

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 2-A-23-RZ                      **Related File Number:**  
**Application Filed:** 12/7/2022              **Date of Revision:**  
**Applicant:** SETH SCHWEITZER

## PROPERTY INFORMATION

**General Location:** East side of S Gay St, south of W Summit Hill Dr  
**Other Parcel Info.:**  
**Tax ID Number:** 95 I A 044                      **Jurisdiction:** City  
**Size of Tract:** 9398 square feet  
**Accessibility:** Access is via S Gay Street, a minor arterial street with a 30-ft pavement width within a 70-ft right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Transportation/Communications/Utilities  
**Surrounding Land Use:**  
**Proposed Use:**    **Density:**  
**Sector Plan:** Central City                      **Sector Plan Designation:** MU-RC (Mixed Use Regional Center)  
**Growth Policy Plan:** N/A (Within City Limits)  
**Neighborhood Context:** This property is one of the few vacant lots along downtown's S. Gay Street Corridor. It is located in the block south of W. Summit Hill Drive, in between a dentist office and a restaurant. It is part of the Gay Street Commercial Historic District, which contains a mixture of office, retail and residential development.

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

**Street:** 308 S GAY ST  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** DK-H (Downtown Knoxville)  
**Former Zoning:**  
**Requested Zoning:** DK-G (Downtown Knoxville)  
**Previous Requests:**  
**Extension of Zone:** Yes  
**History of Zoning:** 2-P-07-RZ added the downtown design overlay in 2007

## PLAN INFORMATION (where applicable)

**Current Plan Category:** MU-RC (Mixed Use Regional Center)

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:

Jessie Hillman

Staff Recomm. (Abbr.):

Approve DK-G (Downtown Knoxville, Grid Subdistrict) zoning because it is compatible with existing zoning in the area, including the requirement to meet standards in the City's Downtown Design Guidelines.

Staff Recomm. (Full):

Comments:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E.3, 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. Up until recently, 308 S Gay St. functioned as a parking lot. This is not the best use of land in one of Knoxville's primary cultural corridors, which is surrounded by public parking garages. The proposed rezoning to DK-G supports the development potential of the site.
2. Rezoning to DK-G is complementary to the increase in recent downtown residential and commercial developments.

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

1. DK-G zoning is intended for intensely developed portions of downtown, with dimensional standards designed to ensure future development maintains pedestrian orientation and a mixed-use environment. This intention aligns with the character of the subject property's location.
2. The DK-G and DK-H districts are similar, with two key differences being the maximum allowable height and minimum build-to percentage. DK-G zoning does not have a maximum building height requirement, whereas DK-H zoning limits structures to 125 ft. The DK-G zoning district has a minimum build-to percentage of 80%, and DK-H has a minimum build-to percentage of 100%.

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. Since the property is part of the Gay St. Commercial National Register Historic District, new construction needs to be built in a manner that protects the integrity of adjacent buildings and the historic setting and context. Any proposed development plan for this property will be reviewed by the Design Review Board under both the existing and proposed zoning. This review process will help ensure that future development is appropriate, and will mitigate any adverse impacts through application of the development standards for new construction in National Register Historic Districts, contained in the Downtown Knoxville Design Guidelines.
2. Although DK-G and DK-H have different height requirements, buildings more than 85 ft in height must incorporate an "upper-story setback" in the front façade of at least 10 ft above the third story and below the seventh story, according to the DK zoning dimensional standards. This helps minimize the visual impact of buildings taller than their surroundings, and supports a consistent visual experience for pedestrians and those driving along the corridor.
3. The property is located in an area already well-served by parking infrastructure and public transit. Any proposed vehicular access to S. Gay St. will be considered in the design review that would be required for development of this property.

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 Central City Sector Plan designates this parcel MU-RC (Regional Mixed Use Center), which is intended for high intensity mixed-use areas.  
2. The proposed rezoning is not in conflict with the General Plan or any other adopted plans.

**Action:** Approved **Meeting Date:** 2/9/2023

**Details of Action:**

**Summary of Action:** Approve DK-G (Downtown Knoxville, Grid Subdistrict) zoning because it is compatible with existing zoning in the area, including the requirement to meet standards in the City's Downtown Design Guidelines.

**Date of Approval:** 3/9/2023 **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:** 3/7/2023 **Date of Legislative Action, Second Reading:** 3/21/2023

**Ordinance Number:** **Other Ordinance Number References:** O-53-2023

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

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

**Amendments:** **Amendments:**

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