

# REZONING REPORT

► **FILE #:** 8-M-20-RZ

**AGENDA ITEM #:** 19

**AGENDA DATE:** 8/13/2020

► **APPLICANT:** THOMAS GRAY BRANDON

OWNER(S): Brandon Thomas Gray

TAX ID NUMBER: 82 I D 001, 002

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 1549 and 1541 N. Sixth Ave.

► **LOCATION:** Southwest corner of Grainger Ave and N. Sixth Ave.

► **APPX. SIZE OF TRACT:** 0.58 acres

SECTOR PLAN: Central City

GROWTH POLICY PLAN: Within City limits

ACCESSIBILITY: The property does not have a dedicated access point. It is on the corner of N. Sixth Avenue and Grainger Avenue and could be accessed from either street. N. Sixth Avenue is a major collector with a pavement width of 36 feet inside a right-of-way of approximately 48 feet. It has a dedicated bike lane. Grainger Avenue is a local road with a pavement width of approximately 33 feet inside a right-of-way of 51 feet.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

► **PRESENT ZONING:** C-N (Neighborhood Commercial)

► **ZONING REQUESTED:** I-G (General Industrial)

► **EXISTING LAND USE:** Transportation/communications/utilities designation; currently used for trailer storage

►  
EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted for this property, but a request to amend the One Year Plan from LI (Light Industrial) to MDR (Medium Density Residential) was denied in 2006 (Case # 7-C-06-PA)

SURROUNDING LAND USE AND ZONING: North: Commercial - CN (Neighborhood Commercial)

South: Public-quasi public land - OS (Open Space)

East: Commercial - CN (Neighborhood Commercial)

West: Public Parks - OS (Open Space) and F (Floodway Overlay)

NEIGHBORHOOD CONTEXT: This section of Sixth Avenue has developed with businesses under the previous I-3 zoning. The Fourth and Gill Historic District is beyond the creek to the west.

## STAFF RECOMMENDATION:

► **Approve I-G (General Industrial) zoning because it is consistent with the Central City Sector Plan's MU-CC4 (Mixed Use-Special District, Magnolia Gateways) designation and with the surrounding**

**development in the immediate vicinity.**

**COMMENTS:**

This property was zoned I-3 (General Industrial District) before adoption of the new zoning ordinance and map on January 1, 2020. The applicant is seeking I-G (General Industrial District) zoning on this parcel as a comparable zone to the previous zoning before adoption of the new zoning ordinance and map.

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. There have been no significant changes to development in this area that would prompt a rezoning. However, the requested I-G zoning is consistent with the MU-SD, CC4 designation for this property.
2. This property was rezoned to I-3 (General Industrial District) with the adoption of the new zoning map and ordinance. This property likely was targeted for rezoning because it is separated from the I-G zoning on N. Sixth Avenue to the south by a parcel in the Open Space district. Typically, the C-N zone would provide a transition from the I-G zoning along N. Sixth Avenue to the residential zoning to the west along Grainger. However, the entirety of this property is impacted by First Creek. It is comprised of land in the First Creek floodway, 100-year floodplain, and 500-year floodplain, making it an unlikely site for development. C-N zoning allows commercial businesses, which would likely be impacted negatively with consistent flooding, located as it is in floodplains.

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

1. The I-G (General Industrial) zone provides for a range of general industrial uses that may produce limited outside impacts, rendering them incompatible with retail, service, or residential uses. Such uses include limited manufacturing, fabricating, processing, wholesale distributing, and warehousing facilities that do not require frequent visits from customers or clients.
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 property is located in FEMA Flood Zone X. The entirety of the property is in either the 100-year floodplain, the 500-year floodplain, or the floodway. The current C-N zoning would allow a commercial business on this property, but any associated business could be impacted negatively by consistent recurring flooding due to the floodplains and floodway on the property. Rezoning the property to I-G allows uses that are less likely to incur damage from flooding.

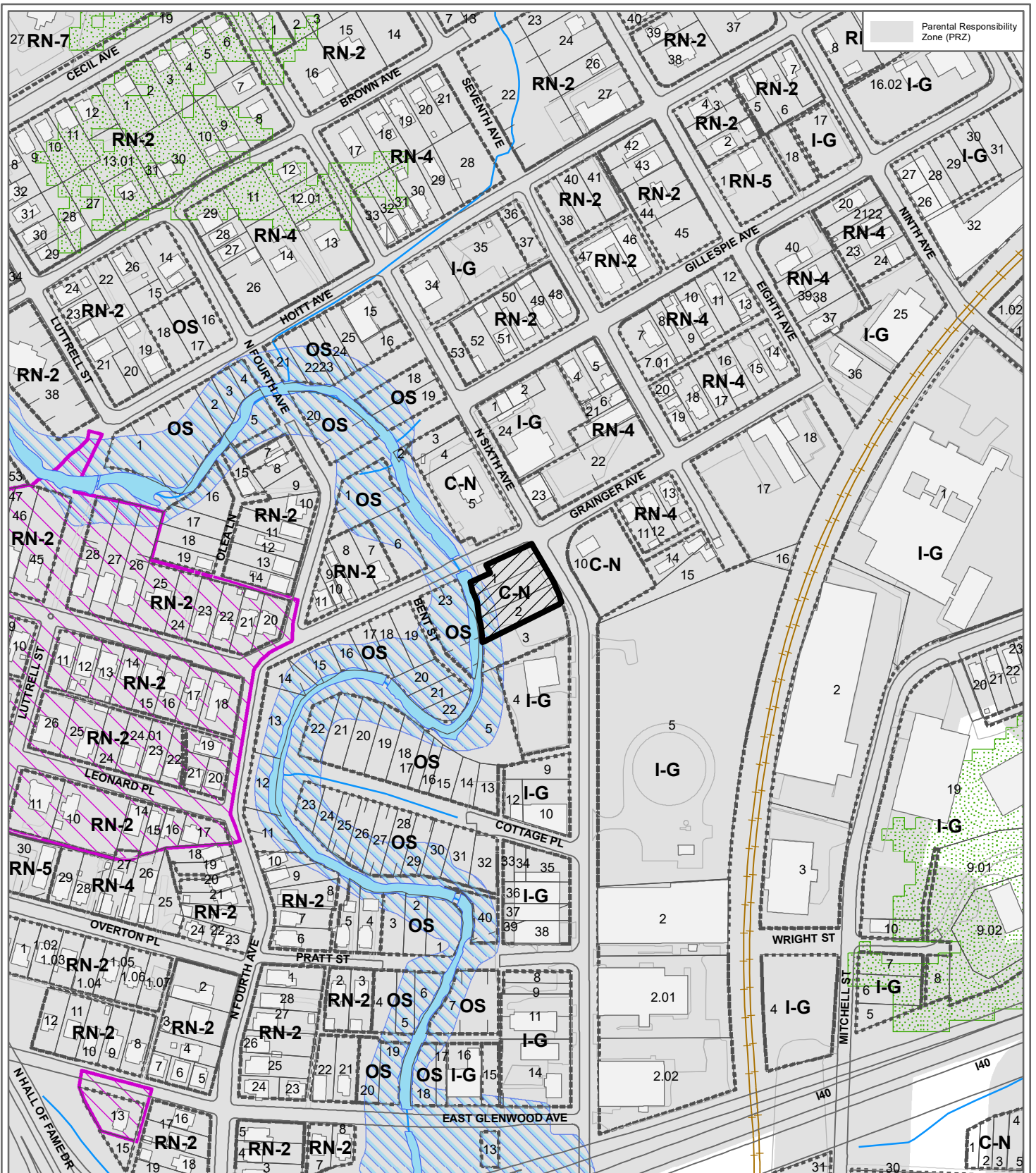
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The MU-SD, CC4 (Magnolia Gateway) designation supports I-G zoning. This mixed use district recognizes the variety of uses in the area.
2. This rezoning is not conflict with the General Plan or any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

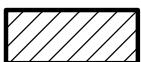
If approved, this item will be forwarded to Knoxville City Council for action on 9/8/2020 and 9/22/2020. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



### 8-M-20-RZ REZONING

From: C-N (Neighborhood Commercial)

To: I-G (General Industrial)



Original Print Date: 7/15/2020

Revised:

Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Thomas Gray Brandon

Map No: 82

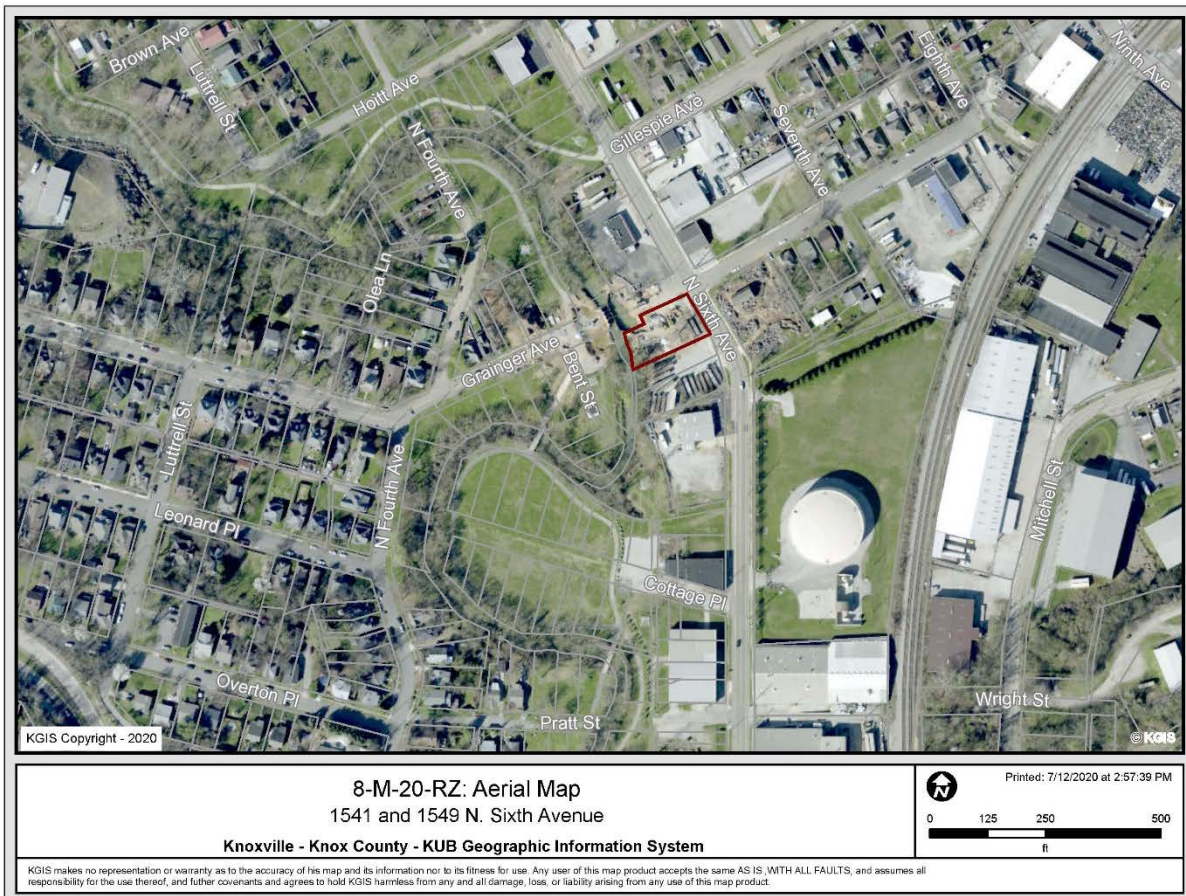
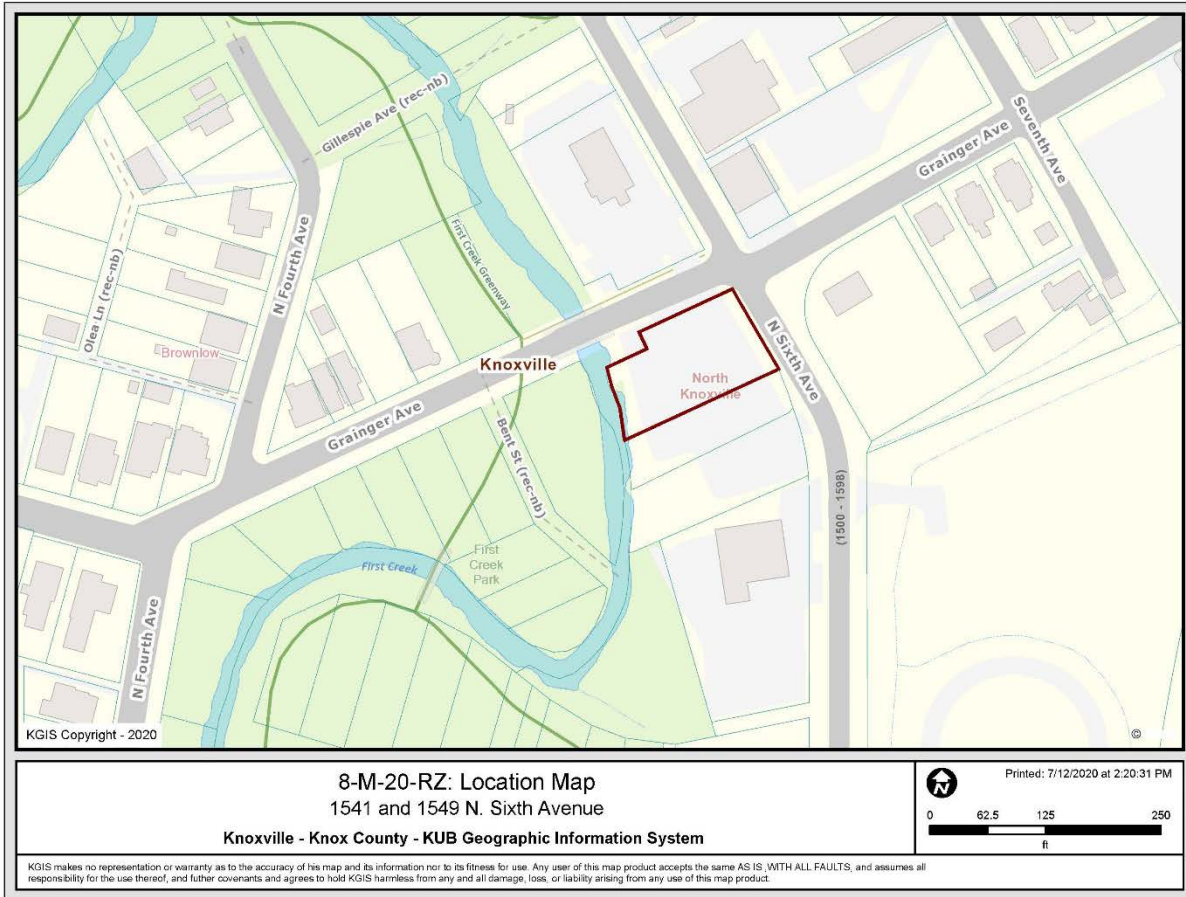
Jurisdiction: City

