

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 5-E-20-RZ **Related File Number:**
Application Filed: 3/16/2020 **Date of Revision:**
Applicant: SMJT, LLC

PROPERTY INFORMATION

General Location: South side of Bearden Place at its intersection with N. Broadway Avenue
Other Parcel Info.: Requesting rezoning to revert back to conformance with previous C-2 Zoning
Tax ID Number: 94 D C 01001 **Jurisdiction:** City
Size of Tract: 0.5 acres
Accessibility: The most likely point of access would be off of Bearden Place, a local road with a pavement width of approximately 25 ft. and a right-of-way width of 40 ft. in front of this building. N. Broadway Avenue is a major arterial with a pavement width of approximately 33 ft. and a right-of-way width of 50.5 ft.

GENERAL LAND USE INFORMATION

Existing Land Use: Office designation; site of Elkmont Exchange Brewery and Eating House
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: Central City **Sector Plan Designation:** MU-SD, MU-CC1
Growth Policy Plan: Within City Limits
Neighborhood Context: This property is on the edge of downtown just north of the intersection of Central and Broadway Avenues. The area just to the south is urban in character with 2- to 3-story buildings and street parking and composition similar to, though on a smaller scale than, downtown. There is a wide mix of uses including commercial, office, multifamily, and single-family residential uses.

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

Street: 745 N. Broadway Avenue
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-G- 2 (General Commercial)
Former Zoning:
Requested Zoning: DK-E (Downtown Knoxville)
Previous Requests: Rezoned from C-3 (General Commercial) to C-2 (Central Business) in August, 2016 (#7-I-16-RZ).
Extension of Zone: Yes, DK-E zoning is adjacent to the south
History of Zoning: Rezoned from the C-3 (General Commercial) District to the C-2 (Central Business) District in August, 2016 (#7-I-16-RZ).

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: Michelle Portier

Staff Recomm. (Abbr.): Approve DK-E (Downtown Knoxville Edge Subdistrict) zoning because it is consistent with the Central City Sector Plan's MU-SD, CC-1 (Mixed Use-Special District, Downtown North) designation.

Staff Recomm. (Full):

Comments: This property was zoned C-2 (Central Business District) before adoption of the new zoning ordinance and map on January 1, 2020. The applicant is seeking DK-E (Downtown Knoxville-Edge Subdistrict) zoning on this parcel as a comparable zone to the previous zoning before adoption of the new zoning ordinance and map.

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 C-2 zoning district in the previous zoning map was applied in a patchwork manner surrounding the downtown core. Its function could never be fully realized without a more cohesive cluster of parcels with consistent zoning. Therefore, upon adoption of the new zoning ordinance and map, the DK-E subdistrict was created and applied more consistently in the area around the downtown core.
2. The site is in an area just outside of downtown containing densely packed buildings with street parking and composition similar to, though on a smaller scale than, downtown. The intersection of Broadway and Central mark where the development pattern changes. The new, consistent zoning provides an opportunity to provide a greater depth for the zone on the north side of Central. The proposed deeper boundary for the DK-E zone, extending it farther from N. Central Street, more closely mimics the depth of the zone on the south side of the street than its current depth and creates a consistent experience on both sides of the street.

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

1. The proposed amendment to DK-E zoning is intended to address areas of transition between the higher intensity environment of the Downtown and adjacent smaller-scale mixed-use areas. The DK-E Subdistrict facilitates mixed-use development with standards that focus on compatibility with adjacent development.
2. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.
3. The new DK-E zone terminates at the rear of this parcel. Typically, the more desirable termination point for a zone is mid-block so that the parcels on both sides of a street are the same zone and create a consistent experience from the street. However, in this case, extending the DK-E zone boundary to encompass this parcel moves that outer edge to where it coincides with that of the Central City Sector Plan's MU-SD, CC-1 designation.

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. Expanding the DK-E subdistrict to encompass this parcel would not create any adverse effects directly nor indirectly.
2. The requested zoning is compatible with the surrounding development.

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. DK-E zoning is consistent with the Central City Sector Plan's MU-SD, CC-1 (Mixed Use-Special District, Downtown North) designation, which calls for a variety of uses including office, commercial, and residential.

2. This rezoning would extend the boundary to coincide with the boundary of the Central City Sector Plan's MU-SD, CC-1 (Mixed Use-Special Use District, Downtown North).

3. The property is located within Knoxville's City limits on the Growth Plan.

4. The property is located in FEMA Flood Zone X but does not contain any floodplain areas.

Action: Approved **Meeting Date:** 6/11/2020

Details of Action:

Summary of Action: Approved DK-E (Downtown Knoxville Edge Subdistrict) zoning because it is consistent with the Central City Sector Plan's MU-SD, CC-1 (Mixed Use-Special District, Downtown North) designation.

Date of Approval: 6/11/2020 **Date of Denial:** **Postponements:** 5/14/2020

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 7/14/2020

Date of Legislative Action, Second Reading: 7/28/2020

Ordinance Number:

Other Ordinance Number References: O-115-2020

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: