

REZONING REPORT

▶ **FILE #:** 5-G-19-RZ

AGENDA ITEM #: 27

AGENDA DATE: 5/9/2019

▶ **APPLICANT:** URBAN ENGINEERING, INC.

OWNER(S): Jeffrey Nash / The Courtland Group, LLC

TAX ID NUMBER: 94 E H 015

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 101 Commerce Ave

▶ **LOCATION:** North side of Commerce Avenue, West side of S. Central Street, Southwest of E. Summit Hill Drive

▶ **APPX. SIZE OF TRACT:** 0.3 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Accessible from S. Central St., a minor arterial with 40' of pavement within 32' of right-of-way, and Commerce Ave., a local street with 25' of pavement within 44' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **PRESENT ZONING:** C-3 (General Commercial) / D-1 (Downtown Design Overlay)

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

▶ **EXISTING LAND USE:** Parking Lot

▶ **PROPOSED USE:** Restaurant / Parking

EXTENSION OF ZONE: Yes, from north, west & south

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Residential, Office / C-2 (Central Business) with D-1 (Downtown Design Overlay)

South: Residential / C-2 (Central Business) with D-1 (Downtown Design Overlay)

East: Dog park / OS-2 (Park and Open Space)

West: Vacant land / C-2 (Central Business) with D-1 (Downtown Design Overlay)

NEIGHBORHOOD CONTEXT: This property is in the downtown core and the surrounding area has a mix of residential condos and apartments, and office and commercial uses. The downtown dog park is across Central Street and the Marble Alley Lofts development is across Commerce Avenue.

STAFF RECOMMENDATION:

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

C-2 (Central Business District) zoning is compatible with the surrounding land uses and zoning. Other

properties in the area have been rezoned C-2 in recent years, consistent with approved land use 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 is compatible with the surrounding land uses and zoning. Other properties in the area have been rezoned C-2 in recent years, consistent with approved land use plans for the area.
- 2.C-2 zoning allows the proposed restaurant use, or the redevelopment of the site for mixed use.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

- 1.C-2 zoning was developed for downtown and allows a mixture of 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 (Downtown Design 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 design guidelines.

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 C-2 zoning is compatible with the surrounding land uses, zoning pattern, scale and intensity of development.
- 2.The rezoning will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.

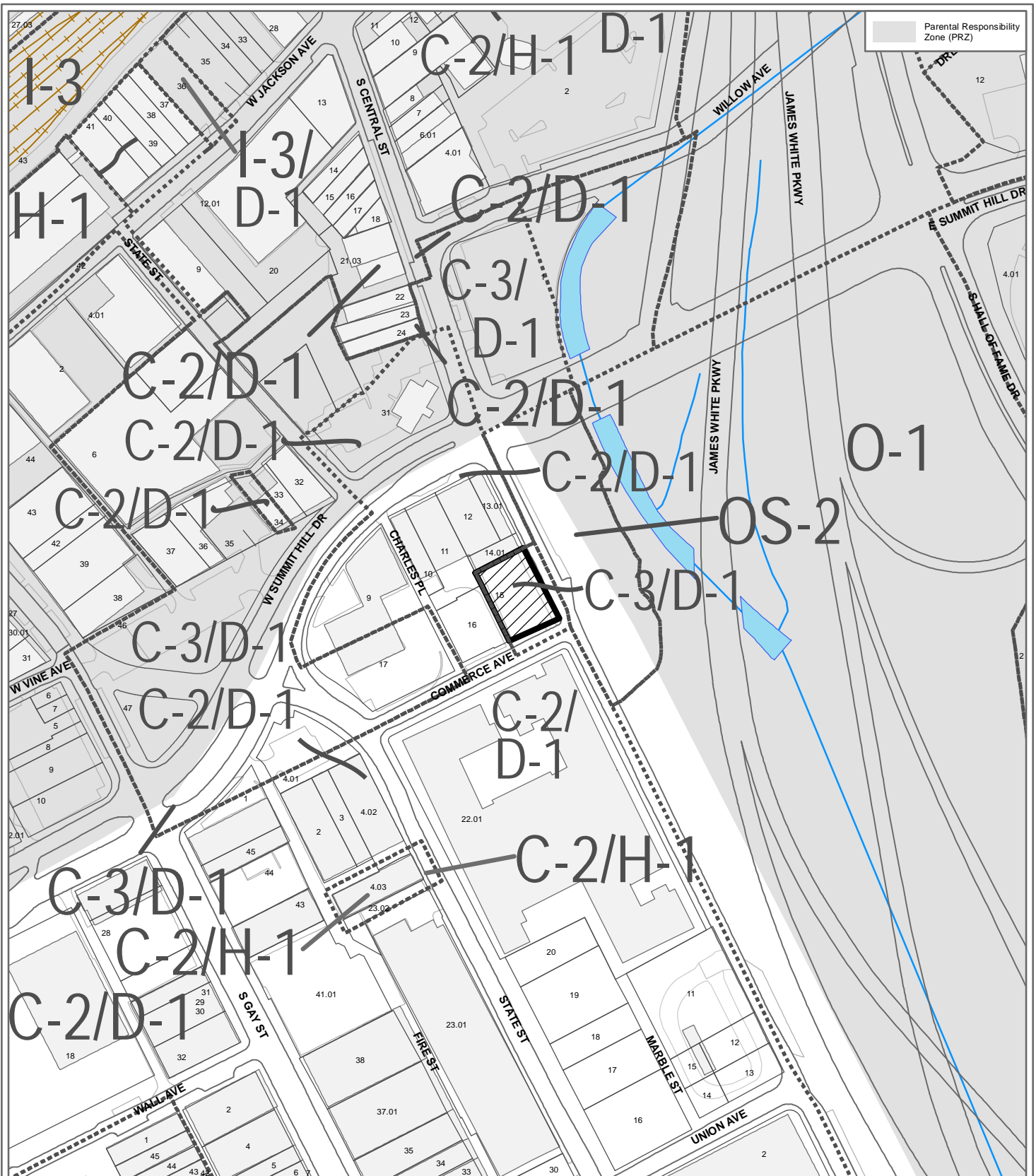
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OR KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

- 1.The Regional Mixed Use Center (MU-RC) land use classification permits C-2 zoning district within the downtown area.
- 2.This proposal does not present any apparent conflicts with any 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 6/4/2019 and 6/18/2019. If denied, Knoxville-Knox County Planning Commission'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 a Planning Commission decision in the City.



**5-G-19-RZ
REZONING**

From: C-3 (General Commercial) / D-1 (Downtown Design Overlay)

To: C-2 (Central Business District) / D-1 (Downtown Design Overlay)



Petitioner: Urban Engineering, Inc.

Map No: 94

Jurisdiction: City



Original Print Date: 4/17/2019
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
FAX • 215 • 2068
www.knoxmpc.org

REZONING **PLAN AMENDMENT**

Name of Applicant: URBAN ENGINEERING, INC.

Date Filed: 3/23/19 Meeting Date: 5/9/19

Application Accepted by: Mike Reynolds

Fee Amount: \$1,000.⁰⁰ File Number: Rezoning 5-6-19-R2

Fee Amount: _____ File Number: Plan Amendment _____



PROPERTY INFORMATION

Address: 101 COMMERCE AVE.

General Location: S. CENTRAL @ SUMMIT HILL
W/S S. Central St. N/S Commerce

Parcel ID Number(s): 094 E 14015

Tract Size: 0.2 - AC 3 ac 43715 sq ft.

Existing Land Use: PARKING LOT

Planning Sector: CENTRAL CITY

Growth Policy Plan: URBAN

Census Tract: 1

Traffic Zone: 1

Jurisdiction: City Council 6 District
 County Commission _____ District

Requested Change

REZONING

FROM: C-2/D-1

TO: C-2/D-1

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____

TO: _____

PROPOSED USE OF PROPERTY

RESTAURANT / PARKING

Density Proposed _____ Units/Acre

Previous Rezoning Requests: _____

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT

Name: JEFFREY NASH

Company: THE COURTHAND GROUP, LLC

Address: 109 S. GAY STREET

City: KNOXVILLE State: TN Zip: 37902

Telephone: 524-2525

Fax: _____

E-mail: JNASH@COURTHANDGROUP.COM

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: CHRIS SHARP

Company: URBAN ENGINEERING

Address: 11852 KINGSTON PK.

