

REZONING REPORT

▶ **FILE #:** 9-E-19-RZ

AGENDA ITEM #: 24

AGENDA DATE: 9/12/2019

▶ **APPLICANT:** NICK PATEL / TCH KNOXVILLE, LLC

OWNER(S): John and Teresa Alsup

TAX ID NUMBER: 95 H A 019

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 210 E. Jackson Avenue

▶ **LOCATION:** **The Warehouse District of the Old City, south of the intersection of E. Jackson Avenue and Morgan Street**

▶ **APPX. SIZE OF TRACT:** 0.758 acres

SECTOR PLAN: Central City

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Jackson Avenue is a local road with a pavement width of 41.4 feet and a right-of-way width that ranges from 41.4 to 43.4 feet.

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 District)

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

▶ **EXISTING LAND USE:** Vacant; former buildings demolished, foundations remain

▶ **PROPOSED USE:** Hotel

DENSITY PROPOSED: n/a

EXTENSION OF ZONE: Yes, to the west and north

HISTORY OF ZONING: 1994: Rezoned from I-2 (Restricted Manufacturing and Warehousing District) to C-3 (General Commercial District); The D-1 (Downtown Design Overlay District) was added in 2007.

SURROUNDING LAND USE AND ZONING: North: Transportation/Communications/Utilities - C-2 (Central Business District)

South: Separated by James White Parkway: Transportation/Communications/Utilities - I-2 (Restricted Manufacturing and Warehousing District)

East: Separated by James White Parkway: Agricultural/Forestry/Vacant - I-2 (Restricted Manufacturing and Warehousing District)

West: Commercial - C-2 (Central Business District)

NEIGHBORHOOD CONTEXT: This property is on the fringes of the Old City in the Warehouse district. The Magnolia Warehouse District begins on the other side of James White Parkway to the east. The Old City is home to a mix of uses including offices, retail, restaurants, bars, and residences.

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 the majority of parcels in The Old City are likewise zoned C-2.

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 I-2 to C-2 began in The Old City in 1982 and have continued to a point at which almost all of The Old City is zoned C-2, making the requested C-2 zoning more consistent with the surrounding area.
2. Development in the downtown area has increased since The Great Recession. The manner in which The Old City has developed seems to indicate more demand for C-2 approved uses than for those approved in I-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 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. The surrounding area is already zoned C-2 and contains a variety of commercial uses.

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:

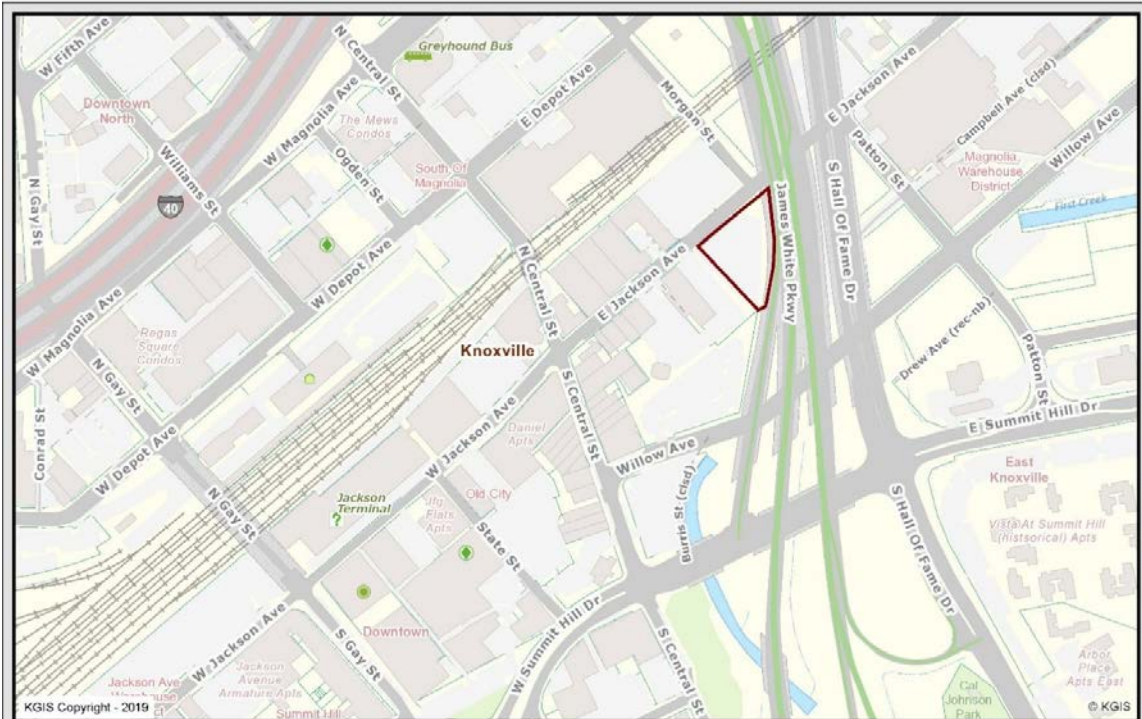
1. C-2 is compatible with the Central City Sector Plan's MU-SD, MU-CC3 (Mixed Use-Special District, Central City-3) land use designation.
2. According to the Central City Sector Plan, the recommended uses in MU-CC3 are office, wholesale and retail commercial, warehousing and light manufacturing, and residential development. The Magnolia Avenue Corridor Plan corroborates this.
3. This property is in the School Parental Responsibility Zone for Green Elementary Vine Middle Magnet Schools. Sidewalks are already in this place and would be expected to remain with any new development.
4. A small sliver on the rear of this parcel has slopes ranging from 15% to 40%.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 10/8/2019 and 10/22/2019. 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.

