

# CASE SUMMARY

**APPLICATION TYPE: REZONING**



**File Number:** 9-F-24-RZ

**Related File Number:**

**Application Filed:** 7/18/2024

**Date of Revision:**

**Applicant:** JOE E. PETRE

## **PROPERTY INFORMATION**

**General Location:** North side of Brock Ave, east of side Booth St

**Other Parcel Info.:**

**Tax ID Number:** 94 P D 011,01101

**Jurisdiction:** City

**Size of Tract:** 3.22 acres

**Accessibility:** Access via Brook Avenue, a local street with a pavement width that varies between 18 ft to 21 ft within a 37 ft right-of-way. Access is also via a cul-de-sac at the northern terminus of Portland Street, a local street with varied pavement width and right-of-way.

## **GENERAL LAND USE INFORMATION**

**Existing Land Use:** Private Recreation, Office

**Surrounding Land Use:**

**Proposed Use:**

**Density:**

**Planning Sector:** Central City

**Plan Designation:** MU-SD (Mixed Use Special District)

**Growth Policy Plan:** N/A (Within City Limits)

**Neighborhood Context:** The subject parcels are located in the Marble City neighborhood east of John Tarleton Park. The area has a mix of uses including residential, commercial, office, wholesale, public parks, industrial, and public/quasi public land.

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

**Street:** 525 PORTLAND ST

**Location:**

**Proposed Street Name:**

**Department-Utility Report:**

**Reason:**

## **ZONING INFORMATION (where applicable)**

**Current Zoning:** I-G (General Industrial)

**Former Zoning:**

**Requested Zoning:** I-MU (Industrial Mixed-Use)

**Previous Requests:**

**Extension of Zone:** Yes, this would be an extension from across the street to the west and south sides.

**History of Zoning:** In 1991, the parcels were rezoned from I-2 (Restricted Manufacturing & Warehousing) to O-1 (Office Medical & Related Services District).

## **PLAN INFORMATION (where applicable)**

Current Plan Category: MU-SD (Mixed Use Special District)

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: Samiul Haque

Staff Recomm. (Abbr.): Approve the I-MU (Industrial Mixed-Use) district because it would be consistent with the sector plan and surrounding development.

Staff Recomm. (Full):

Comments: PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

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 has been some recent developments in the vicinity including a new townhouse development and an under-construction multifamily housing southeast of the property. The I-MU district would be an extension of the district from across the street on the west and south sides.
2. The I-G zoning is not reflective of the subject property's current land use, which has been used as an office building for a financial institution for at least the last 10 years. The southern parcel accommodates a historic, two-storied brick building built in the 1930s for the former Perkins Elementary School. The I-MU district would be more appropriate for this property that intends to promote the reuse of older, character giving structures.

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

1. The I-MU district is intended to provide for a mix of light industrial uses and a variety of compatible commercial uses such as entertainment, amusement and retail establishments. Residential uses are also permitted in the I-MU District, both above the ground floor in mixed-use developments, and in multi-family dwellings.
2. The area has a mix of uses including office, commercial, residential, and industrial, and the property meets the intent of the I-MU district.
3. 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 CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. The proposed downzoning is not expected to have any significant adverse impact on the surrounding area. Uses allowed by the I-MU district would be more compatible with the surrounding houses than what current the I-G district allows.

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 property has the MU-SD, MU-CC19 (Marble City Mixed Use Special District) land use classification as defined in the Center City Sector Plan and the One Year Plan, which does not support the current I-G district. The proposed amendment would eliminate the discrepancy between the zoning district and the land use classification.
2. Approval of the less intensive I-MU district is consistent with the General Plan's Development Policy 11.3 that discourages environmental nuisances including noxious industrial uses in the vicinity of residential development.

ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

1. This is an urbanized area with adequate utility infrastructure. The property has nearby sidewalk connections to transit route along Sutherland Avenue which now has a higher frequency service (15-minute).
2. If a residential development were pursued, it would be supported by the property's proximity to UT, Tennessee College of Applied Technology, Elevate School, and many nearby parks.

**Action:** Approved **Meeting Date:** 9/12/2024

**Details of Action:**

**Summary of Action:** Approve the I-MU (Industrial Mixed-Use) district because it would be consistent with the sector plan and surrounding development.

**Date of Approval:** 9/12/2024 **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:** 10/1/2024 **Date of Legislative Action, Second Reading:** 10/15/2024

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

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

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

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

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