

REZONING REPORT

► **FILE #:** 10-O-19-RZ

AGENDA ITEM #: 32

AGENDA DATE: 10/10/2019

► **APPLICANT:** CHRIS SHARP / URBAN ENGINEERING, INC.

OWNER(S): The Courtland Group, LLC

TAX ID NUMBER: 94 D H 004, 002 & 00402

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 104 E. 5th Avenue, 114 E. 5th Avenue, and 0 N. Central Street

► **LOCATION:** Southeast quadrant of the intersection of N. Central Street and E. Fifth Avenue

► **APPX. SIZE OF TRACT:** 0.6 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: These properties have frontage on N. Central Street and E. 5th Avenue. N. Central Street is a minor arterial with a 31-foot pavement width and a 64-foot right-of-way width. E. 5th Avenue is a major arterial with a 29-foot pavement width and an 80-foot right-of-way width.

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:** The only building on the three parcels is vacant.

► **PROPOSED USE:** The applicant states it will be a mixed use building, but no specific uses or tenants have been identified

DENSITY PROPOSED: n/a

EXTENSION OF ZONE: Yes, C-2 zoning is to the north

HISTORY OF ZONING: None noted for this property

SURROUNDING LAND USE AND ZONING: North: Multifamily and Office - C-2 (Central Business District)/H-1 (Historical Overlay District)

South: Right-of-way - Right-of-way

East: Right-of-way - Right-of-way

West: Commercial - C-3 (General Commercial District)

NEIGHBORHOOD CONTEXT: This building is at the southern end of a mixed use area. It is across the street from the newly renovated Knoxville High Senior Living Apartments to the north and a AAA office to the west. McMillan Flats Apartments (duplex townhouses) are in the block to the northwest. This area is separated from The Old City by the interstate.

STAFF RECOMMENDATION:

► **Approve C-2 (Central Business District) zoning.**

Staff recommends approval of the requested C-2 (Central Business District) zoning since it is consistent with the Central City Sector Plan and is a minor extension of that zone.

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. Rezoning from to C-2 began in this area in 2011 and have continued to a point at which much of N. Central Street in the general vicinity is zoned C-2.

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

1. The proposed amendment to C-2 (Central Business District), with complementary office, medical, civic, residential, and historical areas, forms the metropolitan center for commercial, financial, professional, governmental, and cultural activities. The intent here 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. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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. This property is surrounded by multifamily residential and commercial uses and is close to downtown, making it an ideal location for C-2 zoning.

