

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: 9-E-15-RZ **Related File Number:**
Application Filed: 7/29/2015 **Date of Revision:**
Applicant: JOHN C. TEXADA

PROPERTY INFORMATION

General Location: Southeast side Emory Pl., northeast side King St.
Other Parcel Info.:
Tax ID Number: 94 D M 003 & 004 **Jurisdiction:** City
Size of Tract: 9500 square feet
Accessibility: Access is via Emory Place, a local street with 55' feet of pavement width (including on-street parking and sidewalks) within 105' of right-of-way, or King St., a local street with 28' of pavement width within 35' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Office
Surrounding Land Use:
Proposed Use: Mixed use commercial and residential **Density:**
Sector Plan: Central City **Sector Plan Designation:**
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This area is developed with a mix of commercial, office and residential uses under C-2 and C-3 zoning.

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

Street: 16 Emory Pl
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 south
History of Zoning: Other properties in the immediate area have been rezoned C-2 in recent years, consistent with the sector plan proposal for the area.

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.

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 and zoning. The proposal is consistent with both the One Year Plan and sector plan.

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. C-2 zoning is compatible with the scale and intensity of the surrounding development and zoning and is an extension of the C-2 zoning district from the south.
2. Other properties in the area have been rezoned to C-2 as a result of individual requests by property owners in the area.
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 has been identified by the Broadway-Central-Emory Place Small Area Plan as "Downtown North," appropriate for C-2 zoning.

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. Based on the above general intent, this area is appropriate for C-2 zoning.

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 proposal is compatible with the surrounding land uses and zoning pattern.
2. Water and sewer utilities are in place to serve this site.
3. The proposal will have no impact on schools and a minimal impact on the street system.
4. 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 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, as amended by the Magnolia Avenue Corridor Plan, designates the site within a mixed use special district as part of the MA4 district, consistent with the proposed C-2 zoning. The plan specifically lists C-2 as a recommended zone for mixed use development within this designated area.
2. The City of Knoxville One Year Plan designates the site within the same mixed use special district as the sector plan, consistent with C-2 zoning.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This proposal does not present any apparent conflicts with any other adopted plans.

Action: Approved

Meeting Date: 9/10/2015

Details of Action:

Summary of Action: C-2 (Central Business) zoning.

Date of Approval: 9/10/2015

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: 10/13/2015

Date of Legislative Action, Second Reading: 10/27/2015

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: