

▶ **FILE #:** 8-B-13-UR **AGENDA ITEM #:** 32

POSTPONEMENT(S): 8/8/2013 **AGENDA DATE:** 10/10/2013

▶ **APPLICANT:** ROYAL PROPERTIES, INC.

OWNER(S): Royal Properties, Inc.

TAX ID NUMBER: 95 I E 024 & 02401

JURISDICTION: City Council District 6

▶ **LOCATION:** Southeast side of W. Church Ave., northeast side of Market St.

▶ **APPX. SIZE OF TRACT:** 1.9 acres

SECTOR PLAN: Central City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is proposed from W. Church Av. and Market St. Both roadways are classified as local streets. Each street has a right-of-way width of 40', and they vary in pavement width from 15' to 22'

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **ZONING:** C-2 (Central Business District) / D-1 (Downtown Design Overlay)

▶ **EXISTING LAND USE:** Parking garage/ surface parking lot & vacant commercial space

▶ **PROPOSED USE:** Commercial Parking Lot

HISTORY OF ZONING: Expansion of the adjoining parking lot was approved in 1996.

SURROUNDING LAND USE AND ZONING: North: Offices/ C-2 Commercial

South: Parking lot / C-2 commercial

East: Parking lot / C-2 commercial

West: Offices/ C-2 Commercial

NEIGHBORHOOD CONTEXT: Property in the area is zoned C-2 (Central Business District). Existing uses in the area are offices, St. Johns Episcopal Church, the Bijou Theater and the Federal Courts.

STAFF RECOMMENDATION:

▶ **APPROVE the request for the surface parking lot as shown on the site plan subject to 5 conditions**

1. Meeting all applicable requirements of the Knoxville Downtown Design Review Board including but not limited to fencing, lighting and landscaping
2. Maintaining at least 50% of the parking spaces for transient (hourly/daily) parking
3. Maintaining the visibility triangle at the intersection of Market St. and W. Church Av. as required by the Knoxville Zoning Ordinance
4. Meeting all other applicable requirements of the Knoxville Zoning Ordinance or obtaining any required variances
5. Meeting all applicable requirements of the Knoxville Engineering Dept.

With the conditions noted, the plan meets the requirements for approval in the C-2 District and the other criteria for approval of a use on review

COMMENTS:

This application began as a request for a use on review approval for a surface parking lot to be constructed in the present location of the Pryor Brown Parking Garage. As part of the staff review process for that request, it was determined that the previous use on review approval for the existing surface parking lot on the adjoining parcel contained issues that placed a cloud over that action. After consultation with the applicant and the City Law Department, it was determined that the best course of action would be to seek reapproval of the existing surface lot along with the expansion as originally proposed.

Staff review of this request has been focused on two primary areas: conformity with the parking regulations contained in the Knoxville Zoning Ordinance and conformity with the adopted Downtown Plan.

The Downtown Plan makes a number of recommendations regarding parking in the CBD. The plan identifies this site as being in core area of the CBD. It recommends that transient parking be the focus of the parking facilities in the core area. With the theater, courts and numerous client oriented office uses in the area, staff believes that at least 50% of the spaces in this parking lot should be reserved for transient parkers. Additionally, the plan has requirements for fencing and landscaping which are being met by this request.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND THE COMMUNITY AS A WHOLE

1. The proposal will have no impact on schools.
2. No additional traffic will be added to the surrounding roads with the approval of this request.
3. There will be no impact on utility requirements in the area

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. The proposed parking lot is consistent with the general standards for uses permitted on review: The proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas.

