

REZONING REPORT

▶ **FILE #:** 4-D-23-RZ

AGENDA ITEM #: 8

AGENDA DATE: 4/13/2023

▶ **APPLICANT:** JEFFREY NASH

OWNER(S): Jeffrey Nash

TAX ID NUMBER: 94 E N 001.03

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 513 COOPER ST

▶ **LOCATION:** Southwest corner of Cooper St & W 5th Ave

▶ **APPX. SIZE OF TRACT:** 8,005 square feet

SECTOR PLAN: Central City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Cooper St, a local street with a 25-ft pavement width within a 35-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT ZONING:** I-G (General Industrial)

▶ **ZONING REQUESTED:** I-MU (Industrial Mixed-Use)

▶ **EXISTING LAND USE:** Commercial

▶
EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Office - C-G-2 (General Commercial)

South: Commercial - I-G (General Industrial)

East: Commercial - DK-E (Downtown Edge Subdistrict)

West: Railroad right-of-way - ROW (Right-of-way)

NEIGHBORHOOD CONTEXT: This property is located in a commercial, office and wholesale district near the edge of downtown. The building on this property is located beneath a bridge of W 5th Avenue as it crosses over train tracks to industrial properties to the west.

STAFF RECOMMENDATION:

▶ **Approve I-MU (Industrial Mixed-Use) zoning because it is consistent with the sector plan and surrounding development.**

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, SUBSECTIONS 1-3, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

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. The subject property's current I-G (General Industrial) zoning district is not reflective of the land uses that immediately surround it. Most adjacent and nearby properties are commercial and office operations. One block to the east is a hub of health and social services for people experiencing poverty and homelessness.
2. As the least intensive industrial district, the requested I-MU (Industrial Mixed-Use) zoning is more compatible with surrounding development.

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

1. The I-MU zoning district is intended to promote the reuse of historic buildings that may no longer be suitable to their original industrial purposes. A broad mix of lighter uses are permitted in I-MU compared to I-G, including commercial, office, retail and residential development.
2. The subject property is a distinct 1930s structure built underneath the 5th Avenue bridge. The unique, historic character of the building - in combination with its less industrial surroundings - make I-MU an appropriate district here.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. The proposed down-zoning to I-MU is not anticipated to have any adverse impacts. In general, I-MU is less likely to produce noxious environmental impacts than the current I-G 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. I-MU zoning is consistent with the Central City Sector Plan's MUSD- CC12 designation, a Mixed Use Special District based on the Downtown North/I-275 Redevelopment and Renewal Plan. Recommended uses are light industrial and commercial. A downzoning to I-MU also supports the sector plan's greenway trail aspirations along Second Creek just west of the subject property, by reducing the types of uses that could negatively affect environmental health.
2. The proposed rezoning is not in conflict with the General Plan or any other adopted plans.