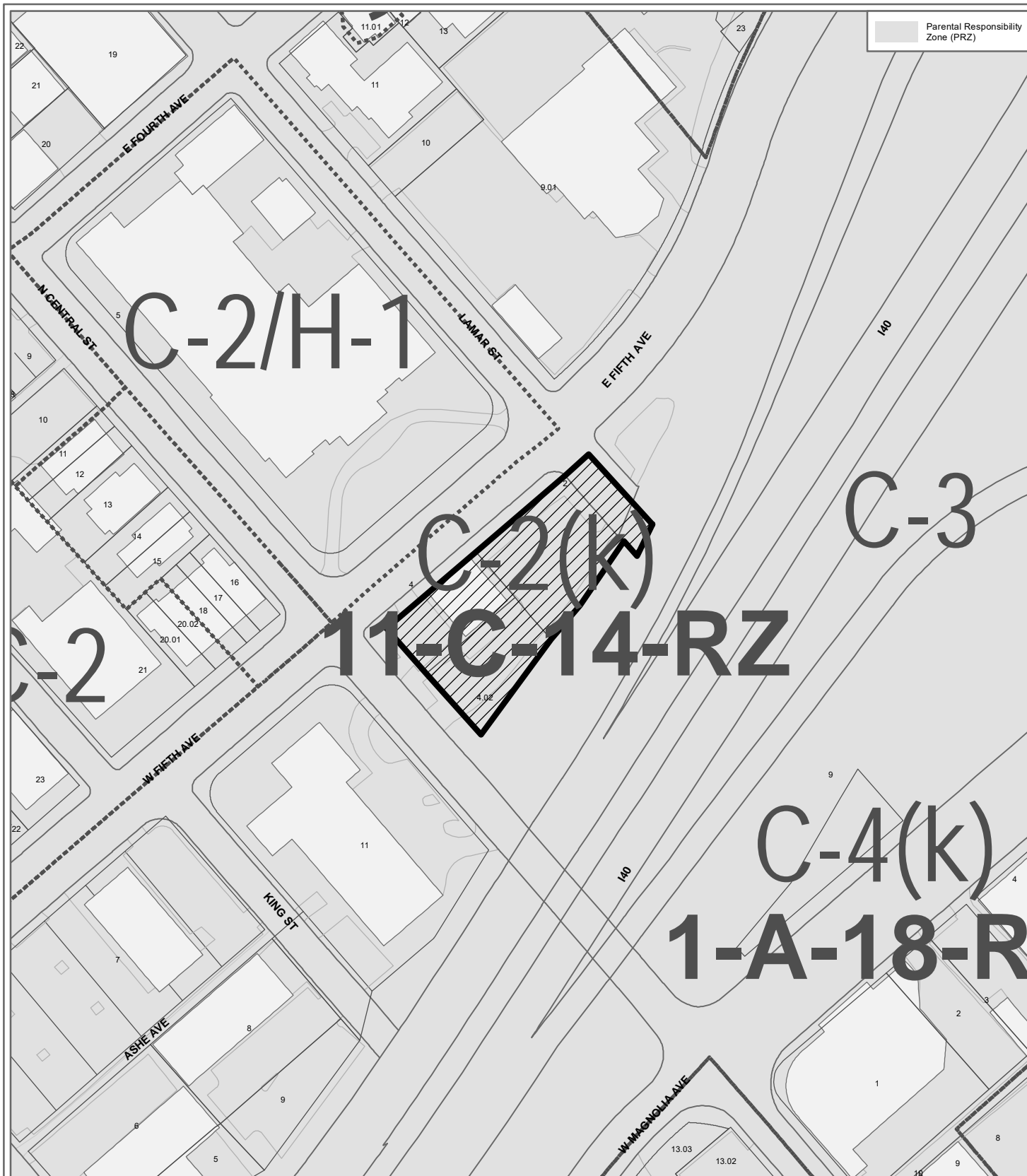
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. C-2 is compatible with the Central City Sector Plan's MU-SD, MU-CC1 (Mixed Use-Special District, Downtown North Mixed Use District) land use designation.
2. According to the Central City Sector Plan, "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" – Central City Sector Plan, p. 26.
3. This property is in the School Parental Responsibility Zone for Vine Middle Magnet School. Sidewalks are already in place and would be expected to remain (and be repaired where necessary) with any site or parking lot improvements.
4. A small sliver on the rear of this parcel has slopes ranging from 15% to 40% but the property does not contain an HP area.
5. This property is in FEMA Flood Zone X but is not in a floodplain or floodway.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

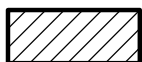
If approved, this item will be forwarded to Knoxville City Council for action on 11/5/2019 and 11/19/2019. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



**10-O-19-RZ
REZONING**

From: C-3 (General Commercial)

To: C-2 (Central Business District)



Petitioner: Urban Engineering, Inc.

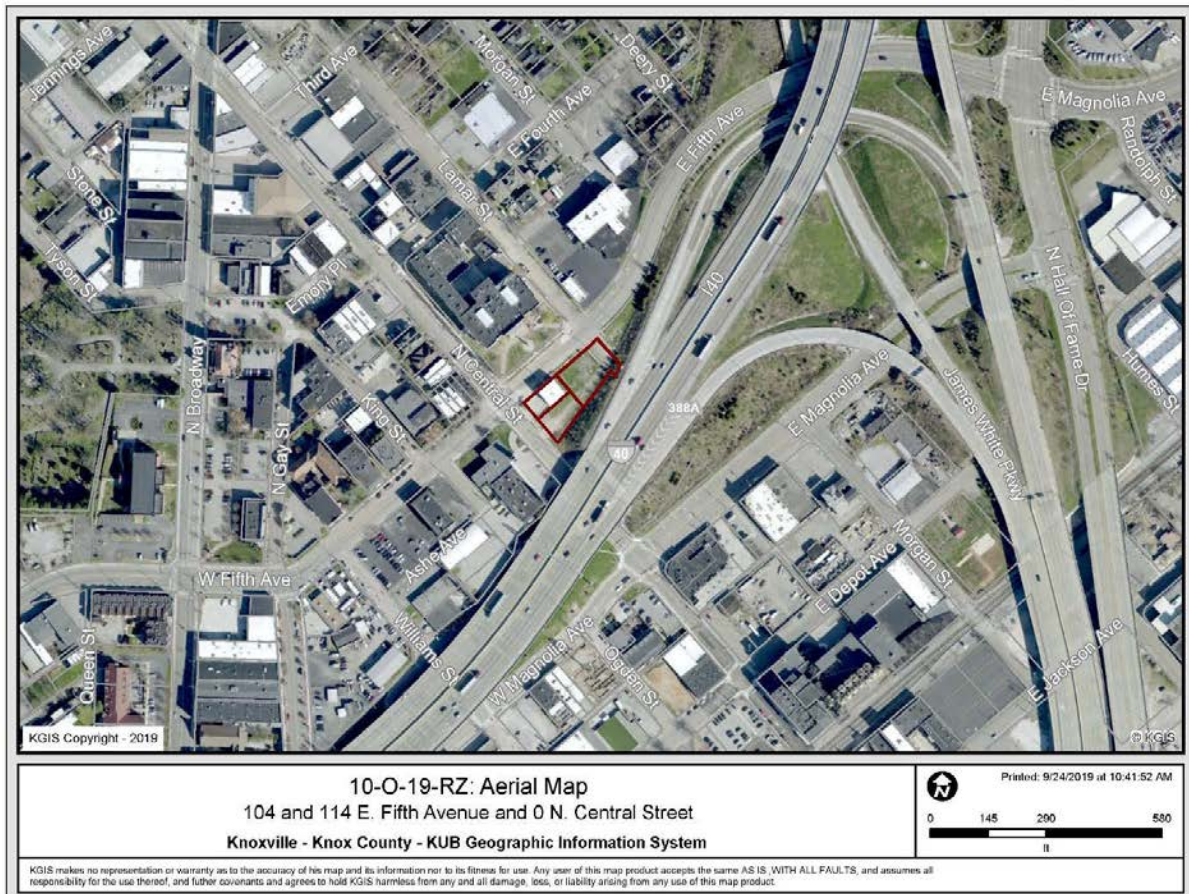
Map No: 94

Jurisdiction: City



Original Print Date: 9/17/2019
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

EXHIBIT A. Contextual Images



10-O-19-RZ

EXHIBIT A. Contextual Images

Birds eye views of 104 and 114 E. Fifth Avenue and 0 N. Central Street



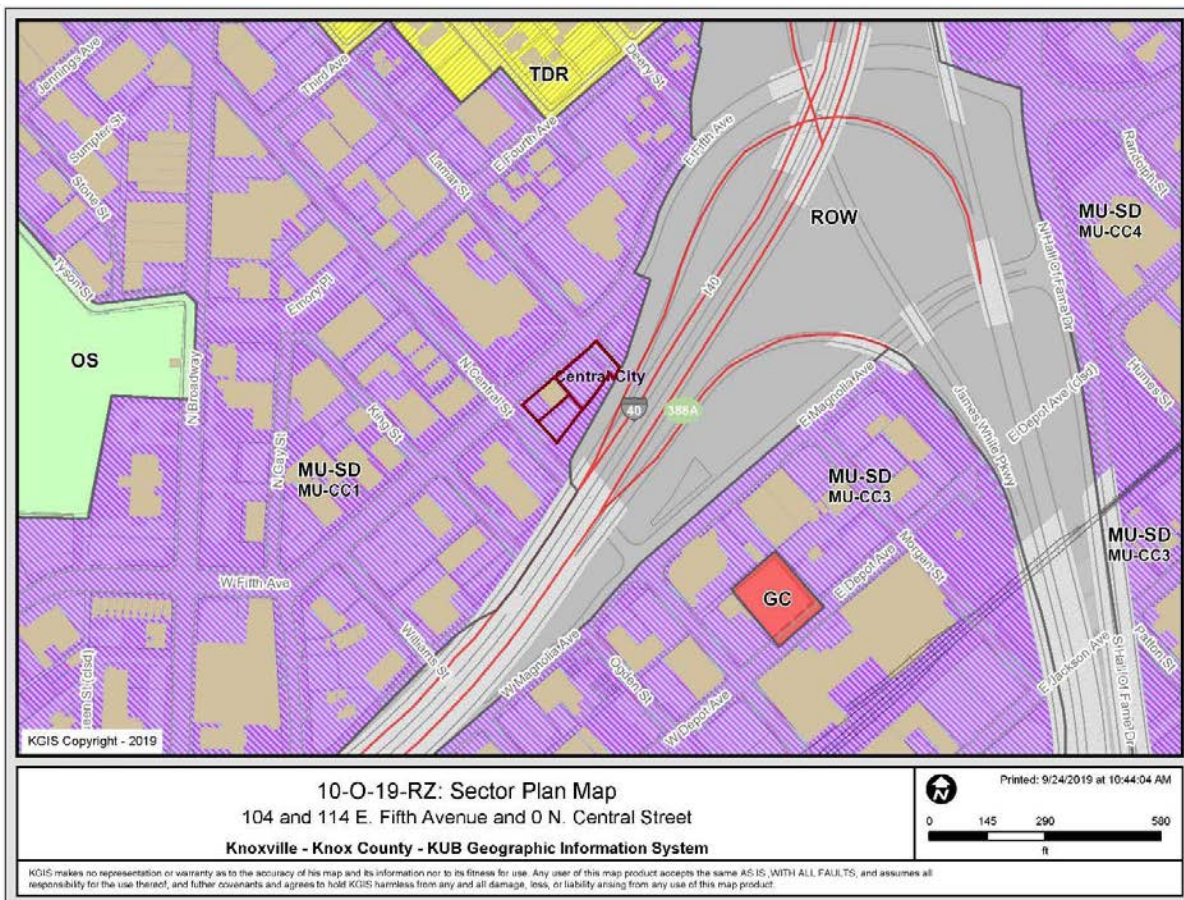
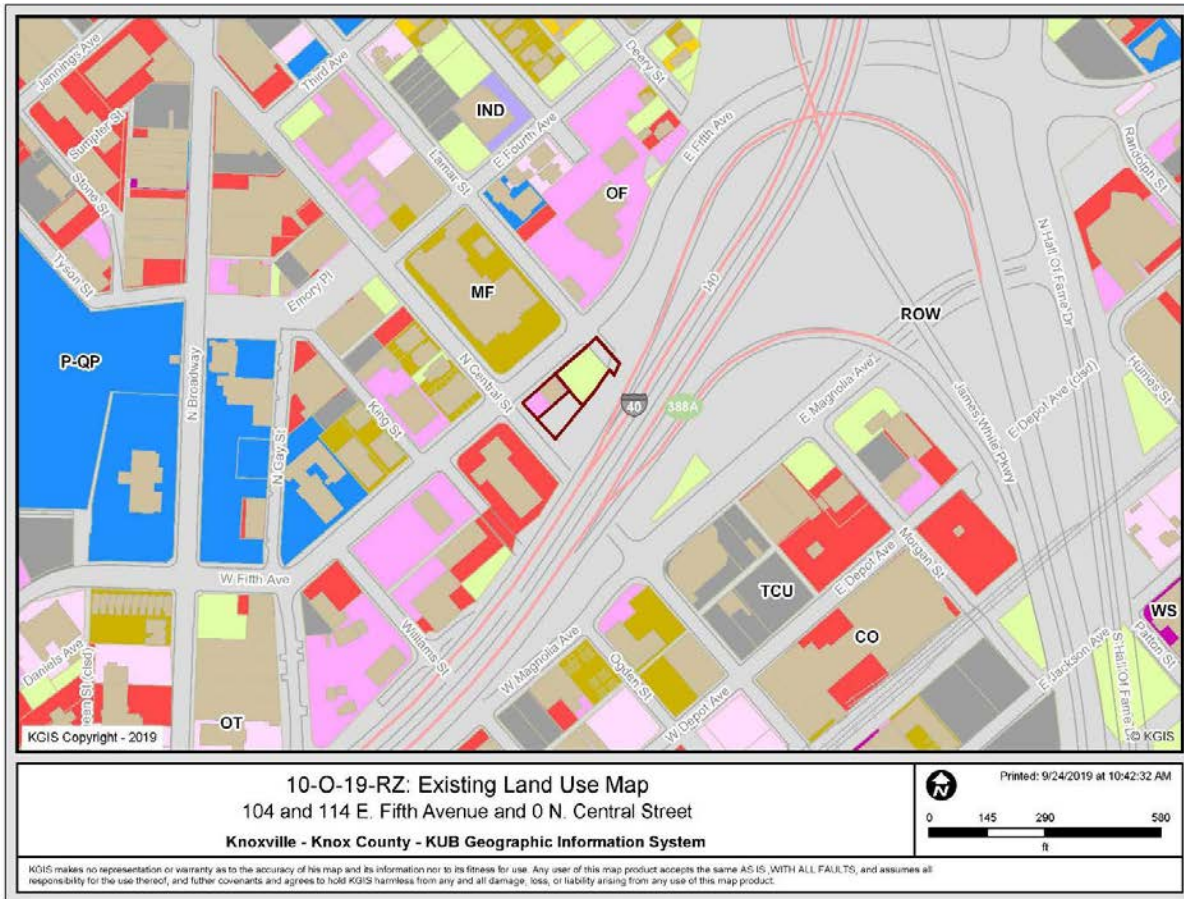
Looking north towards Knoxville High Senior Living facility



Looking south towards the building

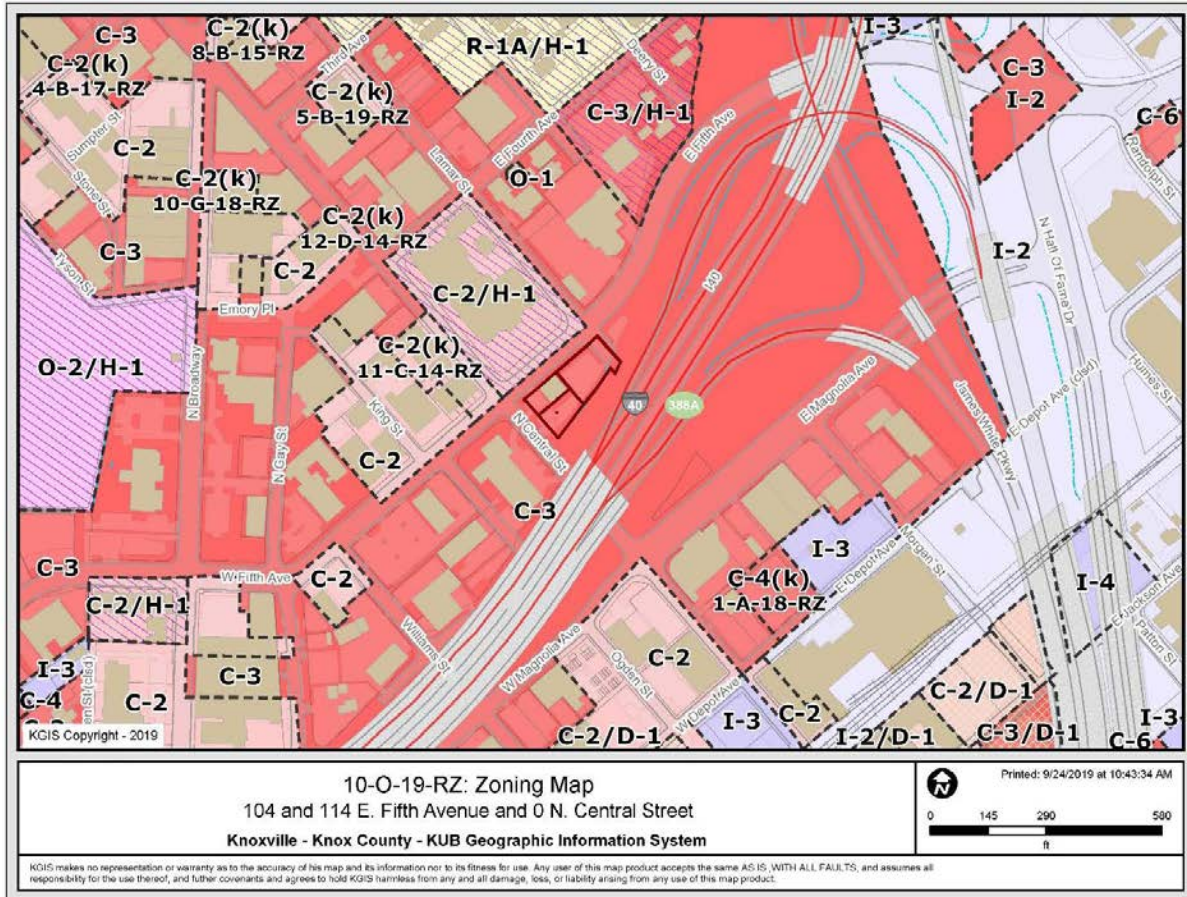
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EXHIBIT A. Contextual Images



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EXHIBIT A. Contextual Images





DEVELOPMENT REQUEST

DEVELOPMENT

- ☐ Development Plan
☐ Use on Review / Special Use

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat



Urban Engineering, Inc.