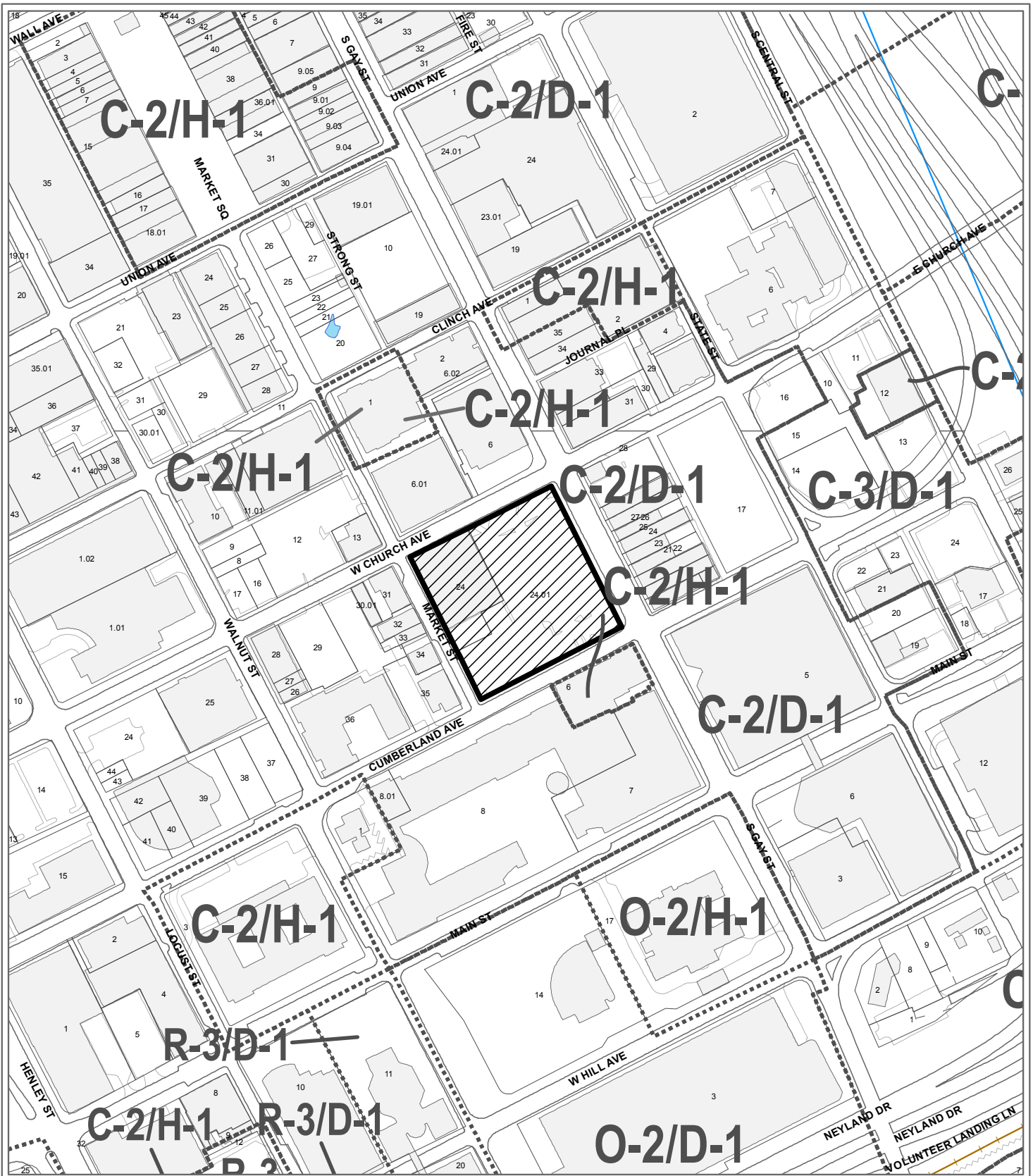
CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Central City Sector Plan proposes Mixed Use retail/office/residential uses for this site.
2. The Knoxville One Year Plan proposes CBD (Central Business District) for this site.

ESTIMATED TRAFFIC IMPACT: Not calculated.

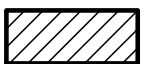
ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**8-B-13-UR
USE ON REVIEW**

Petitioner: Royal Properties, Inc.