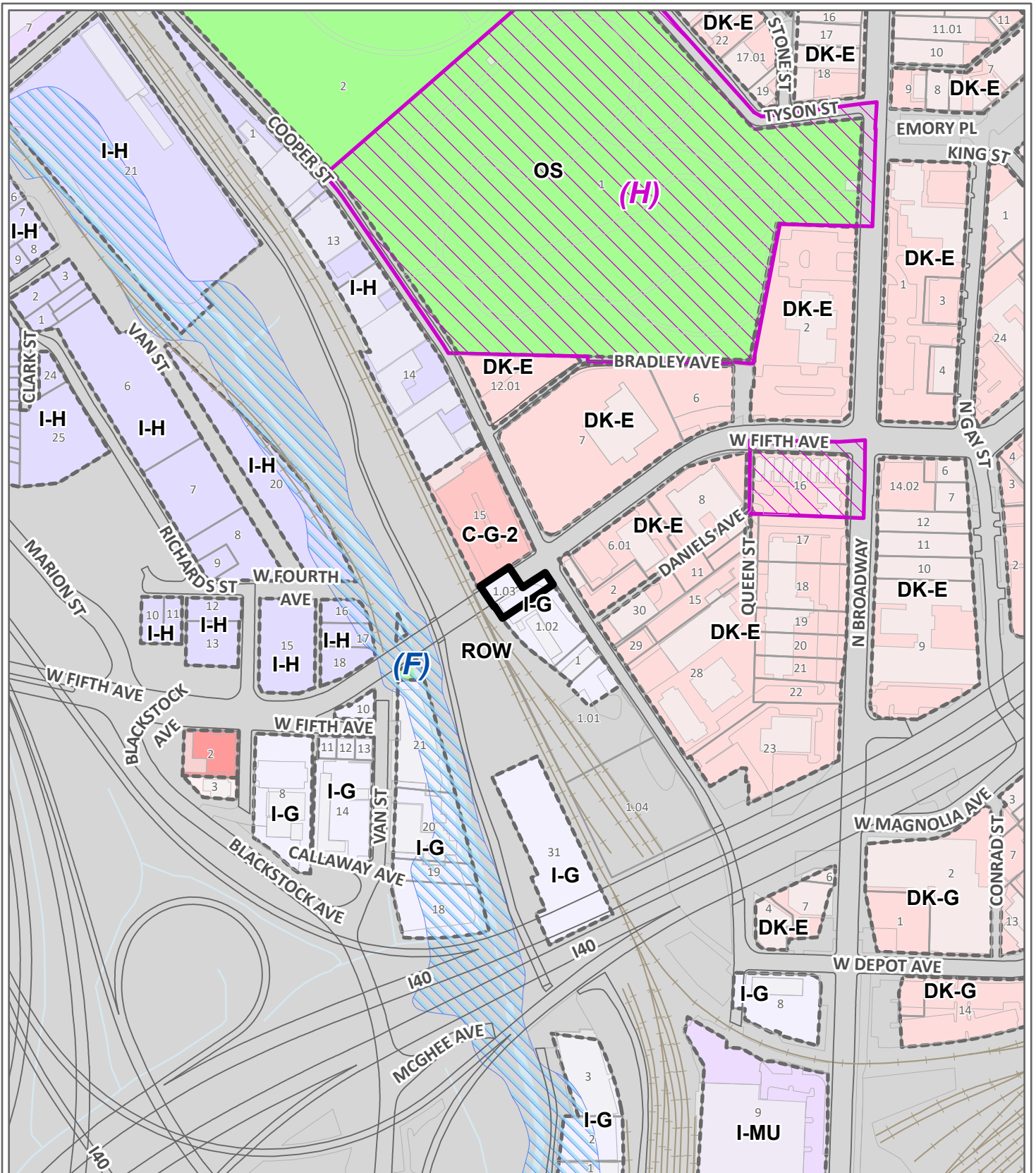
ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

1. Existing infrastructure and utilities are adequate for the development potential of the I-MU zoning district.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 5/16/2023 and 5/30/2023. 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.



REZONING

4-D-23-RZ

Petitioner: Jeffrey Nash



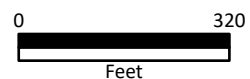
From: I-G (General Industrial)