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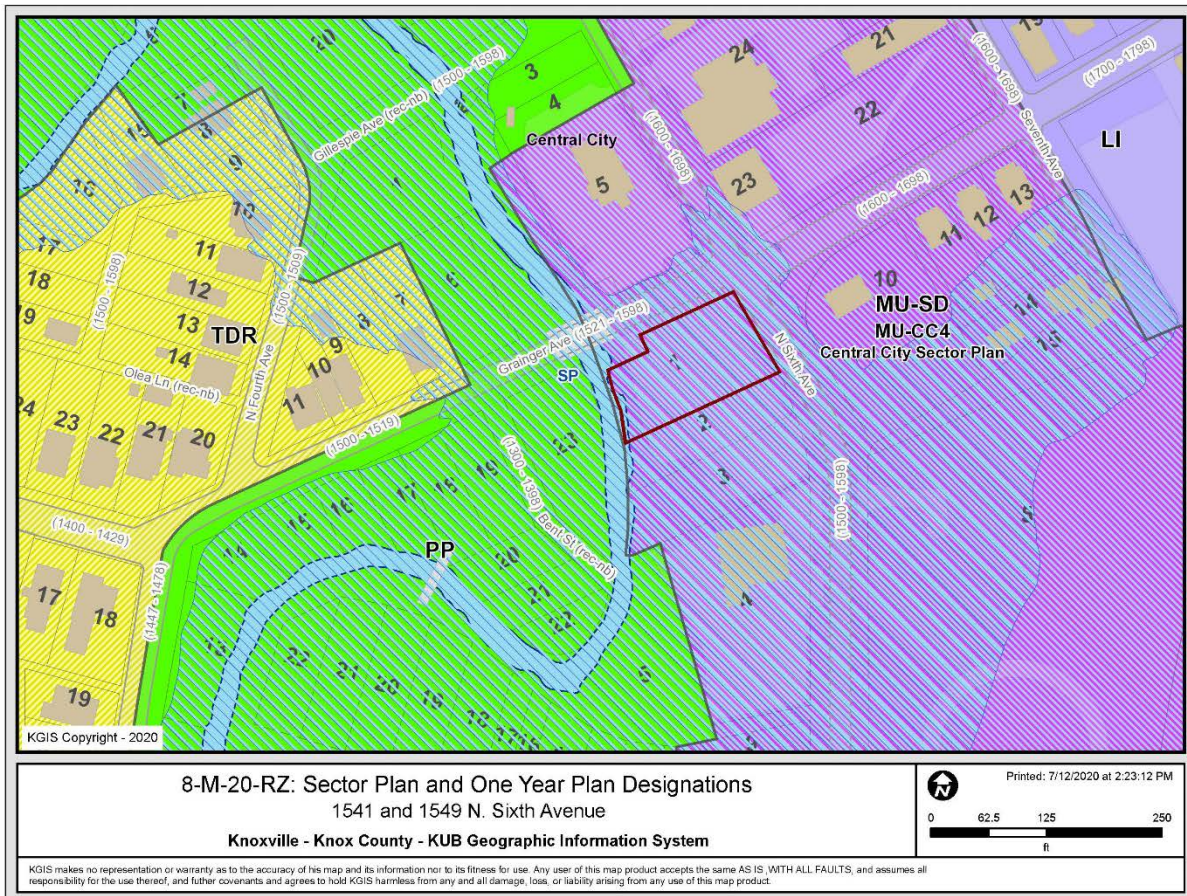
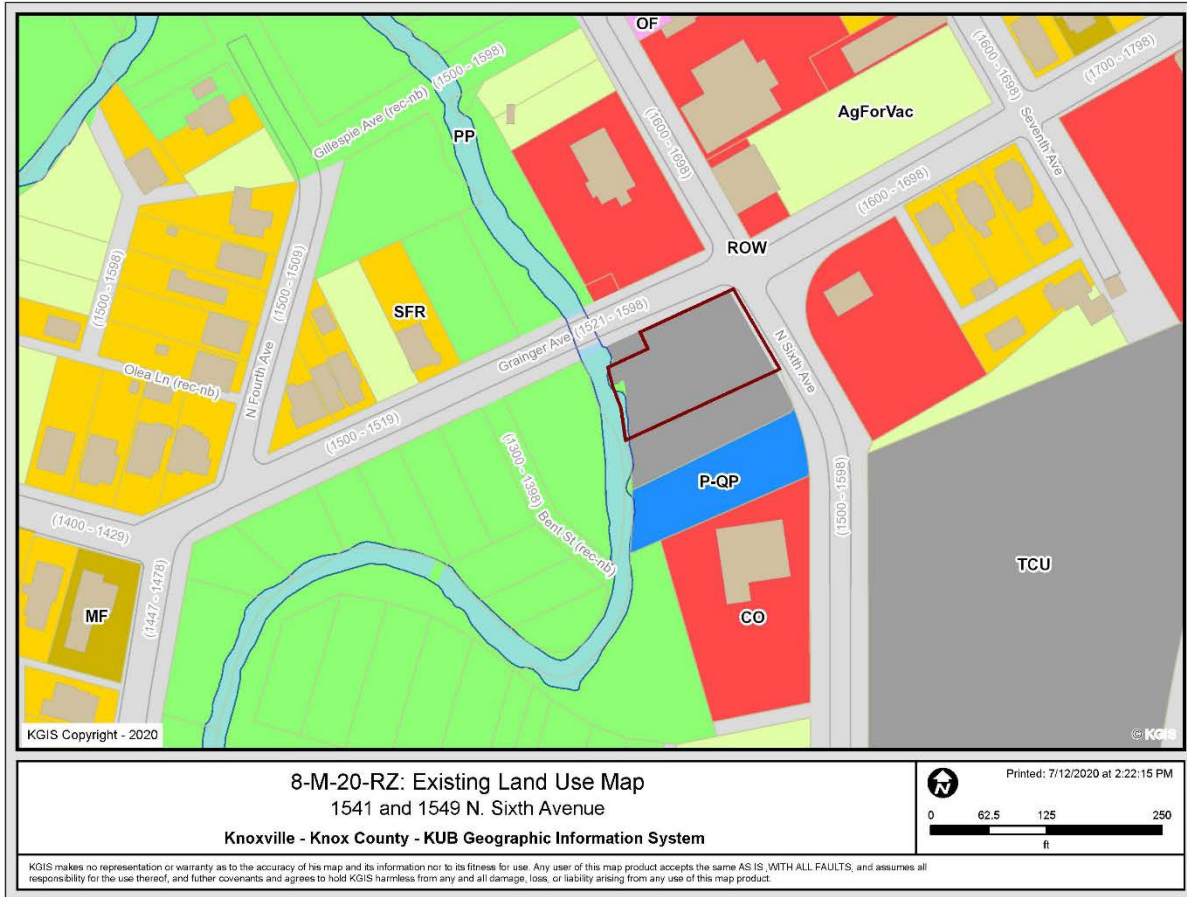
8-M-20-RZ  
EXHIBIT A. Contextual Images





## 8-M-20-RZ

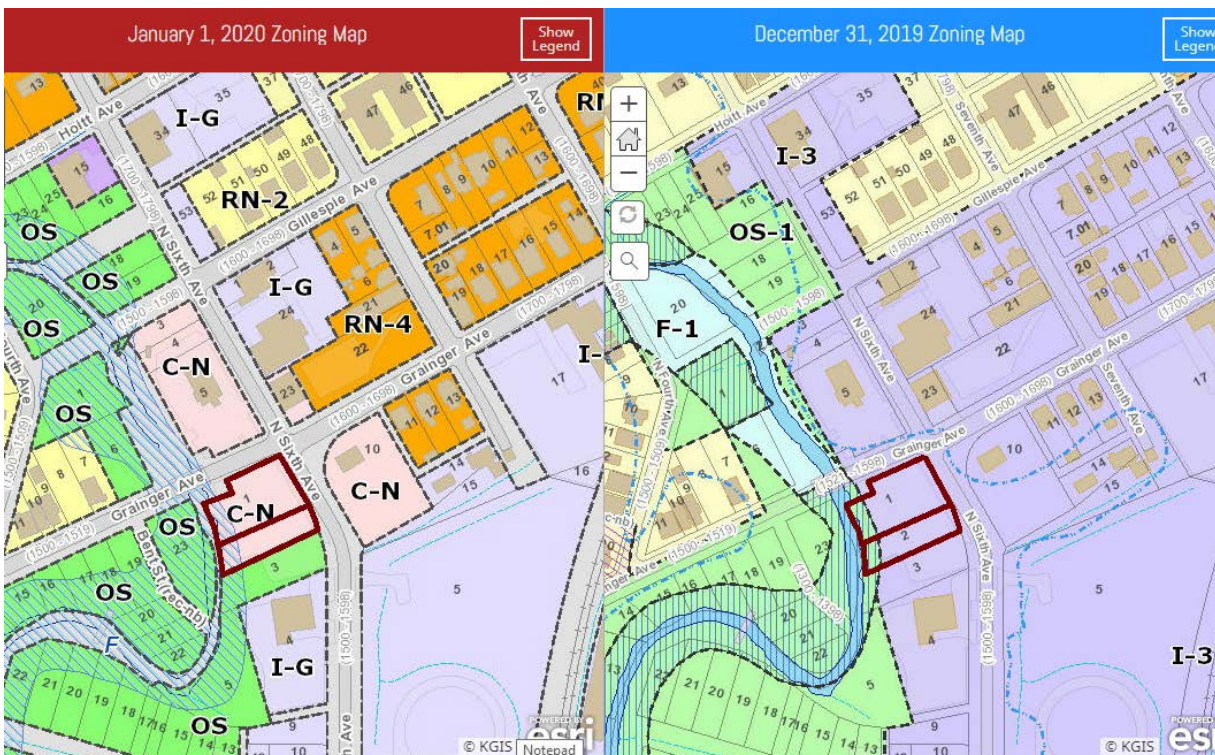
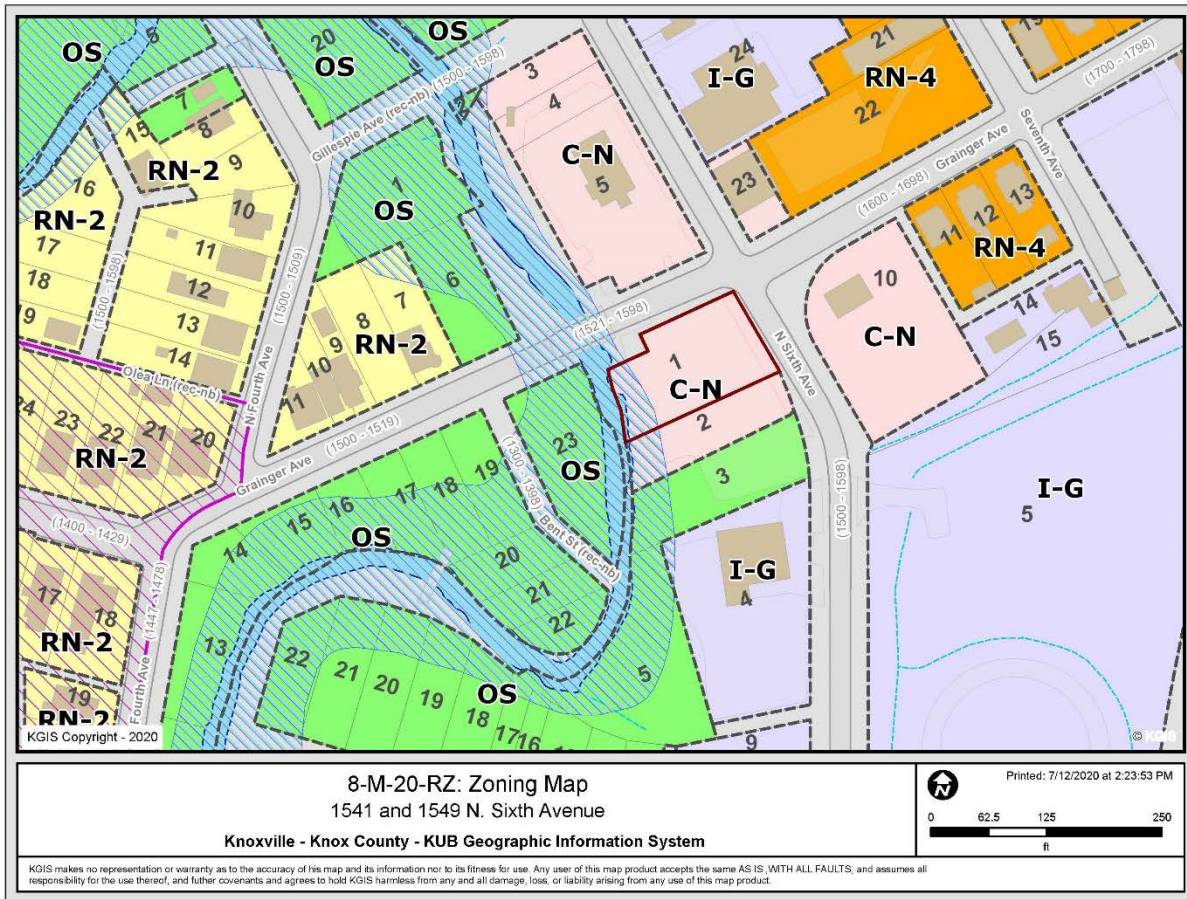
### EXHIBIT A. Contextual Images





## 8-M-20-RZ

### EXHIBIT A. Contextual Images

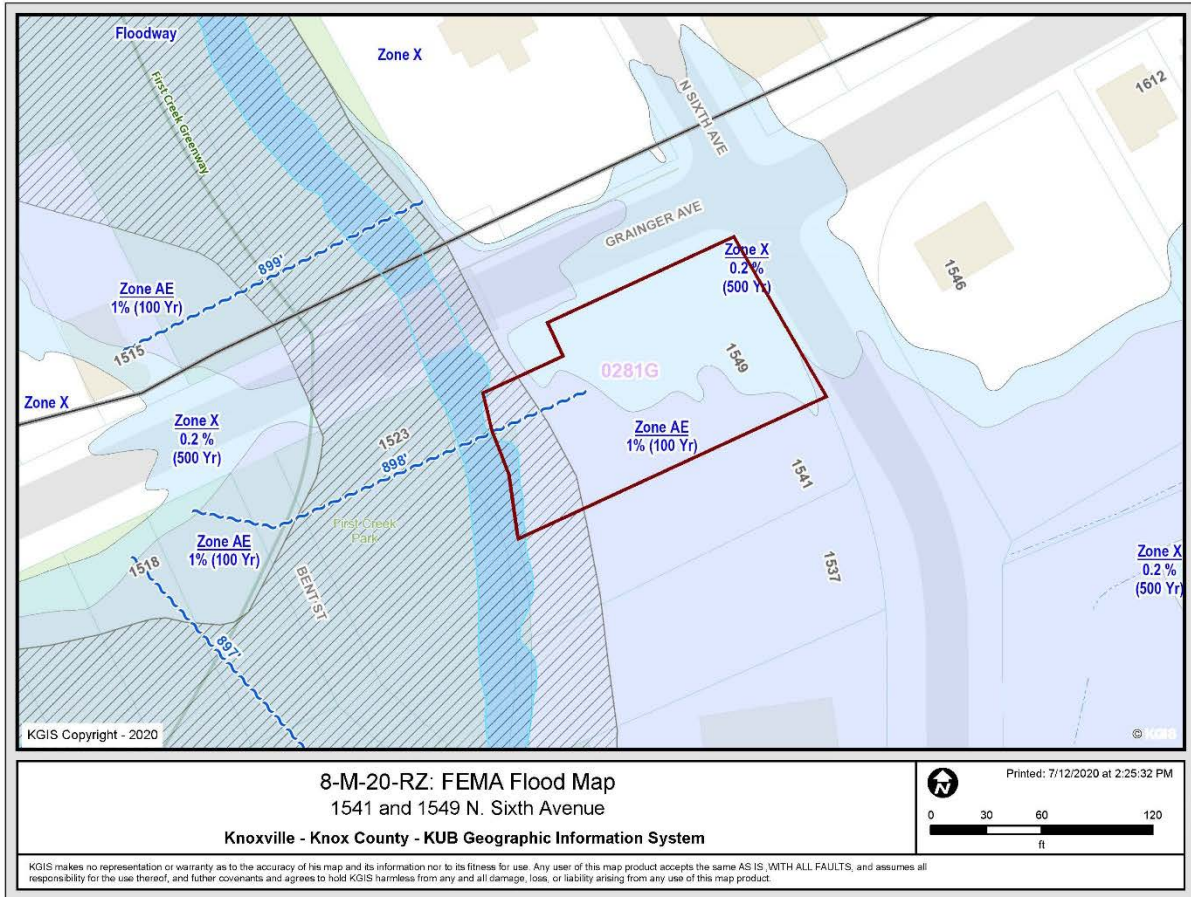


Zoning Comparison Map



## 8-M-20-RZ

### EXHIBIT A. Contextual Images





## DEVELOPMENT REQUEST

### DEVELOPMENT

- ☐ Development Plan  
☐ Planned Development  
☐ Use on Review / Special Use

### SUBDIVISION

- ☐ Concept Plan  
☐ Final Plat

### ZONING

- ☐ Plan Amendment  
☒ Rezoning

John F. Lyle

Realtor

Applicant Name

Affiliation

July 7, 2020

August 13, 2020

8-M-20-RZ

Date Filed

Meeting Date (if applicable)

File Numbers(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

John F. Lyle

Coldwell Banker Commercial Wallace

Name

Company

813 S Northshore Drive Suite 202

Knoxville

TN

37919

Address

City

State

Zip

865-389-1837

john@JFL78.com

Phone

Email

## CURRENT PROPERTY INFO

Thomas Gray Brandon

PO BOX 10324 KNOXVILLE, TN 37936 865-748-0541

Owner Name (if different)

Owner Address

Owner Phone

1541 &amp; 1549 N SIXTH AVE

082ID002 &amp; 082ID001

Property Address

Parcel ID

Corner of Grainger and N 6th Ave

.58 acres

General Location

City Council District 4

Tract Size

WARD - 11 - City of Knoxville

C-N

Jurisdiction (specify district above)

☒ City
 ☐ County
 

Zoning District

MU-SD / MU-CC4

Central City Sector Plan

N/A

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

TCU

N

Yes

Yes

Existing Land Use

Septic (Y/N)

Sewer Provider

Water Provider



## REQUEST

DEVELOPMENT

☐ Development Plan ☐ Use on Review / Special Use☐ Residential ☐ Non-Residential☐ Home Occupation (specify): \_\_\_\_\_☐ Other (specify): \_\_\_\_\_

SUBDIVISION

☐ Proposed Subdivision Name \_\_\_\_\_ Unit / Phase Number \_\_\_\_\_☐ Parcel Change☐ Combine Parcels ☐ Divide Parcel Total Number of Lots Created: \_\_\_\_\_☐ Other (specify): \_\_\_\_\_☐ Attachments / Additional Requirements

ZONING

☒ Zoning Change: I-G (comparable zoning to previous I-3 zoning)  
Proposed Zoning \_\_\_\_\_☐ Plan Amendment Change: \_\_\_\_\_  
Proposed Plan Designation(s) \_\_\_\_\_

