

**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION  
 USE ON REVIEW REPORT**

▶ **FILE #:** 9-A-13-UR

**AGENDA ITEM #:** 42

**AGENDA DATE:** 9/12/2013

▶ **APPLICANT:** GEM CAPITAL

OWNER(S):

TAX ID NUMBER: 108 C D 017-021,02301,02302&024

JURISDICTION: City Council District 1

▶ **LOCATION:** West side of Seventeenth St., south side of White Av.

▶ **APPX. SIZE OF TRACT:** 1.4 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Seventeenth St. an arterial street with a pavement width of 38' within a 50' wide right-of-way

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

▶ **ZONING:** C-7 (Pedestrian Commercial) & C-7 pending

▶ **EXISTING LAND USE:** Parking lot

▶ **PROPOSED USE:** Apartments

HISTORY OF ZONING: Aportion of the site is being rezoned from C-3 to C-7 and has been approved by City Council on first Reading

SURROUNDING LAND USE AND ZONING: North: Parking / C-7 commercial

South: Mixed retail / C-7 commercial

East: University of Tennessee / O-2 office

West: Mixed retail / C-7 commercial

NEIGHBORHOOD CONTEXT: The site is located just west of the UT campus in an area of mixed retail, office and residential uses commonly known at the "Cumberland Av. Strip"

**STAFF RECOMMENDATION:**

▶ **APPROVE** the request to permit dwelling units on the first or lower floor of the proposed apartment building as shown on the approved development plan

**COMMENTS:**

Gem Capital is proposing to develop an apartment project in the block on the west side of Seventeenth St. and south of White Av. The project will consist of one building that will be seventy-five feet in height. The building will have two floors of parking and six floors of apartments containing 357 units. Unlike most other recent apartment development in the U.T. area the majority of the apartments in this development will be efficiency and one bedroom units.

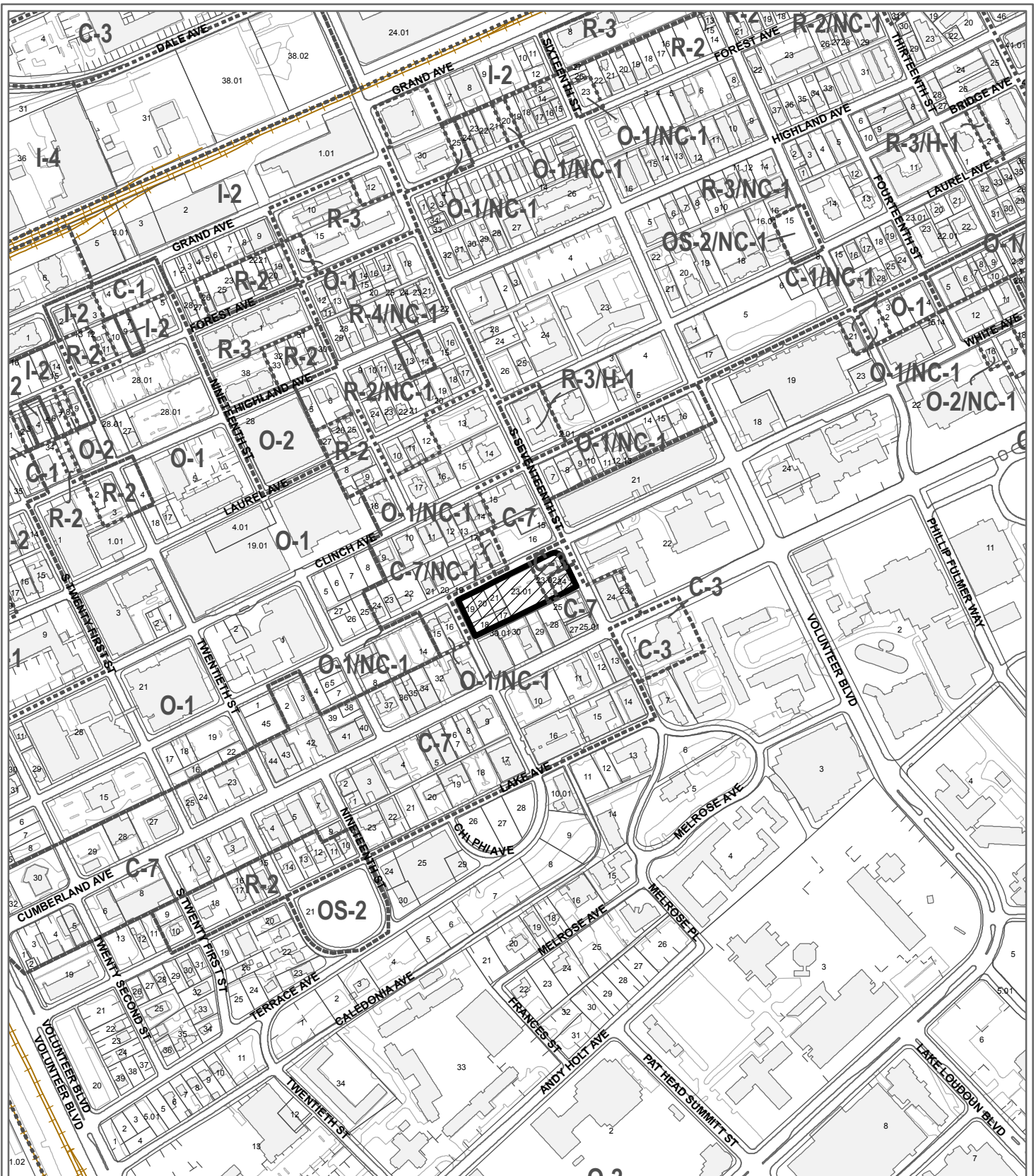
This request for use on review approval is different from what MPC normally deals with. In this case MPC is reviewing and acting upon whether it believes that dwellings on the first floor of the building proposed by the applicant would be an appropriate use. The C-7 (Pedestrian Commercial) District permits dwelling units on the second floor and above as a permitted use by right. When dwellings are proposed on the first or lower floors MPC has to deem that to be an appropriate use for that particular location. The planning commission may approve a request such as this if it finds the proposed use to be in harmony with the general purpose and intent of the zoning ordinance and with the appropriate land use plans. Conversely a request such as this can be denied if the planning commission can find the proposed use would have an adverse impact on the surrounding area. MPC is not reviewing and approving the site development plan because that is the C-7 Design Review Board's responsibility in this case. MPC is charged with determining if the proposed first floor dwellings are in conformance with the Cumberland Avenue Design Guidelines and by approving the proposed use that it would not have an adverse impact on the area. The C-7 Design Guidelines recommend the properties fronting on Cumberland Avenue maintain retail or office uses on the first floor. The guidelines go to state that dwellings on the first floor on the other street frontages in the area would be an appropriate use.