City: KNOXVILLE State: TN Zip: 37934

Telephone: 966-1924

Fax: 315-7011

E-mail: CHRIS@URBAN-ENG.COM

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: CHRIS SHARP

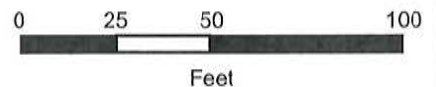
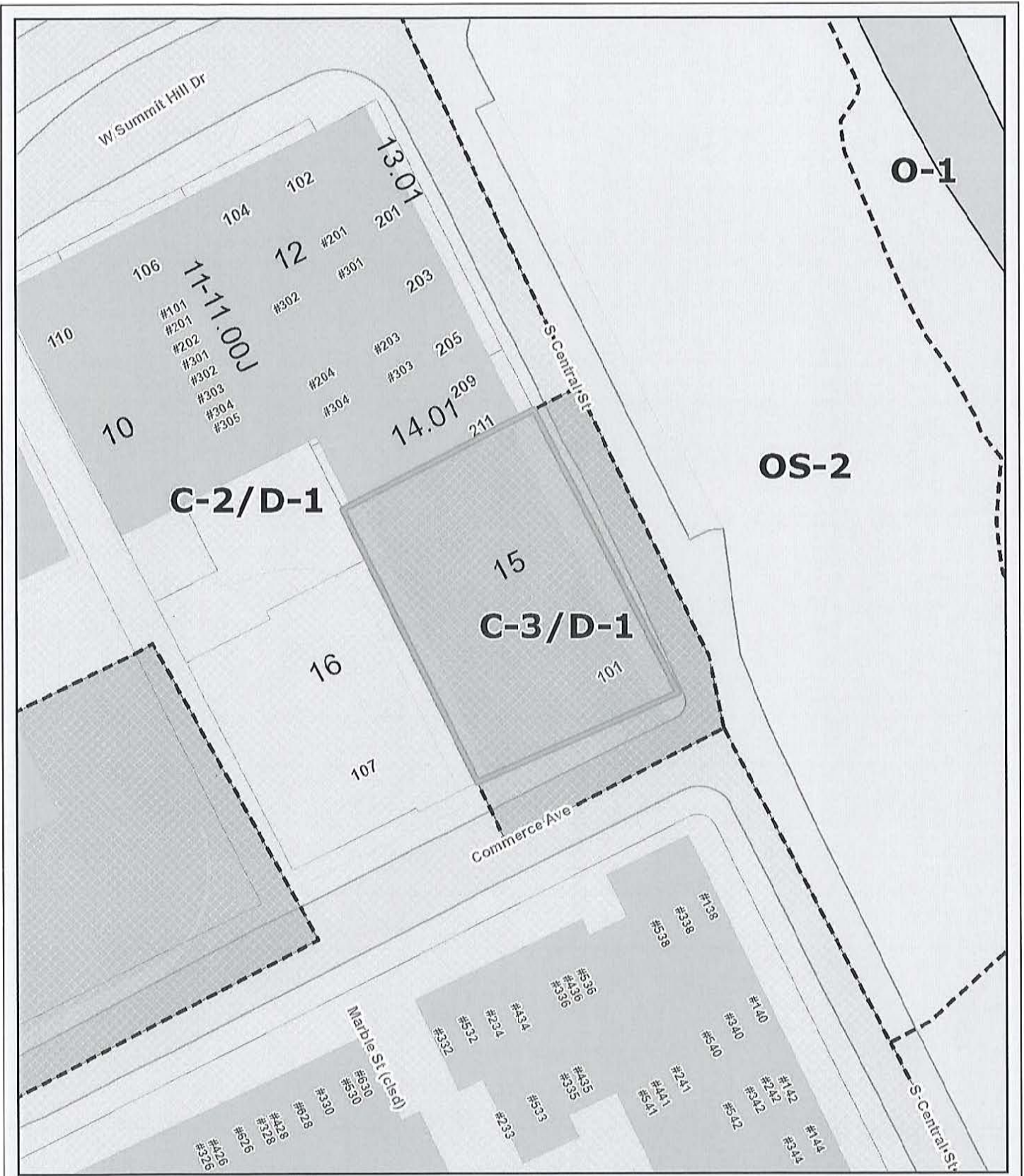
Company: URBAN ENGINEERING

Address: 11852 KINGSTON PIKE

City: KNOXVILLE State: TN Zip: 37934

Telephone: 966-1924

E-mail: CHRIS@URBAN-ENG.COM



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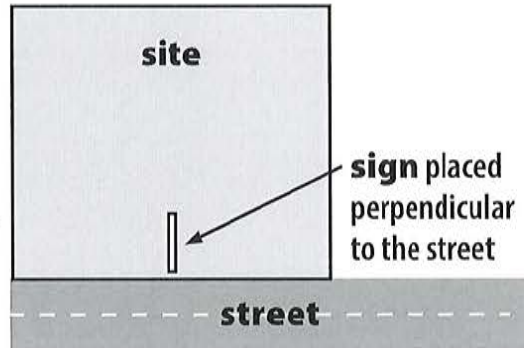
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted Administrative Rules and Procedures.