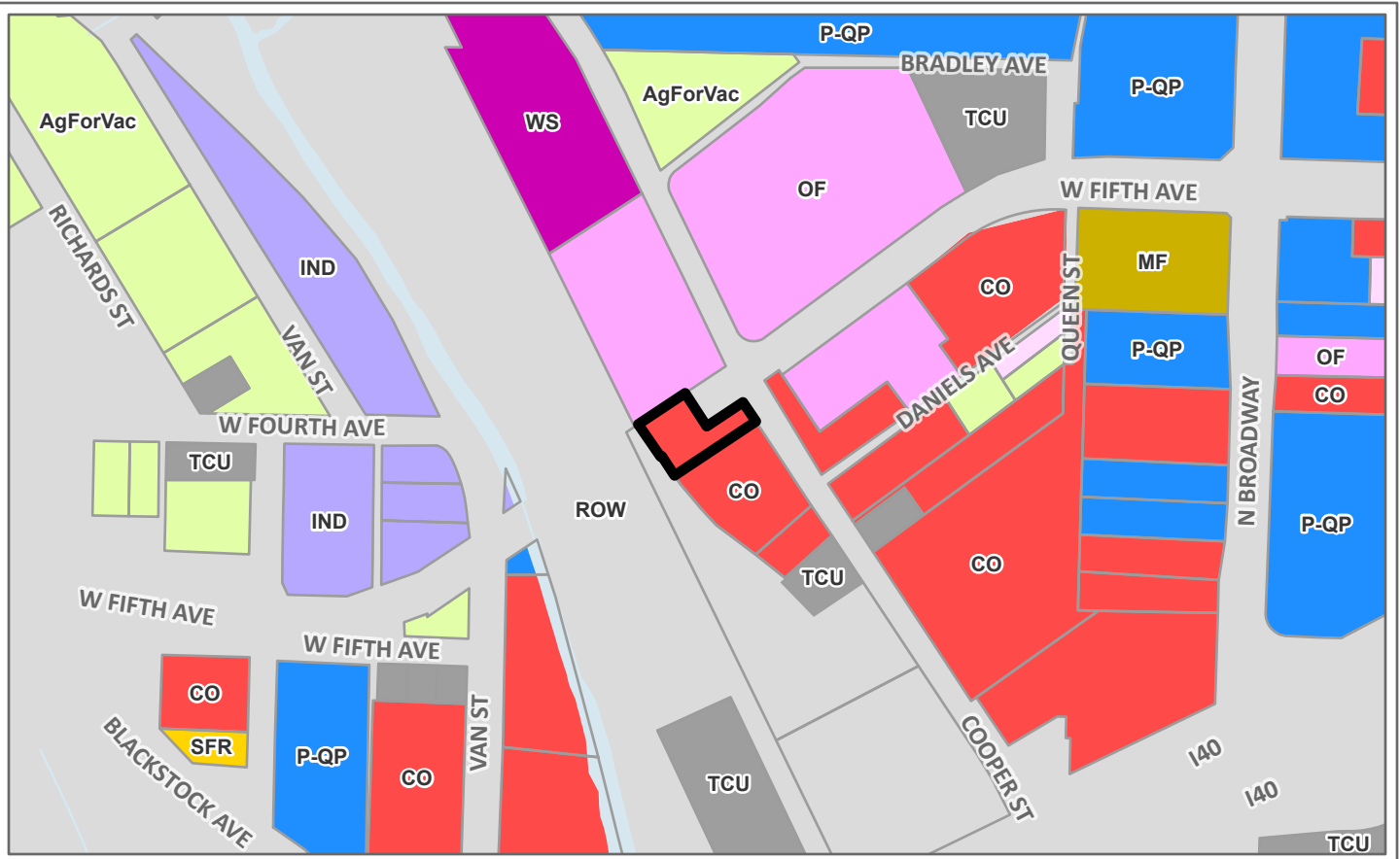
To: I-MU (Industrial Mixed-Use)

Map No: 94
Jurisdiction: City

Original Print Date: 4/4/2023

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



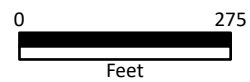


Existing Land Use and Aerial Maps

4-D-23-RZ



Case boundary





Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

Jeffrey Nash

Applicant Name

Affiliation

1/25/2023

Date Filed

4/13/2023

Meeting Date (if applicable)

4-D-23-RZ

File Number(s)

CORRESPONDENCE

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

Jeffrey Nash

Name / Company

109 S Gay St Ste 301 Knoxville TN 37902

Address

865-524-2525

Phone / Email

CURRENT PROPERTY INFO

Jeffrey Nash

Owner Name (if different)

109 S Gay St Ste 301 Knoxville TN 37902

Owner Address

865-524-2525

Owner Phone / Email

513 COOPER ST

Property Address

94 E N 001.03

Parcel ID

Part of Parcel (Y/N)?

