

REZONING REPORT

▶ **FILE #:** 8-C-23-RZ

AGENDA ITEM #: 8

AGENDA DATE: 8/10/2023

▶ **APPLICANT:** STEVE JENKINS
OWNER(S): Steve Jenkins Positively Living

TAX ID NUMBER: 94 K U 017 [View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 602 CITICO ST

▶ **LOCATION:** East of Citico St, north of Ailor Ave

▶ **APPX. SIZE OF TRACT:** 21310 square feet

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Citico St, a local street with a pavement width that varies from 26 ft to 31 ft within a 49-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board
Sewer Source: Knoxville Utilities Board

WATERSHED: East Fork

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

▶ **ZONING REQUESTED:** C-G-1 (General Commercial)

▶ **EXISTING LAND USE:** Transportation/communications/utilities (parking lot)

▶
EXTENSION OF ZONE: Yes, this is an extension.
HISTORY OF ZONING: None noted
SURROUNDING LAND USE AND ZONING: North: Single family residential, multi family residential, commercial - I-MU (Industrial Mixed-Use)
South: Office - C-G-1 (General Commercial)
East: Office - C-G-1 (General Commercial)
West: Agricultural/forestry/vacant, office - I-MU (Industrial Mixed-Use)

NEIGHBORHOOD CONTEXT: The area is part of the Ailor Avenue Mixed-use District that comprises commercial use, office, parking lot, and vacant lands surrounding a few single family and multi family dwellings.

STAFF RECOMMENDATION:

▶ **Approve the C-G-1 (General Commercial) district because it is consistent with the sector plan and surrounding development.**

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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 not been any significant changes in the area in recent times. However, I-MU zoning is intended to promote repurposing old industrial structures and this property had no buildings for at least the last 50 years, according to KGIS aerial images. The proposed amendment to C-G-1 zoning will be an extension of the district and the location is consistent with the district's intent.
2. Through KAT Reimagined, Middlebrook Pike is proposed to have a higher frequency bus route (every 15 minutes) connecting one stop currently located approximately 300-ft north of the subject property. In addition, the proposed Middlebrook Pike Advanced Traffic Management System Project (Capital Improvement Project) will enhance 24 signalized intersections along the road. These are expected to improve the connectivity of this area, which supports C-G-1 district's intent to promote a pedestrian-oriented environment.

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

1. The proposed amendment to the C-G-1 district is intended to provide for a heterogeneous mix of retail, personal service, office, and residential uses within and along Knoxville's commercial nodes and corridors.
2. This is an established mixed-use area that is consistent with the C-G-1 zoning district.

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. C-G-1 zoning is consistent with surrounding C-G-1, IM-U, and O zoning. The requested district is not anticipated to increase any adverse impacts for the adjacent residential uses (on properties zoned I-MU). The C-G-1 district is slightly more restrictive than I-MU in terms of allowable uses and building height (maximum building height for C-G-1 zoning is 45 ft, which is 5 ft less than I-MU zoning).
2. The sector plan designation would remain MU-SD, MU-CC14 (Mixed Use Special District, Ailor Avenue Mixed Use District), which is the designation for all surrounding parcels in this area.