At the time of application, staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the Planning offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled Planning Commission public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next Planning Commission meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

4/24/2019 and 5/10/2019
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: Cory J. Matlock

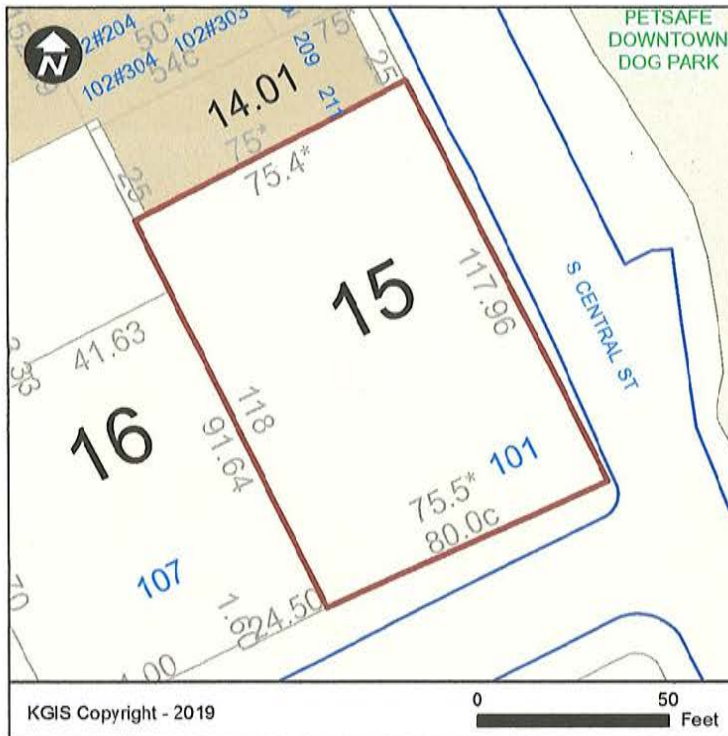
Printed Name: Cory J. Matlock

Phone: _____ Email: _____

Date: 3/25/2019

File Number: 5-6-19-RZ

Parcel 094EH015 - Property Map and Details Report



Property Information

Parcel ID:	094EH015
Location Address:	101 COMMERCE AVE
CLT Map:	94
Insert:	E
Group:	H
Condo Letter:	
Parcel:	15
Parcel Type:	
District:	06
Ward:	
City Block:	05022
Subdivision:	
Rec. Acreage:	0
Calc. Acreage:	0
Recorded Plat:	-
Recorded Deed:	20170816 - 0010661
Deed Type:	Deed:Full Coven
Deed Date:	8/16/2017

Address Information

Site Address: 101 COMMERCE AVE
 KNOXVILLE - 37902
 Address Type: PARKING
 Site Name:

Owner Information

THE COURTLAND GROUP LLC
 109 S GAY ST
 KNOXVILLE, TN 37902
 The owner information shown in this section does **not** necessarily reflect the person(s) responsible for Last Year's property taxes. Report any errors to the Knox County Property Assessor's office at (865) 215-2365.

Jurisdiction Information

County: KNOX COUNTY
 City / Township: Knoxville

MPC Information

Census Tract: 1
 Planning Sector: Central City
 Please contact Knox County Metropolitan Planning Commission (MPC) at (865) 215-2500 if you have questions.

Political Districts

Voting Precinct: 06
 Voting Location: Green School
 801 LULA POWELL DR
 TN State House: 15 Rick Staples
 TN State Senate: 7 Richard Briggs
 County Commission: 1 Evelyn Gill

School Zones

Elementary: SEQUOYAH ELEMENTARY
 Intermediate:
 Middle: VINE MIDDLE MAGNET
 High: AUSTIN-EAST HIGH MAGNET
 Please contact Knox County Schools Transportation and Zoning Department at (865) 594-1550 if you have questions.

City Council: 6 Gwen McKenzie
 School Board: 1 Evetty Satterfield
 Please contact Knox County Election Commission at (865) 215-2480 if you have questions.

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