

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 10-G-18-RZ **Related File Number:**
Application Filed: 8/27/2018 **Date of Revision:**
Applicant: MICHELLE MOKRY

PROPERTY INFORMATION

General Location: East side N. Broadway, south of Central St.
Other Parcel Info.:
Tax ID Number: 94 D N 012 **Jurisdiction:** City
Size of Tract: 0.238 acres
Accessibility: Access via N. Broadway, a major arterial street 46' of pavement width within 60' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Commercial
Surrounding Land Use:
Proposed Use: Church **Density:**
Sector Plan: Central City **Sector Plan Designation:** MU-SD (MU-CC-1)
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: The area is developed with a variety of residential, office, commercial, and industrial uses under the C-3 and C-2 zoning.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-3 (General Commercial)
Former Zoning:
Requested Zoning: C-2 (Central Business District)
Previous Requests: None noted
Extension of Zone: Yes
History of Zoning: None noted

PLAN INFORMATION (where applicable)

Current Plan Category:
Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Jeff Archer

Staff Recomm. (Abbr.):

RECOMMEND that City Council APPROVE C-2 (Central Business) zoning, subject to one condition.

Staff Recomm. (Full):

1. If a new building is proposed, either in the location of an existing building or surface parking lot, use on-review approval by MPC shall be required before issuance of any building permits, subject to Appendix 3 (Mixed-Use Development Guidelines) of the Broadway, Central, Emory Place Small Area Plan (2007).

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. The properties are located within the Downtown North Mixed Use District (MU-CC1) of the Central City Sector Plan (2014), which recommends a mix of uses, including residential, office and commercial development.
2. C-2 (Central Business) district zoning is compatible with the surrounding land uses and zoning. Other properties in the area have been rezoned C-2 in recent years, consistent with approved land use plans for the area.
3. C-2 zoning for the subject properties will allow the current business use, or the redevelopment of the buildings or site for mixed uses, as proposed by the sector plan.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE

APPLICABLE ZONING ORDINANCE:

1. The C-2 zoning 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. The MU-CC1 district is described as being an extension of downtown to include areas around Emory Place, in which these properties are located.

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 C-2 zoning is compatible with the surrounding land uses and zoning pattern.
2. The C-2 zoning is compatible with the surrounding scale and intensity of development if it is conditioned upon Appendix 3 (Mixed-Use Development Guidelines) of the Broadway, Central, Emory Place Small Area Plan (2007), as recommended by staff. The C-2 zone allows intensity of development beyond the existing built environment of the Emory Place area and does not have urban design standards to ensure the compatibility new development.
3. The rezoning will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OR KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR

ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Downtown North Mixed Use District (MU-CC1) of the Central City Sector Plan recommends several land use classifications that can be considered. The land use classifications applicable for this

review should have general descriptions and location criteria that are compatible with the proposed site.

2. The MU-CC1 district allows consideration of the Regional Mixed Use Center (MU-RC) land use classification which states, among other things, that the district should be served by sidewalks and transit systems and located on a major arterial, adjacent to an Interstate highway or adjacent to downtown, and the location does not include auto and truck-oriented uses. This proposal is compatible with the general description and location criteria of the MU-RC.

3. The MU-RC land use classification specifically recommends an adapted C-2 zoning district for the 'Downtown North' area. If such a zone has not been adopted the sector plan recommends conditioning rezoning's with the 'Mixed-Use Development Guidelines' (Appendix 3) of the Broadway, Central, Emory Place Small Area Plan. These guidelines have been attached to this report.

4. The Central City Sector Plan recommends adopting new mixed use zoning specifically for this area, such as a Form District or Corridor Overlay District, or a new basic or planned zone that allows mixed use development in small areas or individual lots along urban commercial corridors where a form district or corridor overlay district are not anticipated in the near term or feasible because of location and size.

5. This proposal does not present any apparent conflicts with any other adopted plans.

Action: Approved **Meeting Date:** 10/11/2018

Details of Action:

Summary of Action: RECOMMEND that City Council APPROVE C-2 (Central Business) zoning, subject to one condition.

Date of Approval: 10/11/2018 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 11/6/2018 **Date of Legislative Action, Second Reading:** 11/20/2018

Ordinance Number: **Other Ordinance Number References:** O-169-2018

Disposition of Case: Approved **Disposition of Case, Second Reading:** Approved

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**