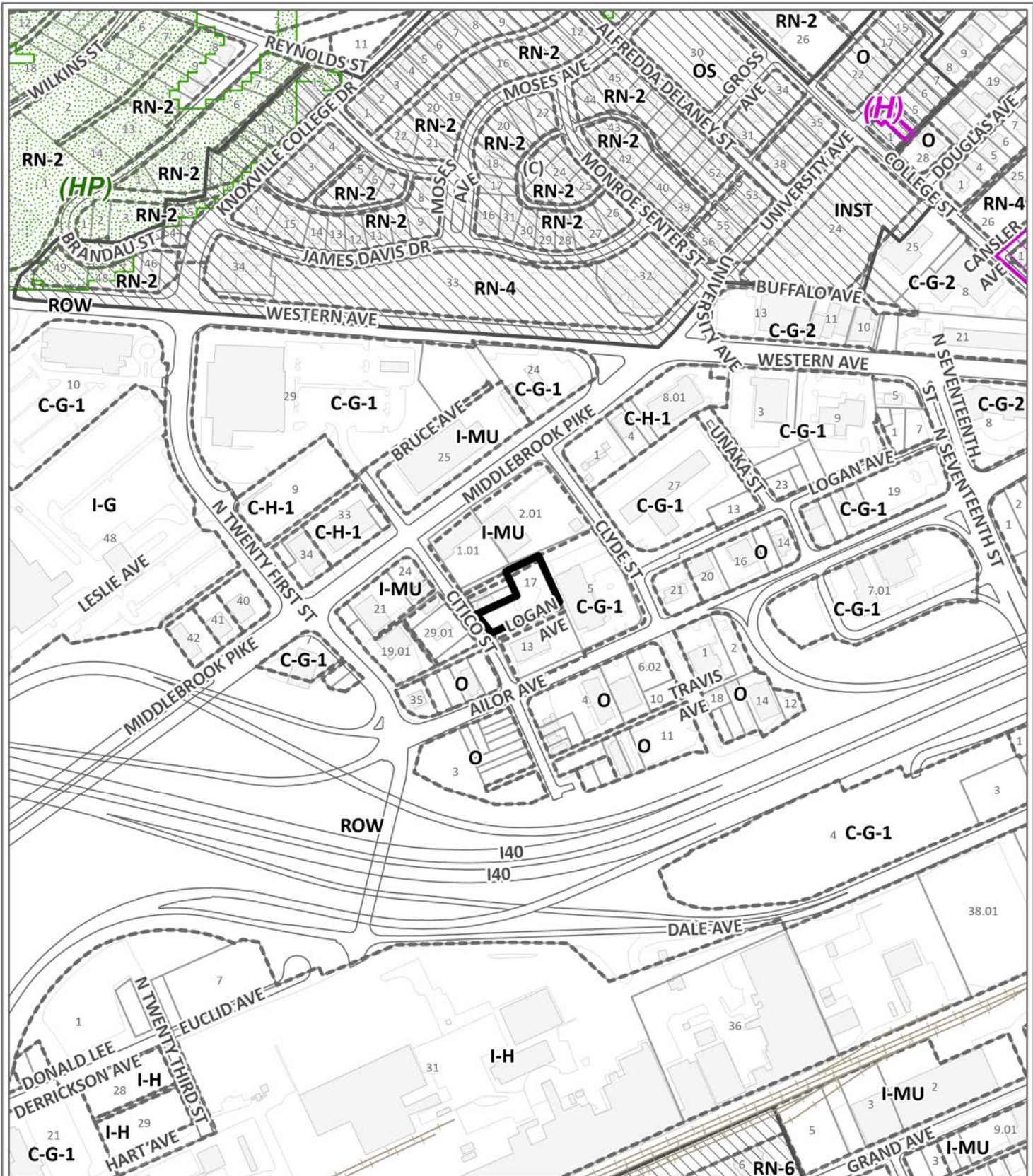
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The proposed zoning is consistent with the General Plan's Development Policy 8.12, which recommends conditions like landscape screening and height restrictions to improve land use transitions when commercial uses abut residential property. The zoning ordinance will require site landscaping for any development, and the C-G-1 district has a more restrictive building height, as mentioned above.
2. The proposed zoning is consistent with the Central City Sector Plan and One Year Plan's MU-SD, MU-CC14 land use classification, which recommends a mix of office, commercial, light manufacturing, and wholesale.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 9/5/2023 and 9/19/2023. 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

8-C-23-RZ

Petitioner: Steve Jenkins



From: I-MU (Industrial Mixed-Use),
To: C-G-1 (General Commercial)

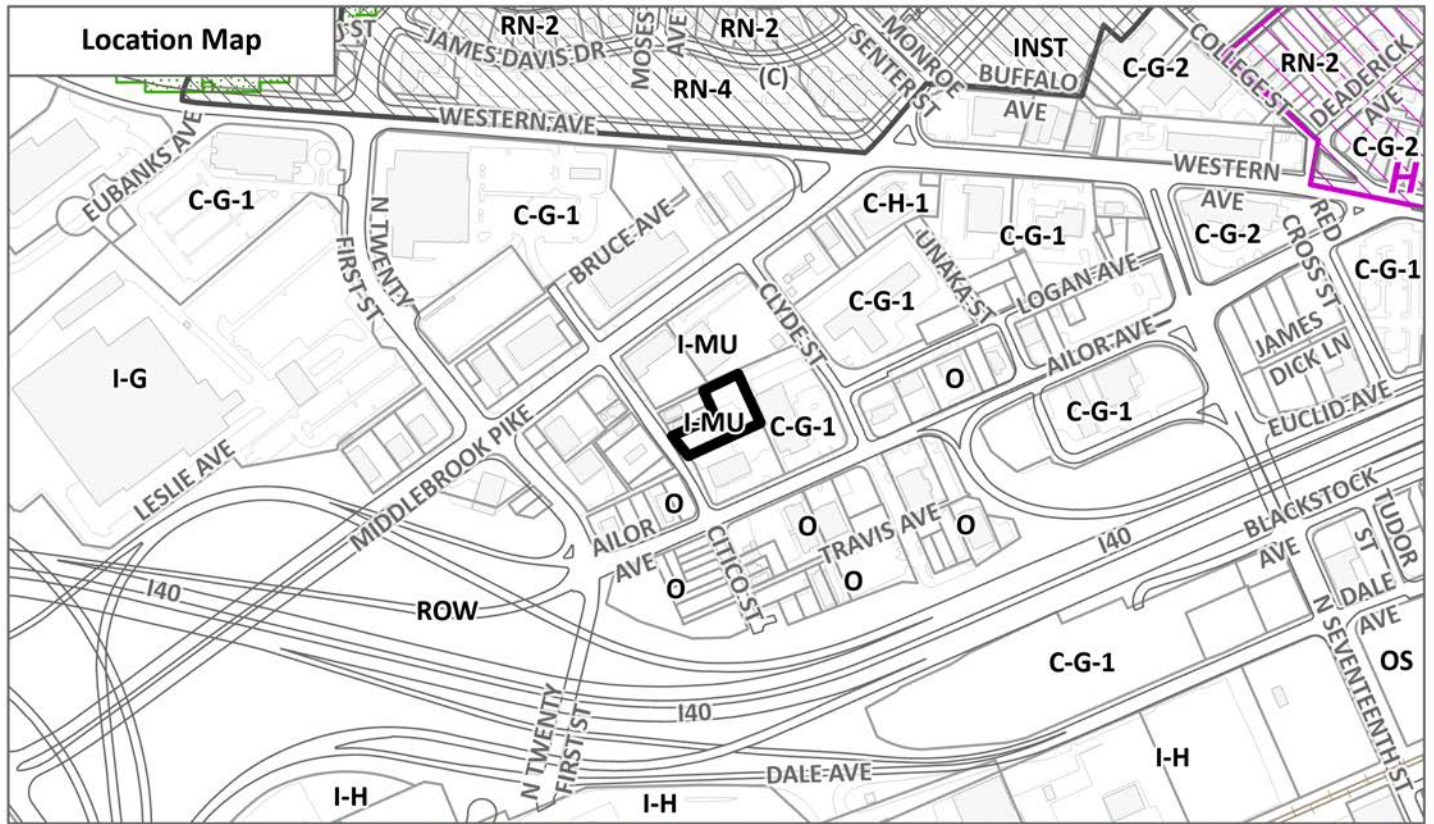
Map No: 94
Jurisdiction: City

Original Print Date: 7/18/2023

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



Exhibit A. Contextual Images

