

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 8-M-20-RZ                      **Related File Number:**  
**Application Filed:** 7/1/2020              **Date of Revision:**  
**Applicant:** THOMAS GRAY BRANDON

## PROPERTY INFORMATION

**General Location:** Southwest corner of Grainger Ave and N. Sixth Ave.  
**Other Parcel Info.:** Application also includes address 1541 N. Sixth Ave  
**Tax ID Number:** 82 I D 001, 002                      **Jurisdiction:** City  
**Size of Tract:** 0.58 acres  
**Accessibility:** The property does not have a dedicated access point. It is on the corner of N. Sixth Avenue and Grainger Avenue and could be accessed from either street. N. Sixth Avenue is a major collector with a pavement width of 36 feet inside a right-of-way of approximately 48 feet. It has a dedicated bike lane. Grainger Avenue is a local road with a pavement width of approximately 33 feet inside a right-of-way of 51 feet.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Transportation/communications/utilities designation; currently used for trailer storage  
**Surrounding Land Use:**  
**Proposed Use:**    **Density:**  
**Sector Plan:** Central City                      **Sector Plan Designation:** MU-CC4  
**Growth Policy Plan:** Within City limits  
**Neighborhood Context:** This section of Sixth Avenue has developed with businesses under the previous I-3 zoning. The Fourth and Gill Historic District is beyond the creek to the west.

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

**Street:** 1549 and 1541 N. Sixth Ave.  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** C-N (Neighborhood Commercial)  
**Former Zoning:**  
**Requested Zoning:** I-G (General Industrial)  
**Previous Requests:**  
**Extension of Zone:** No  
**History of Zoning:** None noted for this property, but a request to amend the One Year Plan from LI (Light Industrial) to MDR (Medium Density Residential) was denied in 2006 (Case # 7-C-06-PA)

**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 I-G (General Industrial) zoning because it is consistent with the Central City Sector Plan's MU-CC4 (Mixed Use-Special District, Magnolia Gateways) designation and with the surrounding development in the immediate vicinity.

Staff Recomm. (Full):

Comments:

This property was zoned I-3 (General Industrial District) before adoption of the new zoning ordinance and map on January 1, 2020. The applicant is seeking I-G (General Industrial District) 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. There have been no significant changes to development in this area that would prompt a rezoning. However, the requested I-G zoning is consistent with the MU-SD, CC4 designation for this property.
- 2. This property was rezoned to I-3 (General Industrial District) with the adoption of the new zoning map and ordinance. This property likely was targeted for rezoning because it is separated from the I-G zoning on N. Sixth Avenue to the south by a parcel in the Open Space district. Typically, the C-N zone would provide a transition from the I-G zoning along N. Sixth Avenue to the residential zoning to the west along Grainger. However, the entirety of this property is impacted by First Creek. It is comprised of land in the First Creek floodway, 100-year floodplain, and 500-year floodplain, making it an unlikely site for development. C-N zoning allows commercial businesses, which would likely be impacted negatively with consistent flooding, located as it is in floodplains.

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

- 1. The I-G (General Industrial) zone provides for a range of general industrial uses that may produce limited outside impacts, rendering them incompatible with retail, service, or residential uses. Such uses include limited manufacturing, fabricating, processing, wholesale distributing, and warehousing facilities that do not require frequent visits from customers or clients.
- 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.

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 property is located in FEMA Flood Zone X. The entirety of the property is in either the 100-year floodplain, the 500-year floodplain, or the floodway. The current C-N zoning would allow a commercial business on this property, but any associated business could be impacted negatively by consistent recurring flooding due to the floodplains and floodway on the property. Rezoning the property to I-G allows uses that are less likely to incur damage from flooding.

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 MU-SD, CC4 (Magnolia Gateway) designation supports I-G zoning. This mixed use district recognizes the variety of uses in the area.  
2.This rezoning is not conflict with the General Plan or any other adopted plans.

**Action:** Approved **Meeting Date:** 8/13/2020

**Details of Action:**

**Summary of Action:** The Planning Commission approved I-G (General Industrial) zoning because it is consistent with the Central City Sector Plan's MU-CC4 (Mixed Use-Special District, Magnolia Gateways) designation and with the surrounding development in the immediate vicinity.

**Date of Approval:** 8/13/2020 **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:** 9/8/2020 **Date of Legislative Action, Second Reading:** 10/6/2020

**Ordinance Number:** **Other Ordinance Number References:** O-147-2020

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

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

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

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