Commercial Parking Lot in C-2 (Central Business District) / D-1 (Downtown Design Overlay)

Original Print Date: 7/24/2013
 Revised: 10/3/2013
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Map No: 95
 Jurisdiction: City

0 250
 Feet



8-B-13-UR - amend



Royal Properties, Inc.
507 South Gay Street, Suite 908
Knoxville, TN 37902
Phone: 865-637-2683
Fax: 865-637-8839

August 26, 2013

VIA HAND DELIVERY

Metropolitan Planning Commission
City County Building, Suite 403
400 West Main Street
Knoxville, Tennessee 37902
Attn: Mr. Dan Kelly

Re: Use on Review File Number 8-B-13-UR

Dear Mr. Kelly:

Royal Properties, Inc., applicant pursuant to the pending Use on Review File Number 8-B-13-UR, hereby amends such application to also include all of the adjoining Parcel No. 24.01 currently used for surface parking for MPC confirmation/approval of such continuing use in the Downtown C-2 Zone.

Sincerely,

Royal Properties, Inc.

By: Sharon A. Lowe
Sharon A. Lowe
Vice-President

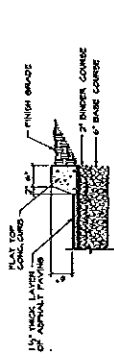
LINDSAY & MAPLES ARCHITECTS, INC.
 129 FOX ROAD, SUITE 115
 FARMINGTON, MISSISSIPPI 38625
 PHONE (662) 224-0044
 FAX (662) 224-0080

PREPARED FOR
 CONSTRUCTION

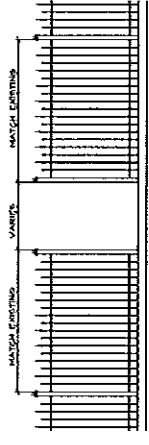
322 WEST CHURCH AVENUE
 MEMPHIS, TENNESSEE

DATE: 9/20/2012
 DRAWN BY: RLV
 CHECKED BY: [Signature]
 PROJECT: Proposed Overall Site Plan

Date:	9/20/2012
Drawn by:	RLV
Checked by:	[Signature]
Project:	Proposed Overall Site Plan
Sheet Number:	SP2



CONCRETE CURB DETAIL
 SCALE: 3/4" = 1'-0"



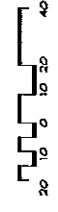
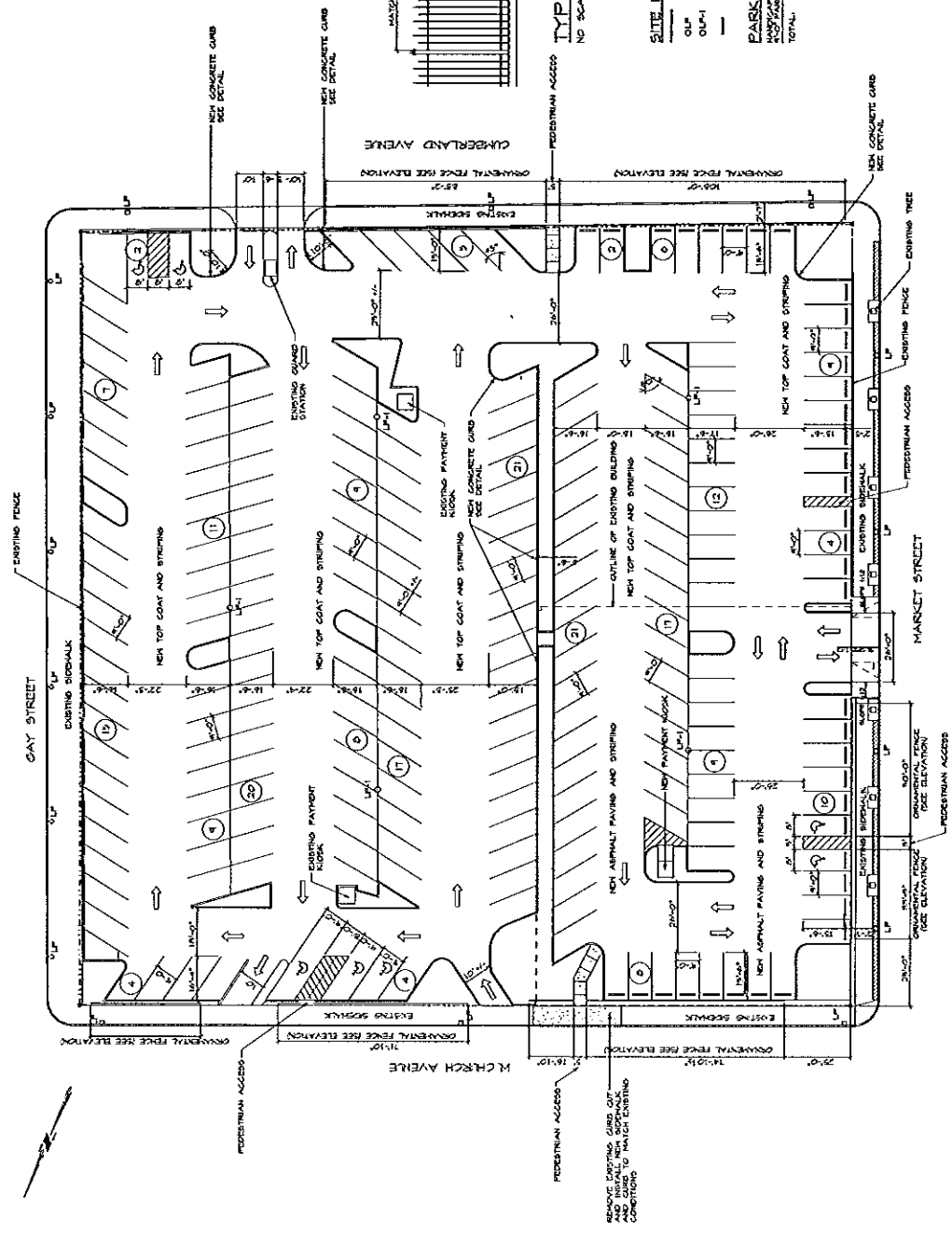
TYPICAL FENCE ELEVATION
 NO SCALE