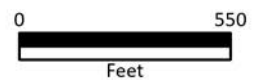


CONTEXTUAL MAPS 1

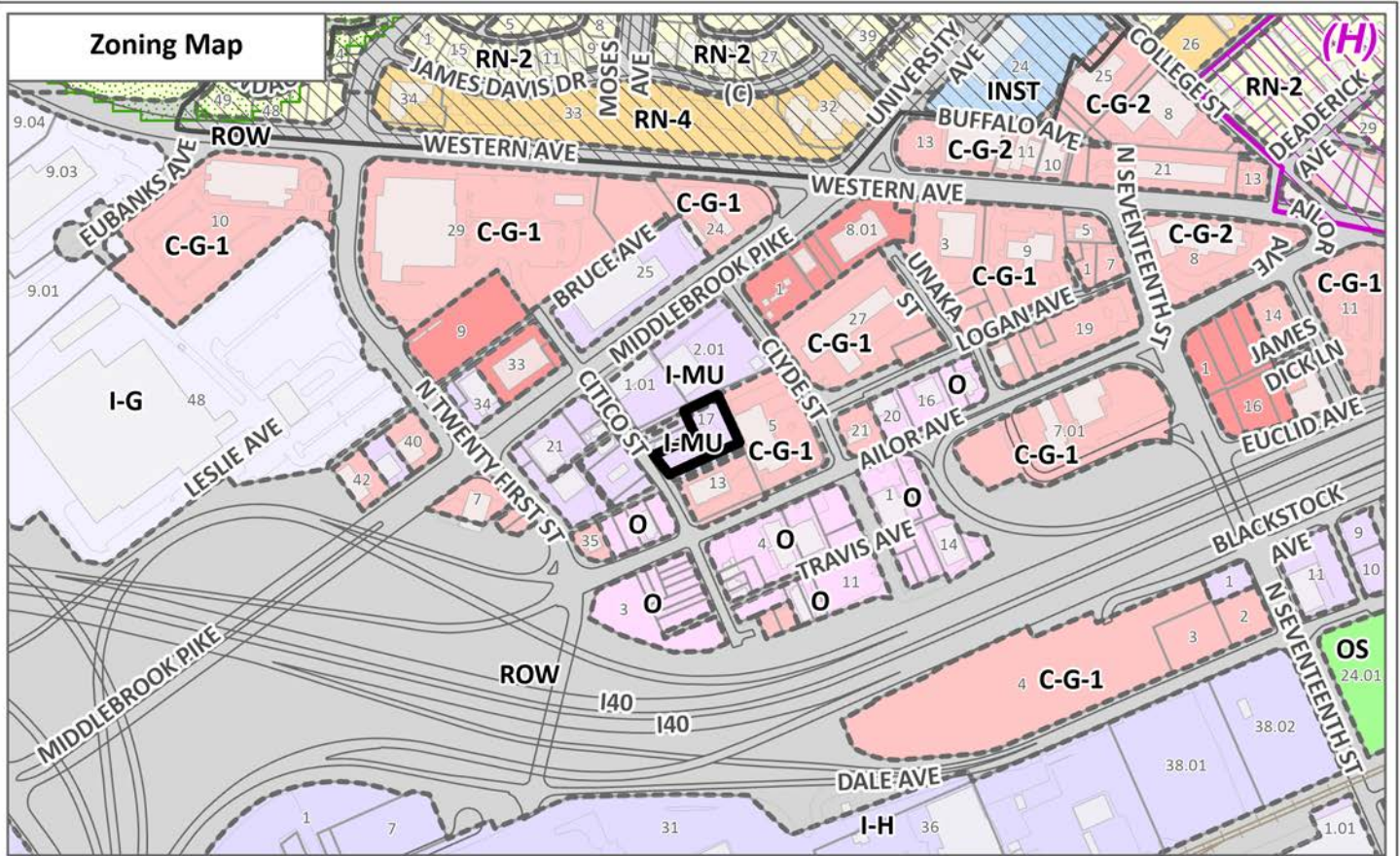
8-C-23-RZ



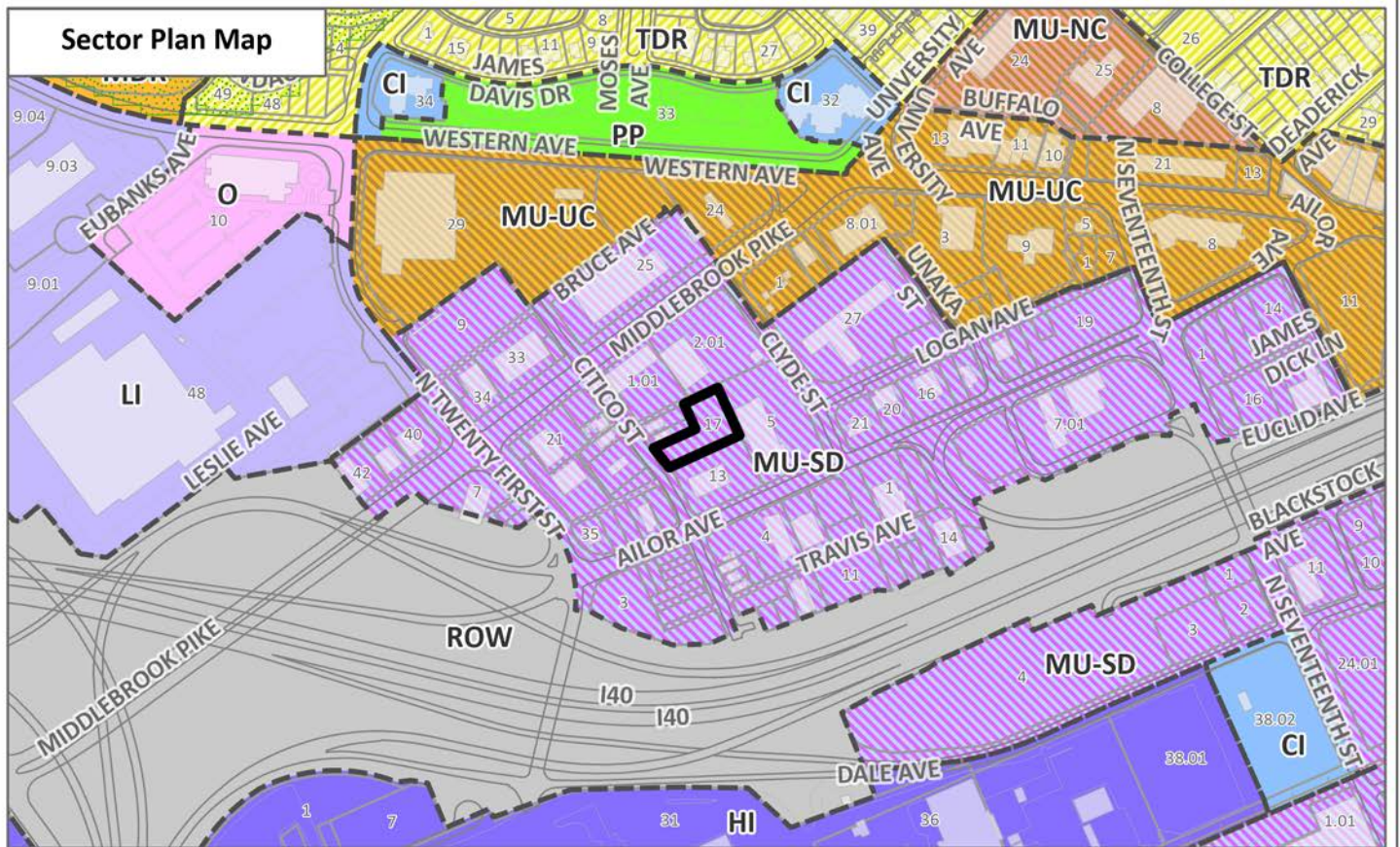
Case boundary



Zoning Map



Sector Plan Map

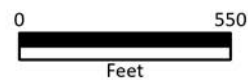


CONTEXTUAL MAPS 2

8-C-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

Steve Jenkins

Applicant Name

Affiliation

6/22/2023

Date Filed

8/10/2023

Meeting Date (if applicable)