9-E-19-RZ
 EXHIBIT A. Contextual Images

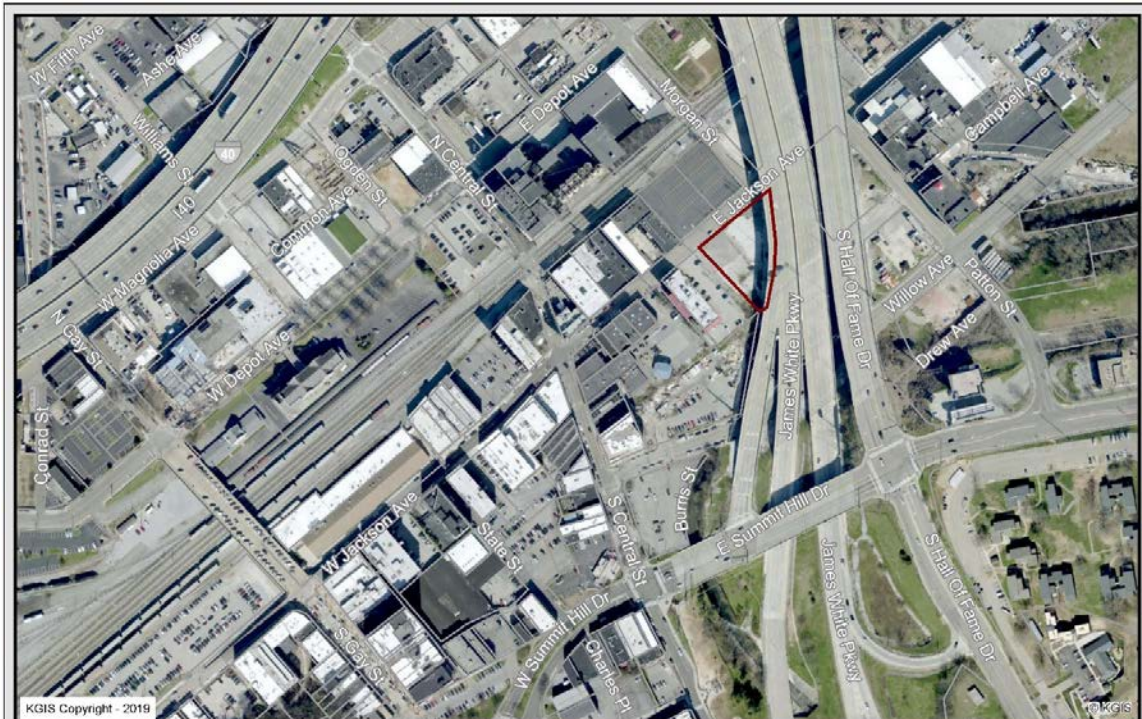


9-E-19-RZ: Location Map
 210 E. Jackson Avenue
 Knoxville - Knox County - KUB Geographic Information System