SITE PLAN LEGEND:

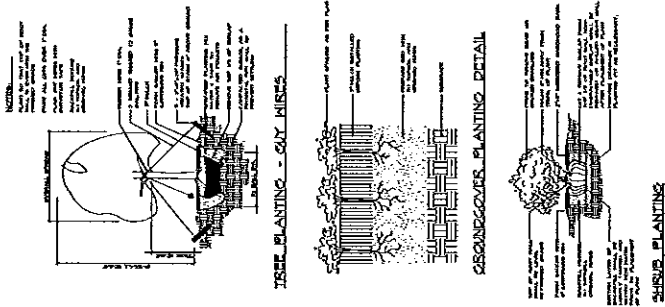
- NEW CONCRETE CURB
- EXISTING LIGHT POLE
- NEW CONCRETE WHEEL STOP
- NEW CONCRETE WHEEL STOP

PARKING
 7 SPACES
 275 SQUARE FEET
 200 SPACES
 TOTAL

8-B-13-ur
RECEIVED
10/1/13



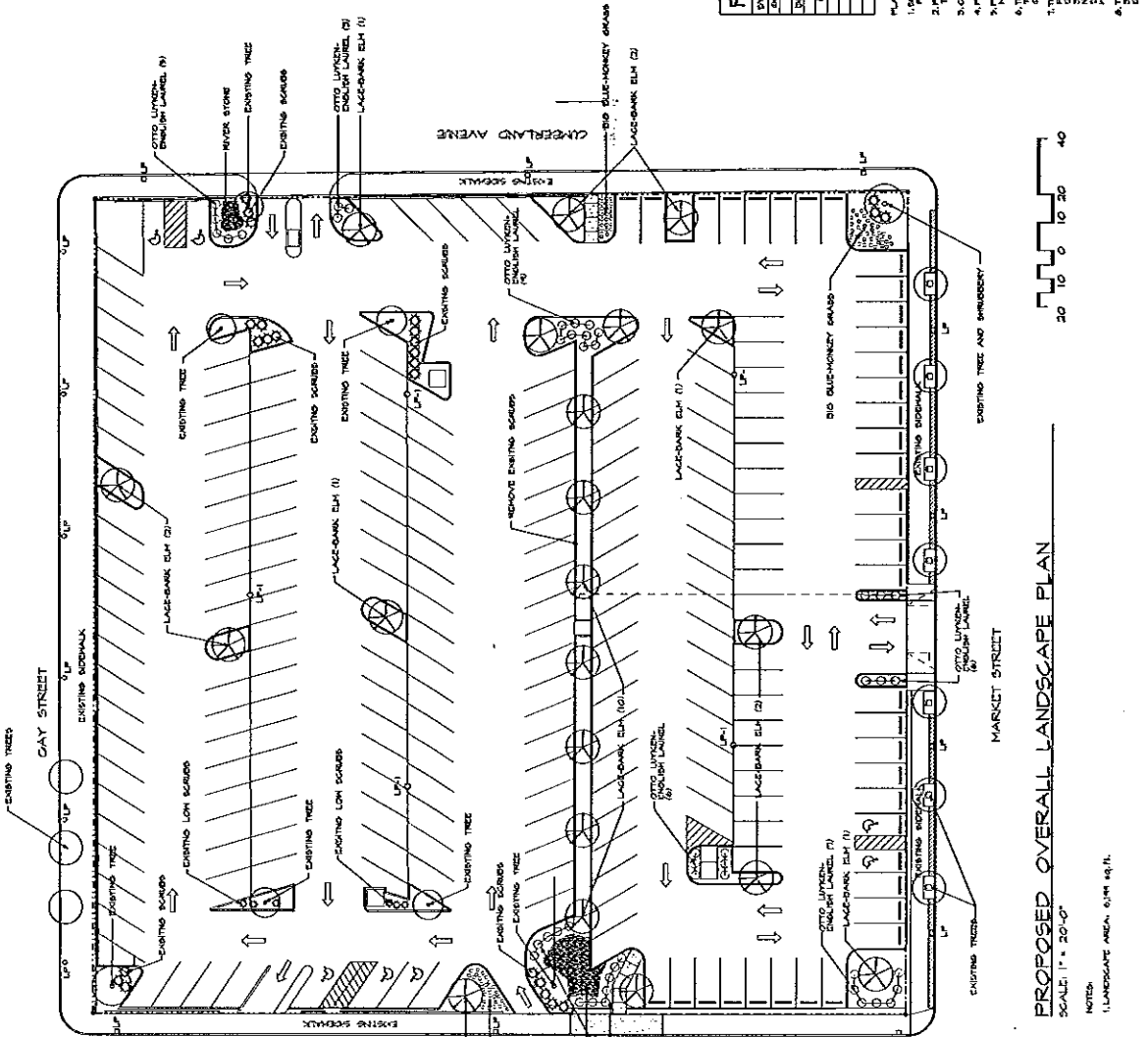
PROPOSED OVERALL SITE PLAN
 SCALE: 1" = 20'-0"



PLANT LIST

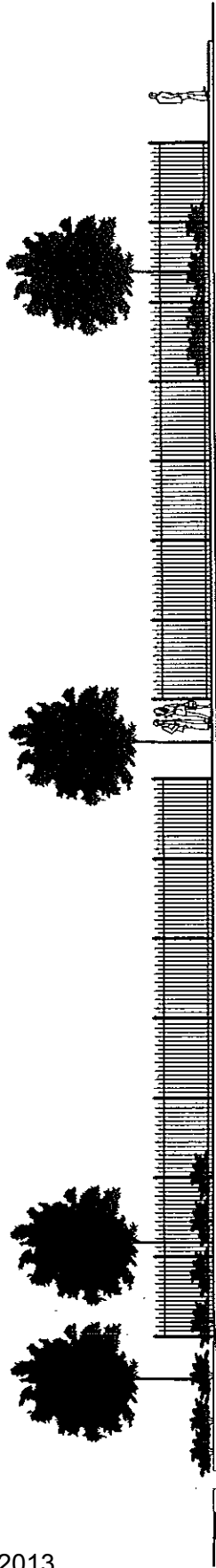
SYM. TYPE	QTY.	SIZE	REMARKS
L1	51	1 1/2" - 2" CAL.	50-50-20 C.C.
L2	1	1 GALLON	
L3	3	5 GALLON	
L4	0		

- PLANTING NOTES:**
1. ALL PLANTS SHALL BE GUARANTEED FOR 12 MONTHS FROM COMPLETION OF PROJECT AND DEAD TREES REPLACED IN 12 MONTHS.
 2. PLANTS SHOULD BE GOOD QUALITY FOR THE SIZE SPECIFIED. THE OWNER HAS THE RIGHT TO REQUEST IMPROVED PLANT MATERIAL.
 3. COMPLY WITH CITY OF KNOXVILLE TREE ORDINANCE.
 4. REMOVE STAKES AND SUPPORT WIRDS FOR TREES AS REQUIRED. SEE DETAIL.
 5. PLANTING SHALL BE DONE WITHIN 15 DAYS OF THE DATE OF THE PERMIT. UNLESS OTHERWISE SPECIFIED, ALL PLANTS SHALL BE PLANTED IN THE SPRING.
 6. THE LANDSCAPE CONTRACTOR SHALL MAINTAIN AND PATENTERS REQUIREMENTS THAT ASSURE GROWTH CONDITIONS NECESSARY TO MAINTAIN THE PLANT REPLACEMENT.
 7. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR PREPARATION OF SOIL CONDITIONS THAT PROMOTE LONG TERM VIABILITY AND PLANT SURVIVAL IN THE SPECIFIED GROWING MEDIA. SOIL WITH POOR DRAINAGE AND/OR POOR FERTILITY SHALL BE AMENDED WITH APPROPRIATE SOIL AMENDMENTS. SOIL AMENDMENTS SHALL BE APPLIED TO ALL AREAS TO BE PLANTED WITH SHRUBS AND GROUNDCOVERS. SOIL AMENDMENTS SHALL BE PREPARED IN A LINE MANNER.
 8. THE LANDSCAPE CONTRACTOR SHALL PROVIDE SUFFICIENT WATER PLANT MATERIAL. A MINIMUM OF SMALL TREE PLANTS WITHIN 3' WARD OF INSTALLATION OF EACH INDIVIDUAL PLANT.



PROPOSED OVERALL LANDSCAPE PLAN
 SCALE: 1" = 20'-0"
 NOTES:
 1. LANDSCAPE AREA: 6,141 SQ. FT.

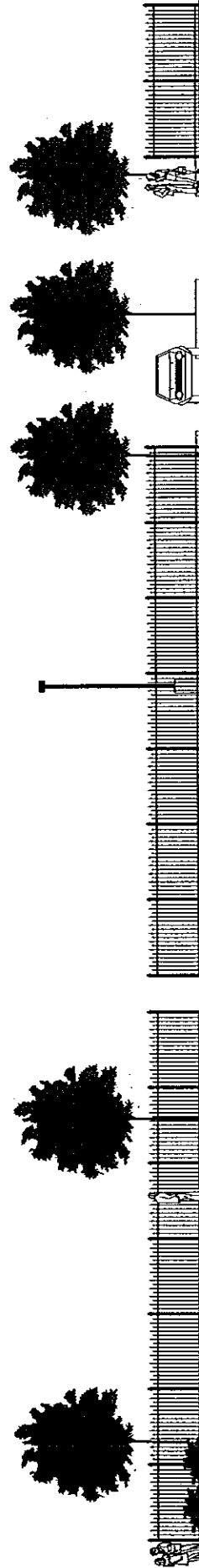
REVISSED
 8-B-13-ur
 10/1/13



PROPOSED EXTERIOR ELEVATION AT W. CHURCH AVENUE

REVISED: JUNE 10, 2013

NO SCALE



PROPOSED EXTERIOR ELEVATION AT MARKET STREET

REVISED: JUNE 10, 2013

NO SCALE



Fwd: Metro Pulse Writer Has Message For You Re: Downtown Parking

1 message

Mark Donaldson <mark.donaldson@knoxmpc.org>

Thu, Aug 8, 2013 at 8:48 AM

To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>, Buz Johnson <Buz.Johnson@knoxmpc.org>, Dan Kelly <Dan.Kelly@knoxmpc.org>

----- Forwarded message -----

From: **Heather Joyner Spica** <heatherette62@gmail.com>

Date: Thu, Aug 8, 2013 at 5:02 AM

Subject: Metro Pulse Writer Has Message For You Re: Downtown Parking

To: Mark.Donaldson@knoxmpc.org

Dear Mr. Donaldson,

My parents, my sister, and I moved to Knoxville in 1970. Although I've lived elsewhere from time to time, I've considered Knoxville to be my home for more than 40 years now. I've also worked downtown –for Miller's and Watson's department stores (existing no longer), the Lawson McGhee Library, Whittle Communications, and other employers.