Applicant

8/26/19

10/10/19

10-0-19-RZ

Date Filed

Meeting Date (if applicable)

File Number(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

☒ Applicant ☐ Owner ☐ Option Holder ☐ Project Surveyor ☒ Engineer ☐ Architect/Landscape Architect

Chris Sharp

Urban Engineering, Inc.

Name

Company

11852 Kingston Pike

Knoxville

TN

37934

Address

City

State

Zip

865-966-1924

chris@urban-eng.com

Phone

Email

CURRENT PROPERTY INFO

The Courtland Group, LLC

109 S. Gay Street (37902)

865-524-2525

(1) Owner Name (if different) (2)

(3) Owner Address

(3)

(1)

Owner Phone (2)

104, 114 E. Fifth Ave. & 0 N. Central Street

094DH00402, 094DH004, 094DH002

Property Address

Parcel ID

W. Fifth Avenue @ N. Central Street w of Lamar St.

0.6-Acre

General Location

Tract Size

City of Knoxville, 4th District

C-3

Jurisdiction (specify district above)

☒ City ☐ County

Zoning District

Central City

MU-SD / MU-CC1

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

Vacant Building

No

KUB

KUB

Existing Land Use

Septic (Y/N)

Sewer Provider

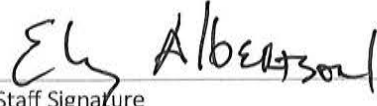

Water Provider

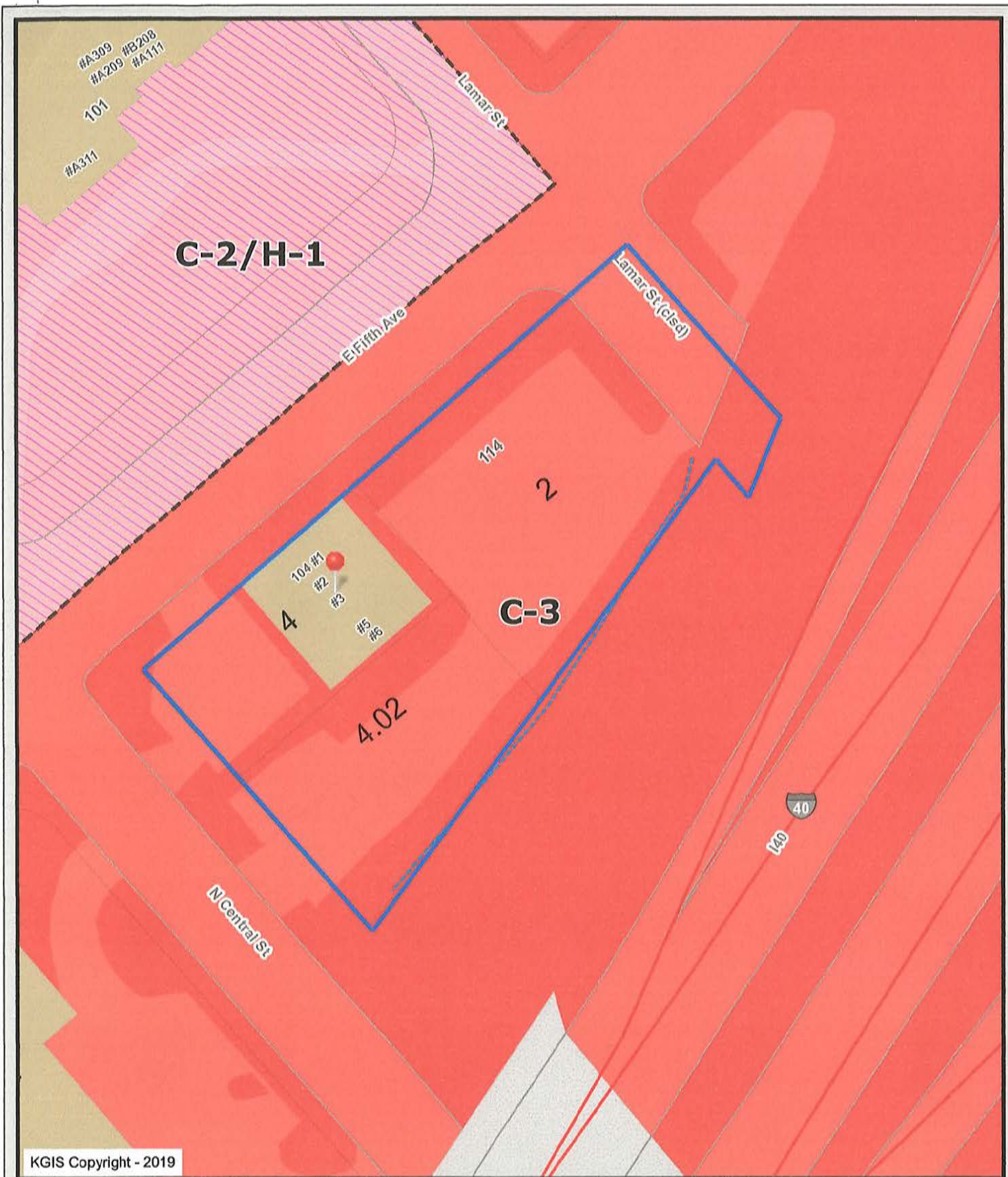
REQUEST

DEVELOPMENT	<input type="checkbox"/> Development Plan <input type="checkbox"/> Use on Review / Special Use <input type="checkbox"/> Residential <input type="checkbox"/> Non-Residential <input type="checkbox"/> Home Occupation (specify): _____ <input type="checkbox"/> Other (specify): _____		
	SUBDIVISION	<input type="checkbox"/> Proposed Subdivision Name _____ Unit / Phase Number _____ <input type="checkbox"/> Parcel Change <input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel Total Number of Lots Created: _____ <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Attachments / Additional Requirements	
		ZONING	<input checked="" type="checkbox"/> Zoning Change: <u>C-2</u> Proposed Zoning <input type="checkbox"/> Plan Amendment Change: _____ Proposed Plan Designation(s) Mixed Use <input type="checkbox"/> Proposed Property Use (specify) _____ Proposed Density (units/acre) _____ Previous Rezoning Requests _____ <input type="checkbox"/> Other (specify): _____

STAFF USE ONLY	PLAT TYPE <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	FEE 1:	TOTAL: 1,000.00	
	ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	0324 1,000.00		FEE 2:
	ADDITIONAL REQUIREMENTS <input type="checkbox"/> Design Plan Certification (Final Plat only) <input type="checkbox"/> Use on Review / Special Use (Concept Plan only) <input type="checkbox"/> Traffic Impact Study			FEE 3:

AUTHORIZATION

 Staff Signature	Elizabeth Albertson Please Print	8/26/2019 Date
 Applicant Signature	Christopher A. Sharp Please Print	8/26/19 Date



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Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



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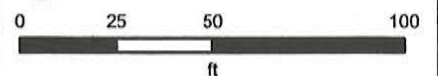


Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



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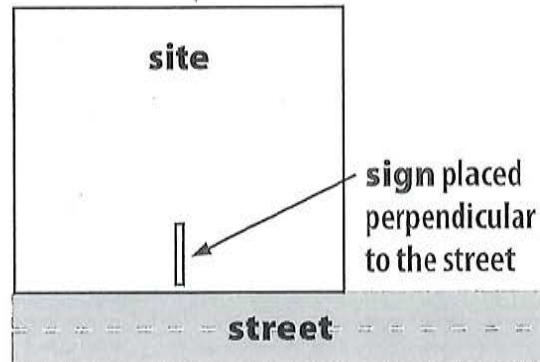
REQUIRED SIGN POSTING AGREEMENT

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 MPC Administrative Rules and Procedures.

At the time of application, MPC 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 MPC 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. MPC 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 MPC 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 MPC 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:

Sept 25, 2019 and Oct 11, 2019
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: Christopher A. Sharp

Printed Name: CHRIS SHARP

Phone: 966-1924 Email: CHRIS@URBAN-ENG.COM

Date: 8-26-19

MPC File Number: 10-0-19-RZ