8005 square feet

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

SW corner of Cooper St & W Fifth Ave

General Location

City

Council District 6

I-G (General Industrial)

Commercial

County District

Zoning District

Existing Land Use

Central City

Planning Sector

MU-SD (Mixed Use Special District)

Sector Plan Land Use Classification

N/A (Within City Limits)

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) _____	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Total Number of Lots Created	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change I-MU (Industrial Mixed-Use)	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)
Proposed Density (units/acre) Previous Zoning Requests	
Additional Information _____	

STAFF USE ONLY

PLAT TYPE <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	Fee 1	Total
ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	\$1,000.00	
ADDITIONAL REQUIREMENTS <input type="checkbox"/> COA Checklist (Hillside Protection) <input type="checkbox"/> Design Plan Certification (Final Plat) <input type="checkbox"/> Site Plan (Development Request) <input type="checkbox"/> Traffic Impact Study <input type="checkbox"/> Use on Review / Special Use (Concept Plan)	Fee 2	
	Fee 3	

AUTHORIZATION

Applicant Signature	Jeffrey Nash Please Print	1/25/2023 Date
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Property Owner Signature	Jeffrey Nash Please Print	1/25/2023 Date
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I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.



Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - SP
 - OYP
- Rezoning

Jeffrey Nash

Owner

Applicant Name

Affiliation

1/23/2023

File Number(s)

Date Filed

Meeting Date (if applicable)

4-D-23-RZ

CORRESPONDENCE

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

- Applicant
- Property Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

The Courtland Group (Jeffrey Dealejandro)

The Courtland Group

Name

Company

109 south Gay Suite 301

Knoxville

TN

37902

Address

City

State

ZIP

865-524-2525

jeffrey@courtlandgroup.com

Phone

Email

CURRENT PROPERTY INFO

The Courtland Group

109 South Gay

865-524-2525

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

513 Cooper St

094EN00103

Property Address

Parcel ID

KUB

KUB

Y

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

City County

District

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

August 29, 2022

DEVELOPMENT REQUEST

- Development Plan
 Use on Review / Special Use
 Hillside Protection COA
 Residential
 Non-Residential

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) _____

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name _____

Unit / Phase Number _____
 Combine Parcels
 Divide Parcel
 Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Pending Plat File Number

Zoning Change

IMU

Proposed Zoning

Plan Amendment Change

513 Cooper St

Proposed Plan Designation(s)

20010040026160

1.03

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*)
 Use on Review / Special Use (*Concept Plan*)
 Traffic Impact Study
 COA Checklist (*Hillside Protection*)