I understand why people want more parking downtown. At the same time, I believe that having lots in lieu of buildings for businesses and residences makes downtown less of a real city. Vast parking lots are for malls, not cities. Sure, it's an expense or a hassle to secure parking if there aren't many lots or garages. However, it's 'places', not parking that draws people. I get it: it's a sort of Catch-22...difficult parking lessens attendance at concerts, hurts businesses to an extent, etc. But ample parking means the destruction of significant architecture and everything else that lends Knoxville character.

All I can say is that if UT football fans are willing to walk MILES from a parking spot to see a game, one could argue that the more unique and interesting downtown is, the more likely it is that people will walk a much shorter distance to hear the Knoxville Symphony Orchestra, attend a concert at the Bijou or Tennessee Theaters, shop at Mast General, eat at Tupelo Honey, explore Market Square, etc. Tearing down ANYTHING that's left of our downtown (including Pryor Brown Garage) at this point is folly. There's so little remaining, considering our rich history.

Please fight for what downtown represents as a whole –not simply what benefits a specific developer or business interest. In my opinion, we've been too short-sighted for far too long. Quite some time ago, I saw photographs in the TVA archives (when my father worked there –for two decades beginning in the 1970s), and I was shocked to see how much of Knoxville circa 1900 had already been obliterated. We cannot afford to sacrifice any more of what connects this place with its past!

Thanks for 'listening',

~Heather Joyner Spica



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Fwd: Pryor Brown Parking Garage

1 message

Mark Donaldson <mark.donaldson@knoxmpc.org>

Thu, Aug 8, 2013 at 8:46 AM

To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>, Buz Johnson <Buz.Johnson@knoxmpc.org>, Dan Kelly <Dan.Kelly@knoxmpc.org>

----- Forwarded message -----

From: **Stanton Webster** <stantonwebster@gmail.com>

Date: Wed, Aug 7, 2013 at 10:29 PM

Subject: Pryor Brown Parking Garage

To: "mark.donaldson@knoxmpc.org" <mark.donaldson@knoxmpc.org>

Greetings Mr. Donaldson,

I am writing to adamantly oppose the destruction of the historic Pryor Brown Garage to make a surface parking lot. The downtown area of our wonderful city is making so many positive steps, the destruction of this building to become a surface parking lot would be a true detriment to our city's progress. Every day we are greeted with more positive reviews of our downtown in the media, please help us to not take a major step backwards. Working in the service industry downtown I talk regularly with out of town visitors, one common theme of their positive comments are that we are revitalizing our historic core and not tearing as much down. Please help us continue the positive momentum and stand against the destruction of the garage for a surface parking lot.

Thank you for your time and consideration on this matter,

Stanton Webster
President

Historic Ft Sanders Neighborhood Association



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Fwd: Surface Parking Lot

1 message

Mark Donaldson <mark.donaldson@knoxmpc.org>

Thu, Aug 8, 2013 at 8:47 AM

To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>, Buz Johnson <Buz.Johnson@knoxmpc.org>, Dan Kelly <Dan.Kelly@knoxmpc.org>

----- Forwarded message -----

From: <jefferyljohnson@aol.com>

Date: Wed, Aug 7, 2013 at 10:37 PM

Subject: Surface Parking Lot

To: Mark.Donaldson@knoxmpc.org

Mr. Donaldson,

I would like to stress my complete disagreement with another surface parking lot in Down Town Knoxville. The demolition of Pryor Brown Garage for surface parking is very discouraging. I can't understand why this is even a consideration, as I understand, that the current structure, even in the condition it's in, still has space for more cars than a surface lot would in that location. I firmly believe that revitalization of the structure would be most beneficial to our great city.