Proposed Density (units/acre) \_\_\_\_\_ Previous Rezoning Requests \_\_\_\_\_

☐ Other (specify): \_\_\_\_\_

STAFF USE ONLY

## PLAT TYPE

☐ Staff Review ☐ Planning Commission

## ATTACHMENTS

☐ Property Owners / Option Holders ☐ Variance Request

## ADDITIONAL REQUIREMENTS

☐ Design Plan Certification (*Final Plat only*)☐ Use on Review / Special Use (*Concept Plan only*)☐ Traffic Impact Study

## FEE 1:

Waived per AB

## FEE 2:

## FEE 3:

## TOTAL:

Waived per  
Amy Brooks  
\*2-years post  
new code  
comparable  
zone district  
application

## AUTHORIZATION

By signing below, I certify I am the property owner, applicant or the owners authorized representative.


 Authentisign  
 Applicant Signature  
 7/1/2020 11:36:32 AM EDT

John F. Lyle

07/07/2020

Please Print

Date

865-389-1837

john@JFL78.com

Phone Number

Email

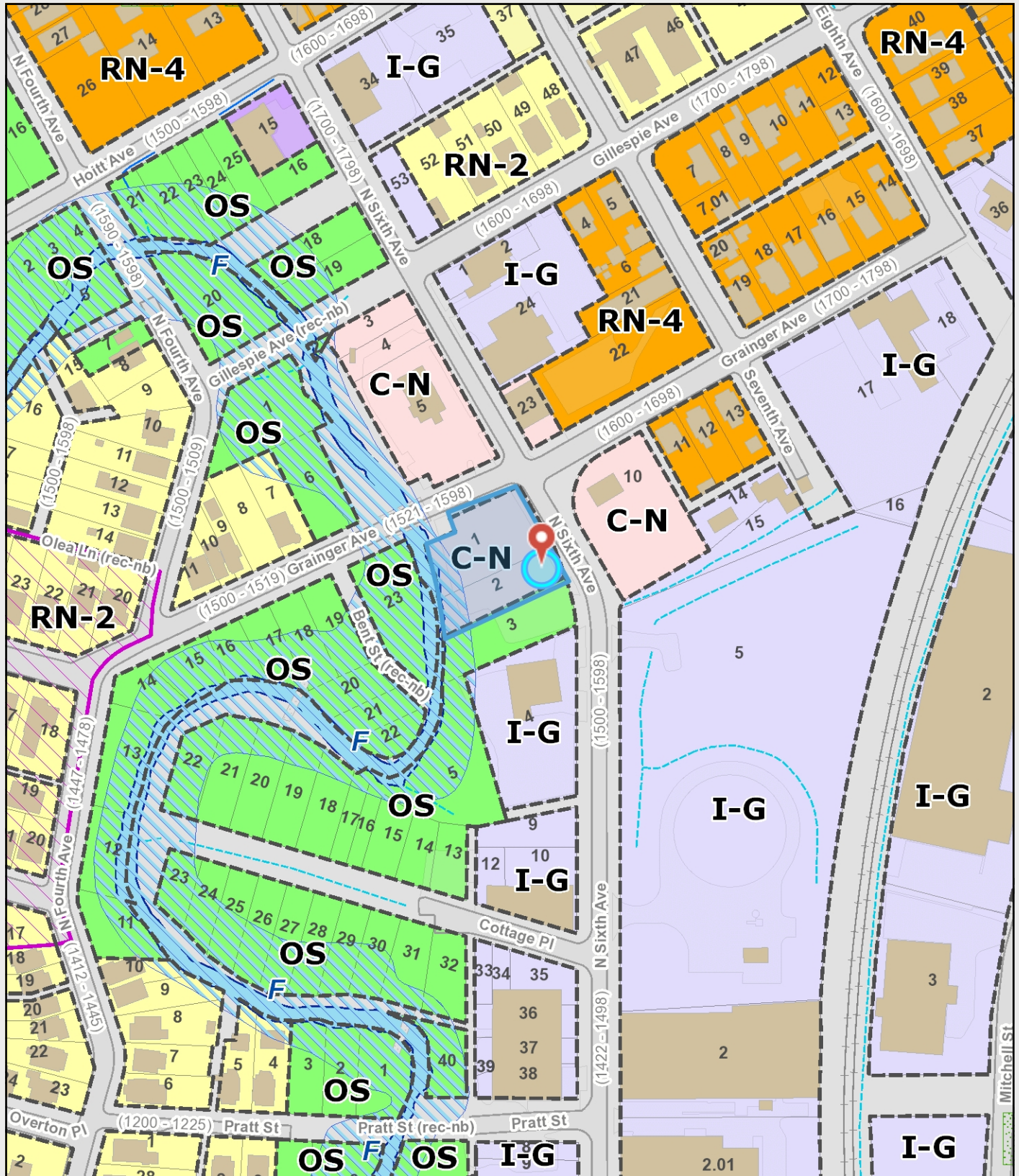

 Staff Signature

Elizabeth Albertson

7/1/2020

Please Print

Date



8-M-19-RZ

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