Fee 1	Total
Fee 2	
Fee 3	

AUTHORIZATION



 Applicant Signature

Jeffrey Nash
 Please Print

1/23/2023
 Date

865-524-2525
 Phone Number

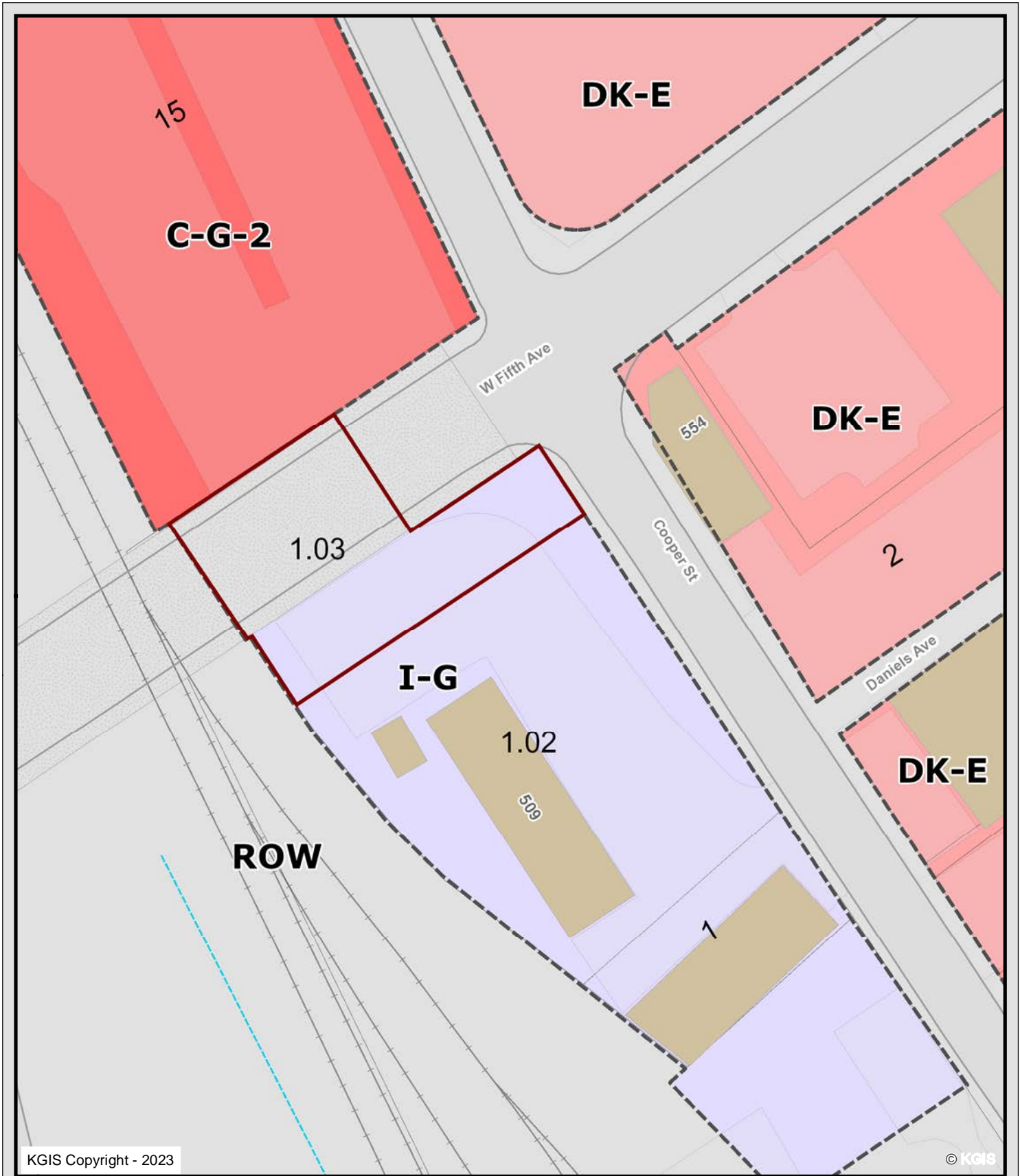
jeffrey@courtlandgroup.com
 Email


 Property Owner Signature

Jeffrey Nash
 Please Print

1/23/2023
 Date

I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.

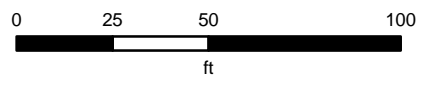


513 Cooper Street

Knoxville - Knox County - KUB Geographic Information System



Printed: 1/25/2023 at 11:51:14 AM



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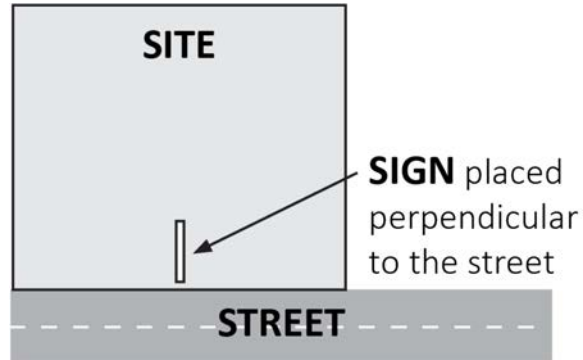


**NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME
MUST BE LISTED BELOW:**

Please print or type in black ink.

NAME	ADDRESS	OWNER / OPTION
Jeffrey Dealejandro	109 S Gay St, Suite 301 Knoxville, TN 37902	

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, 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 **not less than 12 days prior to 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 not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

_____ 2/24/2023 _____ and _____ 3/10/2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Jeffrey Nash

Date: 1/25/2023

File Number: 4-D-23-RZ

- Sign posted by Staff
- Sign posted by Applicant