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ft

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9-E-19-RZ: Aerial Map
 210 E. Jackson Avenue
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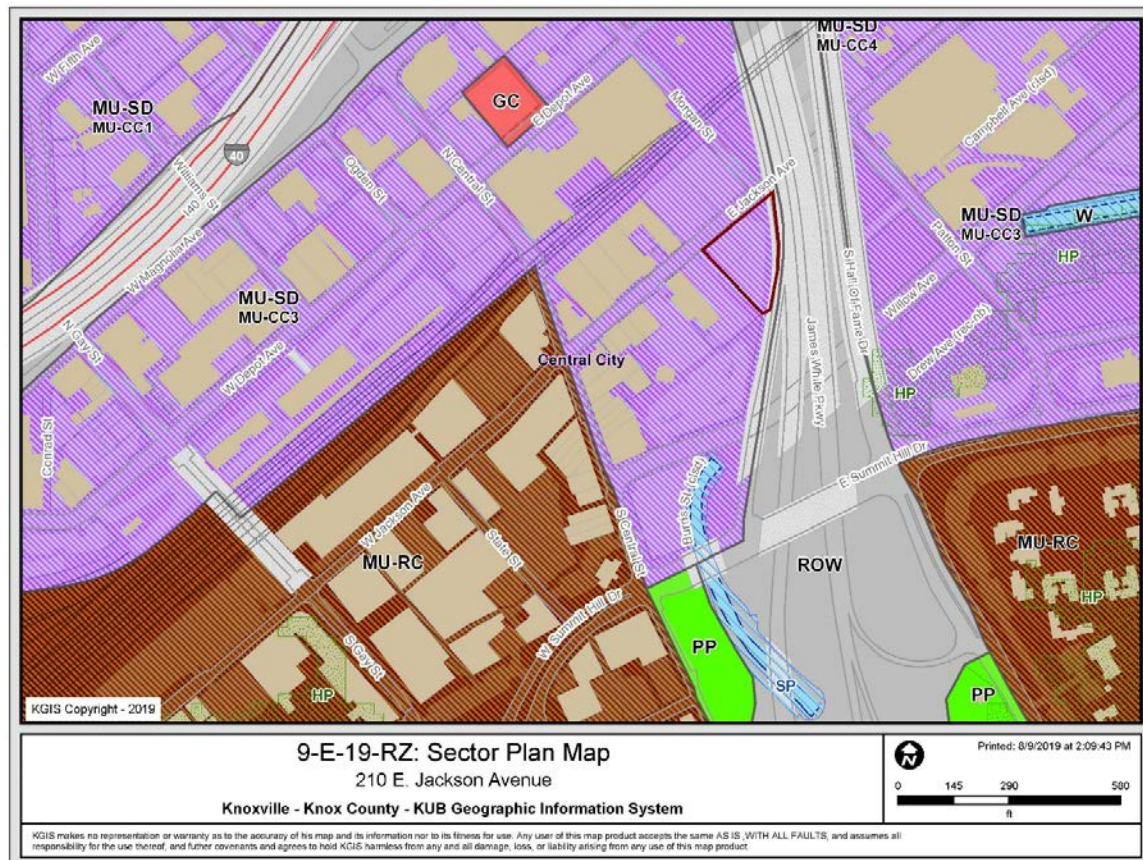
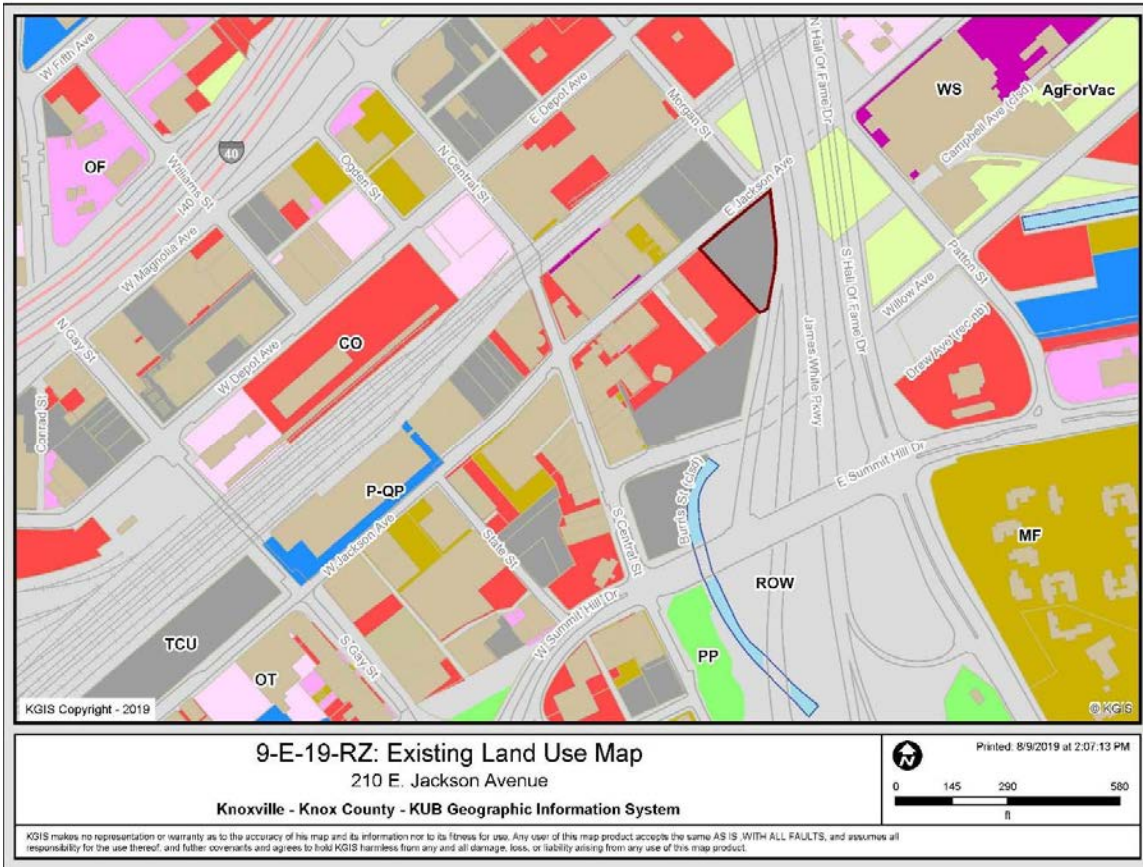
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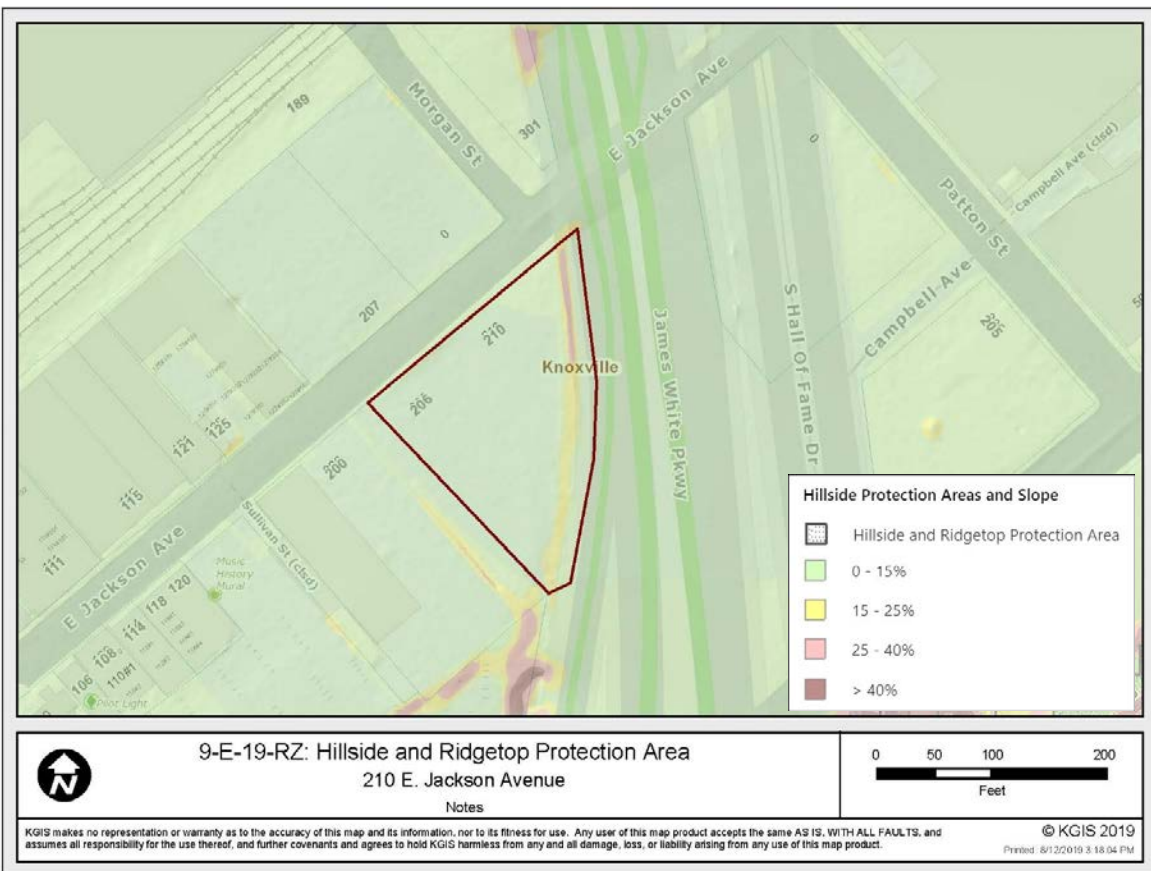
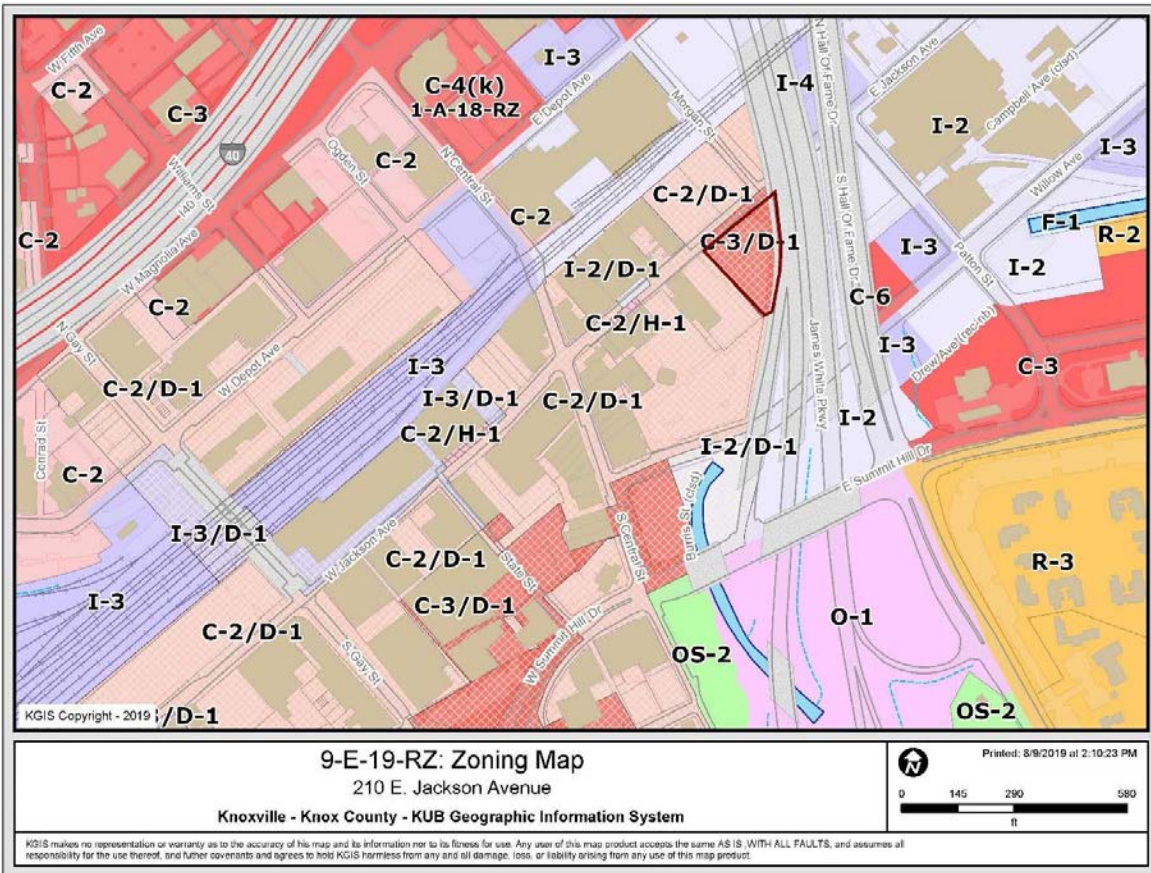
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EXHIBIT A. Contextual Images



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 EXHIBIT A. Contextual Images





DEVELOPMENT REQUEST



DEVELOPMENT

- Development Plan
- Use on Review / Special Use

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
- Rezoning

~~Turkey Creek Hospitality~~ T.C.H Knoxville, LLC (P)

Applicant

7-25-19

September 12, 2019

9-E-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

Nick Patel Turkey Creek Hospitality TCH Knoxville LLC (P)

Name 11227 Matthews Cove Lane (P) Company TCH Knoxville LLC (P)
6324 Papermill Drive Knoxville TN 37934 (P)
37919

Address City State Zip

nickpatel27@aol.com

Phone Email

CURRENT PROPERTY INFO

John and Teresa Alsup 2071 Hwy 25-70W, New Market, TN 37.

Owner Name (if different) Owner Address Owner Phone

210 E. Jackson Avenue 095HA019

Property Address Parcel ID

Warehouse District in the Old City east of Barley's 0.758 ac.

General Location Tract Size

6 Knoxville General Commercial, Downtown Design Overlay C-3 and D-1

Jurisdiction (specify district above) City County Zoning District

MU-SD/MU-CC3 Magnolia Ave C MU - Mixed Use City of Knoxville

Planning Sector Central City Sector Plan Land Use Classification Growth Policy Plan Designation

TCU - Parking N KUB KUB

Existing Land Use Septic (Y/N) Sewer Provider Water Provider

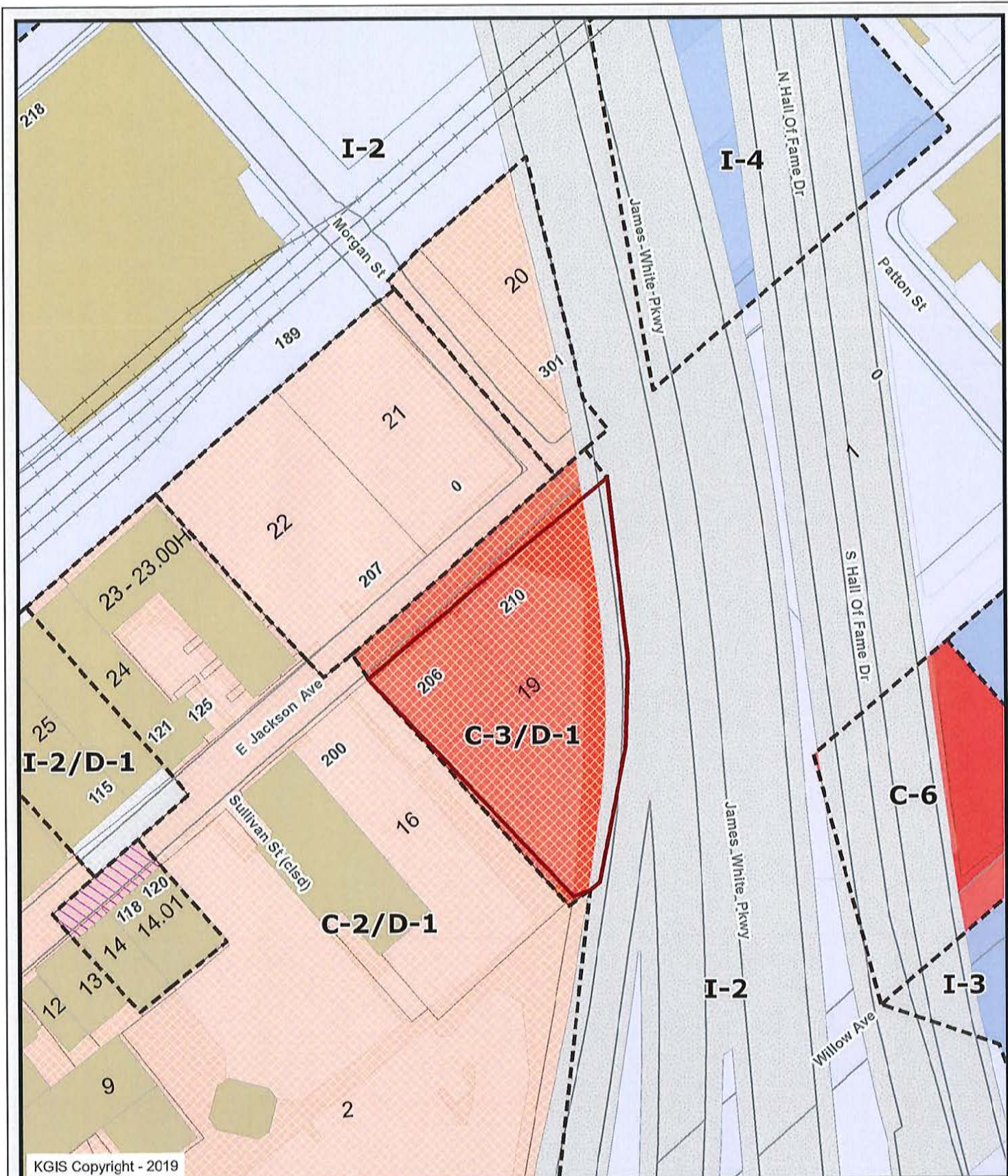
REQUEST

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: C-2 Central Business District Proposed Zoning _____ <input type="checkbox"/> Plan Amendment Change: _____ Proposed Plan Designation(s) _____ Hotel <input type="checkbox"/> Proposed Property Use (specify) _____ Proposed Density (units/acre) _____ Previous Rezoning Requests _____ <input type="checkbox"/> Other (specify): _____

STAFF USE ONLY	PLAT TYPE	FEE 1:	TOTAL:
	<input type="checkbox"/> Administrative <input type="checkbox"/> Meeting	1000.00	
	ATTACHMENTS	FEE 2:	
	<input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request ADDITIONAL REQUIREMENTS <input type="checkbox"/> Design Plan Certification (<i>Final Plat only</i>) <input type="checkbox"/> Use on Review / Special Use (<i>Concept Plan only</i>) <input type="checkbox"/> Traffic Impact Study	FEE 3:	
		1000.00	

AUTHORIZATION

<i>Sherry Michienzi</i> Staff Signature	SHERRY MICHENZI Please Print	7-25-19 Date
<i>Nick Patel</i> Applicant Signature	Nick Patel Please Print	7/25/19 Date