Thank You,
Jeffery Johnson



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Fwd:

1 message

Mark Donaldson <mark.donaldson@knoxmpc.org>

Thu, Aug 8, 2013 at 8:48 AM

To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>, Buz Johnson <Buz.Johnson@knoxmpc.org>, Dan Kelly <Dan.Kelly@knoxmpc.org>

----- Forwarded message -----

From: **Moyer, Laura Ashleigh** <amoyer@utk.edu>

Date: Thu, Aug 8, 2013 at 12:31 AM

Subject:

To: "mark.donaldson@knoxmpc.org" <mark.donaldson@knoxmpc.org>

Mr. Donaldson,

It is with personal interest that I encourage the MPC to deny the demolition of the Pryor Brown Garage. As a resident in a building directly across from the garage on Market Street, I can speak for myself and many neighbors of the garage who see the potential in the historic landmark in downtown Knoxville. The garage is not only possibly one of the oldest operating garages in the country, but it is also viable for use as a commercial property with its street level business access. The property's proximity to both Gay Street and Market Square make it quite marketable and I see demolition as a lose-lose situation with this property. I encourage the MPC to reject the destruction of yet another precious downtown landmark.

Thank you for your time and consideration.

Ashleigh

Please excuse my brevity this message was sent from my cell phone



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Fwd: Pryor Brown Garage

2 messages

Mark Donaldson <mark.donaldson@knoxmpc.org>

Thu, Aug 8, 2013 at 8:47 AM

To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>, Buz Johnson <Buz.Johnson@knoxmpc.org>, Dan Kelly <Dan.Kelly@knoxmpc.org>

----- Forwarded message -----

From: <Ddishner123@aol.com>

Date: Wed, Aug 7, 2013 at 10:44 PM

Subject: Pryor Brown Garage

To: Mark.Donaldson@knoxmpc.org

I am writing to oppose this Use on Review request. With the revitalization of our historic buildings being a great success and with the additional parking spaces already added, there is no reason to make way for another surface lot. I am downtown almost every week and I have never had a problem finding a parking space during the week, weekends or during festivals.

Thank you,
Dwane Dishner
9325 George Williams Rd
Knoxville, TN

Mark Donaldson <mark.donaldson@knoxmpc.org>

Thu, Aug 8, 2013 at 8:49 AM

To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>, Buz Johnson <Buz.Johnson@knoxmpc.org>, Dan Kelly <Dan.Kelly@knoxmpc.org>

----- Forwarded message -----

From: **Donna Keirse**y <dkeirse@comcast.net>

Date: Thu, Aug 8, 2013 at 7:26 AM

Subject: Pryor Brown Garage

To: Mark.Donaldson@knoxmpc.org

Good morning Mr. Donaldson,

As a citizen City of Knoxville, I want you to know that I hope there is a reasonable solution for the preservation of the Pryor Brown Garage. Surface parking lots don't seem to be in keeping with the other historic buildings that are so much a part of Knoxville's appeal. Thank you so much for the work you do and for your support of this cause.

Sincerely,

LaDonna Keirse
7400 Sherwood Dr
Knoxville, TN 37919

TO: Members of Metropolitan Planning Commission

FROM: Cynthia Moxley, secretary, Cherokee Lofts Owners Association

DATE: August 8, 2013

RE: Pryor Brown Garage

It is our understanding that MPC today will consider a proposal to demolish the downtown Pryor Brown Garage and replace it with a surface parking lot (agenda item 47).

The Cherokee Lofts Owners Board respectfully requests that MPC **postpone any action** on this matter to give Knox Heritage an opportunity to discuss alternatives with the owners of the building.

The Pryor Brown Garage is located across Market Street from our building. The garage was built in 1925 and is one of the most historic structures downtown, having originally served as a transit center for the city. Some of our residents are monthly parkers in the building.

We believe that a renovation can keep Pryor Brown as a contributing part of downtown just as Cherokee Lofts found new life after a restoration.

We urge you to give Knox Heritage more time to work with the owners to find viable alternatives to demolition and prevent Knoxville from losing a key part of its downtown history.

Thank you for your consideration and for your public service.