8-C-23-RZ

File Number(s)

CORRESPONDENCE

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

Travis Bullington Anchored Construction and Restoration

Name / Company

1219 Maryville Pike Knoxville TN 37920

Address

865-316-6933 / travis@anchoredconstructiontn.com

Phone / Email

CURRENT PROPERTY INFO

Steve Jenkins Positively Living

Owner Name (if different)

1219 Maryville Pike Knoxville TN 37917

Owner Address

865-556-5217

Owner Phone / Email

602 CITICO ST

Property Address

94 K U 017

Parcel ID

Part of Parcel (Y/N)?

21310 square feet

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

East of Citico St., North of Ailor Ave.

General Location

City

Council District 6

I-MU (Industrial Mixed-Use),

**Single Family Residential,
Transportation/Communications/Utilities**

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	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change C-G-1 (General Commercial)	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

Staff Review Planning Commission

ATTACHMENTS

Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- COA Checklist (Hillside Protection)
- Design Plan Certification (Final Plat)
- Site Plan (Development Request)
- Traffic Impact Study
- Use on Review / Special Use (Concept Plan)

Fee 1	Total
\$1,000.00	
Fee 2	
Fee 3	

AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Applicant Signature	Steve Jenkins Please Print	6/22/2023 Date
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Phone / Email		
Property Owner Signature	Steve Jenkins Positively Living Please Print	6/22/2023 Date



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

Steve Jenkins for Positively Living

Director, Positively Living

Applicant Name

Affiliation

6/22/2023

File Number(s)

Date Filed

Meeting Date (if applicable)

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

Travis Bullington

Anchored Construction and Restoration

Name

Company

1219 Maryville Pike

Knoxville

TN

37920

Address

City

State

ZIP

865-316-6933

travis@anchoredconstructiontn.com

Phone

Email

CURRENT PROPERTY INFO

Positively Living

1501 East Fifth Ave, Knoxville, TN 37917

865-556-5217

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

602 Citico Street, Knoxville, TN 37921

094KU017

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

DEVELOPMENT REQUEST

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

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name

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

Other (specify) _____

Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

Zoning Change

Request change to C-G-1 to match the rest of the property

Proposed Zoning

Plan Amendment Change

Proposed Plan Designation(s)

Pending Plat File Number

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

I declare under penalty of perjury the foregoing is true and correct:

1) He/she/it is the owner of the property **AND** **2)** The application and all associated materials are being submitted with his/her/its consent

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Digitally signed by 6e6fd7d0-5176-4476-b7ec-cc066dc974f4
Date: 2023.06.22 09:38:51 -04'00'

Applicant Signature

865-556-5217

Phone Number

6e6fd7d0-5176-4476-b7ec-cc066dc974f4

Property Owner Signature

Steve Jenkins for Positively Living

Please Print

steve@positively-living.org

Email

Steve Jenkins for Positively Living

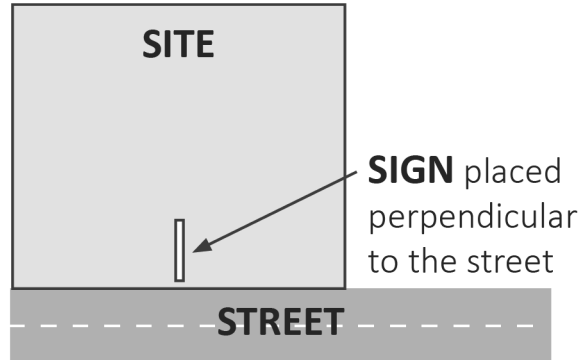
Please Print

6/22/2023

Date

Date Paid

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:

_____ July 28, 2023 _____ and _____ Aug 11, 2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Steve Jenkins

Date: 6/23/23

File Number: 8-C-23-RZ

- Sign posted by Staff
- Sign posted by Applicant