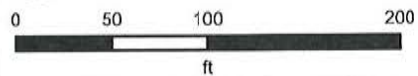


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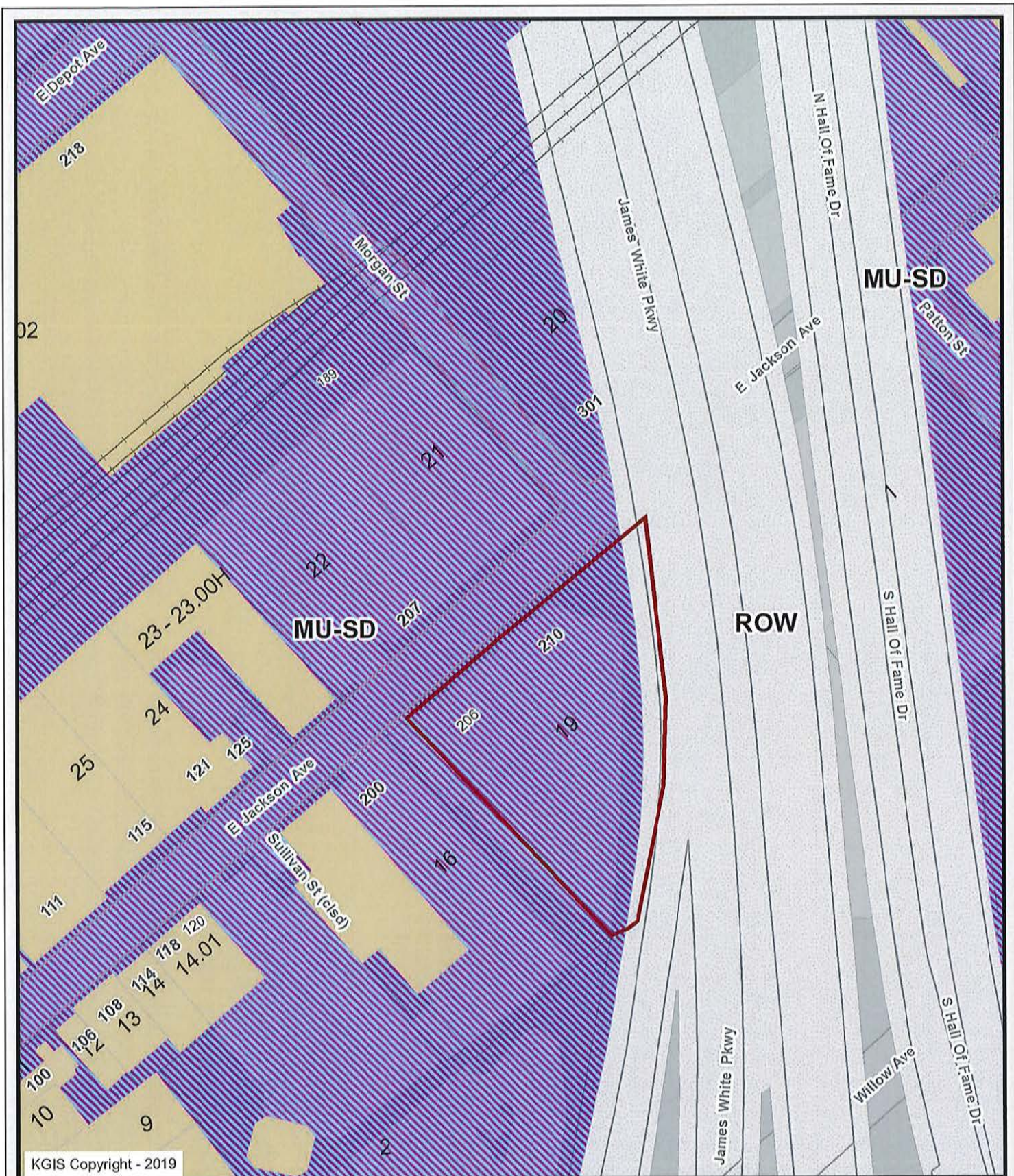
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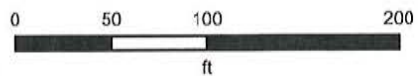
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210 E Jackson Avenue

