

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

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File Number: 4-E-10-RZ **Related File Number:** 4-C-10-PA
Application Filed: 2/22/2010 **Date of Revision:**
Applicant: R. SCOTT CARPENTER / 846 NORTH CENTRAL LLC

PROPERTY INFORMATION

General Location: Northeast side N. Central St., northwest side Fulton Pl., west side Irwin St.
Other Parcel Info.:
Tax ID Number: 94 D C 005, 019, 020 **Jurisdiction:** City
Size of Tract: 0.3 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Commercial
Surrounding Land Use:
Proposed Use: Office/retail **Density:**
Sector Plan: Central City **Sector Plan Designation:** MU-SD (MU-CC2)
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context:

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:
History of Zoning:

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: Michael Brusseau

Staff Recomm. (Abbr.): RECOMMEND that City Council APPROVE C-2 (Central Business) zoning, subject to 2 conditions.
1. Any redevelopment of the site will be subject to development plan approval by MPC as a use on review.
2. The maximum building height shall be 45 feet.

Staff Recomm. (Full): C-2 zoning is compatible with the current use of this property, as well as with the scale and intensity of surrounding development. The proposal is consistent with the sector plan. With the following conditions, staff will get the opportunity to review a plan to ensure compliance with the policies of the Broadway-Central-Emory Place Small Area Plan 4/16/2010:
1. Any redevelopment of the site will be subject to development plan approval by MPC as a use on review.
2. The maximum building height shall be 45 feet.

Comments:

REZONING REQUIREMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. C-2 zoning is compatible with the scale and intensity of the surrounding development and zoning.
2. Other properties in the area have been rezoned to C-2 as a result of individual requests by property owners in the area. The closest C-2 zoning is less than 500 feet to the south.
3. C-2 zoning allows a wider range of uses than C-3, including residential. C-2 is the primary zoning used for downtown business district development. The area containing this site is within the Central Corridor on the Broadway-Central-Emory Place Small Area Plan, which encourages rezoning to a mixed-use district.

CONSISTENCY WITH INTENT AND PURPOSE OF THE 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. Based on the above general intent, this area is appropriate for C-2 zoning.

THE EFFECTS OF THE PROPOSAL:

1. Water and sewer utilities are in place to serve this site.
2. The proposal will have no impact on schools and a minimal impact on the street system.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Central City Sector Plan, as amended by the Broadway-Central-Emory Place Small Area Plan, proposes mixed uses for this site.
2. With the recommended amendment to CBD, C-2 zoning is consistent with the City of Knoxville One Year Plan.
3. Approval of this request could lead to future requests for C-2 zoning on other parcels in the area along N. Central St. These requests will need to be reviewed on a case-by-case basis according to their own merits. Since C-2 zoning does not require on-site parking, the availability of off-site parking will have to be considered as part of any future requests.

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. New law provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.

2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

Action: Approved **Meeting Date:** 4/8/2010

Details of Action:

Summary of Action: C-2 (Central Business District) zoning, subject to 2 conditions,

Date of Approval: 4/8/2010 **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: 5/4/2010

Date of Legislative Action, Second Reading: 5/18/2010

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: