

# CASE SUMMARY

## APPLICATION TYPE: REZONING

KNOXVILLE-KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N

T E N N E S S E E

Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
865 • 215 • 2500  
F A X • 215 • 2068  
www.knoxmpc.org

**File Number:** 4-B-17-RZ                      **Related File Number:**  
**Application Filed:** 2/21/2017              **Date of Revision:**  
**Applicant:** STONE STREET GROUP

### PROPERTY INFORMATION

**General Location:** Northwest side Jennings Ave., southwest of N. Central St.  
**Other Parcel Info.:**  
**Tax ID Number:** 94 D Q 031                      **Jurisdiction:** City  
**Size of Tract:** 1.09 acres  
**Accessibility:** Access is via Jennings Ave., a local street with 36' of pavement width within 50' of right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Lusk Body Co. commercial building  
**Surrounding Land Use:**  
**Proposed Use:** Any use permitted under C-2 zoning                      **Density:**  
**Sector Plan:** Central City                      **Sector Plan Designation:** MU-SD (MUCC-1)  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This area is developed with a mix of residential, office, commercial and light industrial uses under C3 and C-2 zoning.

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

**Street:** 127 Jennings Ave  
**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, extension of C-2 zoning from the southeast.  
**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.:

**MPC ACTION AND DISPOSITION**

Planner In Charge: Mike Reynolds

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 the guide lines of 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. The MU-CC1 section of the plan is attached to this report.
2. C-2 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 property will allow the proposed commercial use, or the redevelopment of the building 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, including the area where the subject property is located. C-2 is an appropriate zone for the subject property.

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. Uses allowed under C-2 zoning are compatible with the surrounding land uses and zoning pattern.
2. With the recommended condition by staff, C-2 zoning is compatible with the surrounding scale and intensity of development. The C-2 zone allows intensity of development beyond the existing built environment of the surrounding area and does not have urban design standards to ensure the compatibility of new development.
3. The proposal 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 rezonings 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 on 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. The sections from

the sector plan regarding these new zoning districts is attached to this report.

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

**Action:** Approved **Meeting Date:** 4/13/2017

**Details of Action:** 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 the guide lines of Appendix 3 (Mixed-Use Development Guidelines) of the Broadway, Central, Emory Place Small Area Plan (2007).

**Summary of Action:** C-2 (Central Business) zoning, subject to one condition.

**Date of Approval:** 4/13/2017 **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:** 5/9/2017 **Date of Legislative Action, Second Reading:** 5/23/2017

**Ordinance Number:** **Other Ordinance Number References:**

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

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

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

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