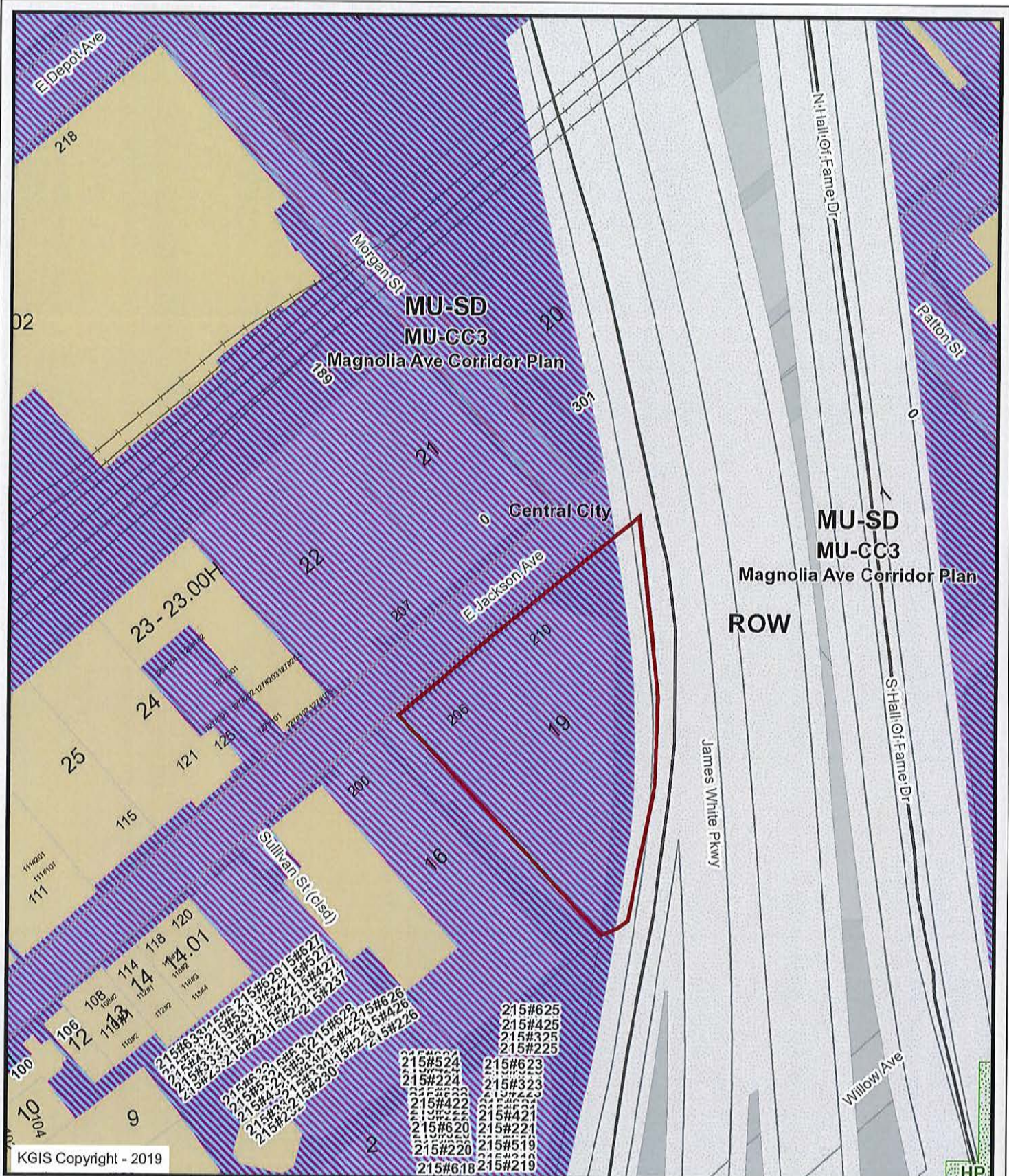


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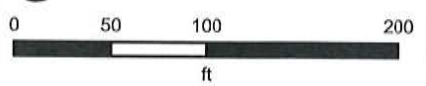


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210 E Jackson Avenue



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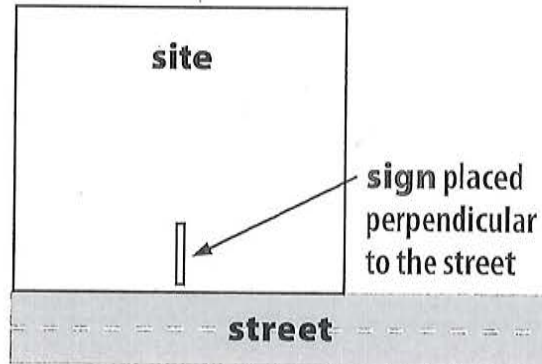
REQUIRED SIGN POSTING AGREEMENT

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:

(Wed) 8-28-19 and (Fri) 9-13-19
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: Nick Patel

Printed Name: Nick Patel

Phone: 865-405-6425 Email: nickpatel27@aol.com

Date: 7-25-19

MPC File Number: 9-E-19-RZ