census Tract: 66
 Traffic Zone: 97
 Jurisdiction: City Council 4th District
 County Commission _____ District

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT
 Name: Daniel Schuh
 Company: KNOXVILLE PRESERVATION + DEVELOPMENT, LLC
 Address: 111 E. ANDERSON AVE
 City: Knoxville State: TN Zip: 37917
 Telephone: 865-898-0066
 Fax: _____
 E-mail: DAVID@KNOXPRESERVATION.COM

Requested Change

REZONING

FROM: C-3/I-2
 TO: C-2

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____
 TO: _____

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
 Name: Daniel Schuh
 Company: KPD LLC
 Address: 111 E. ANDERSON AVE
 City: Knoxville State: TN Zip: 37917
 Telephone: 865-898-0066
 Fax: _____
 E-mail: _____

PROPOSED USE OF PROPERTY

Commercial Development

Density Proposed _____ Units/Acre
 Previous Rezoning Requests: _____

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: [Signature]

PLEASE PRINT
 Name: Daniel Schuh
 Company: KPD, LLC
 Address: 111 E. ANDERSON AVE
 City: Knoxville State: TN Zip: 37917
 Telephone: 865-898-0066
 E-mail: _____

Due to reevaluation of the property at 108 W Oklahoma and the proposed development requirements, it has been determined that the variances that were applied for to enable the proposed development are not required. Rezoning of the property to C-2 has been identified as the appropriate route to enable the proposed development. Therefore I approve reducing the application fee for rezoning of the property at 108 W Oklahoma by the amount of the variance application fee that has been paid.



Gerald Green