The plan as proposed requires variances from the Knoxville Zoning Ordinance for parking, building height and setback. The appropriateness of those variance requests have been reviewed and approved by the C-7 Design Review Board and the Knoxville Board of Zoning Appeals. The Design Review Board has reviewed and approved the overall development plan for the proposed apartment project. In order to develop the property as proposed this applicant will need the approval of

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.



**9-A-13-UR  
USE ON REVIEW**



Apartments in C-7 (Pedestrian Commercial) & C-7 pending

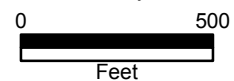
Original Print Date: 8/27/2013  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

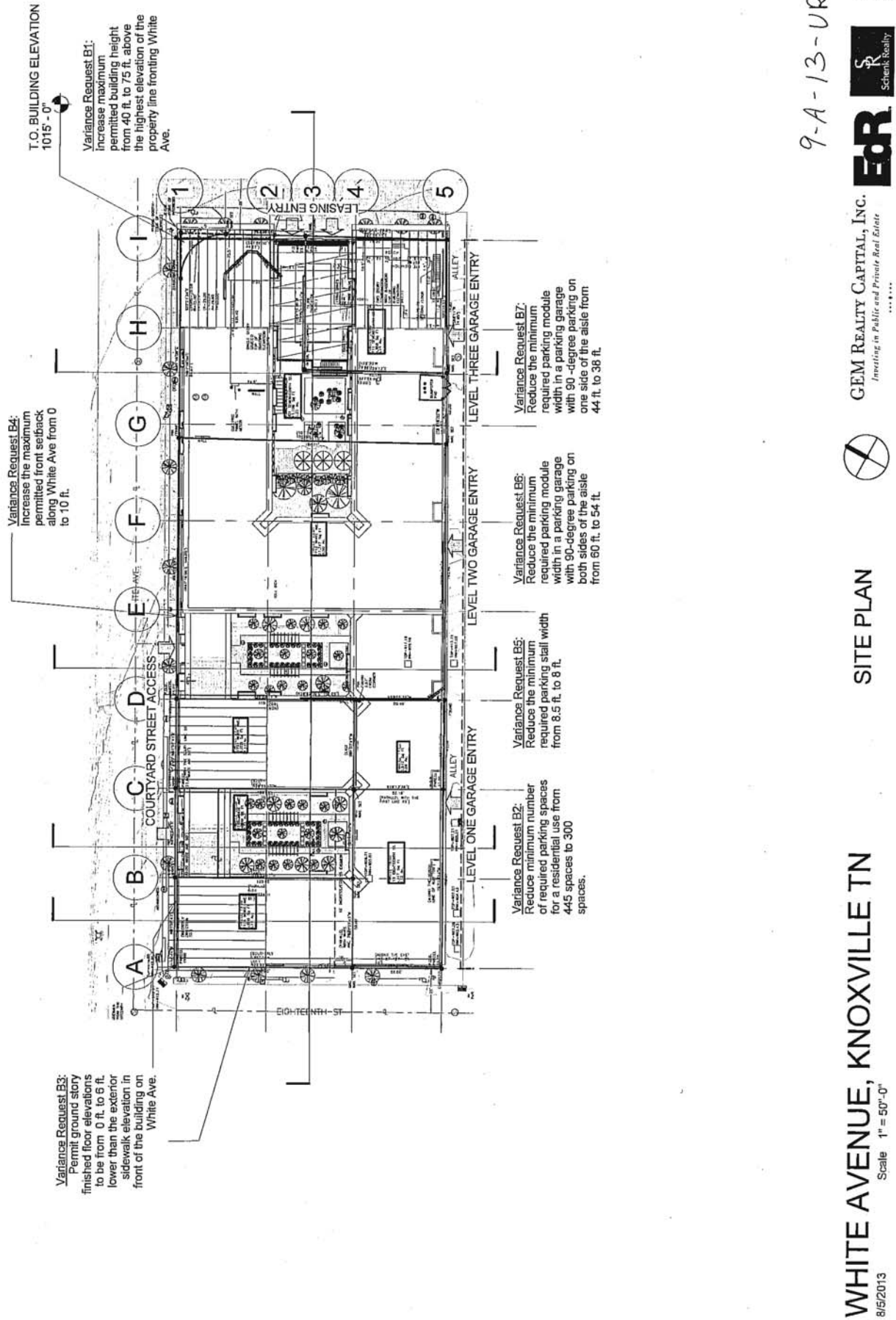
Revised:

Petitioner: Gem Capital

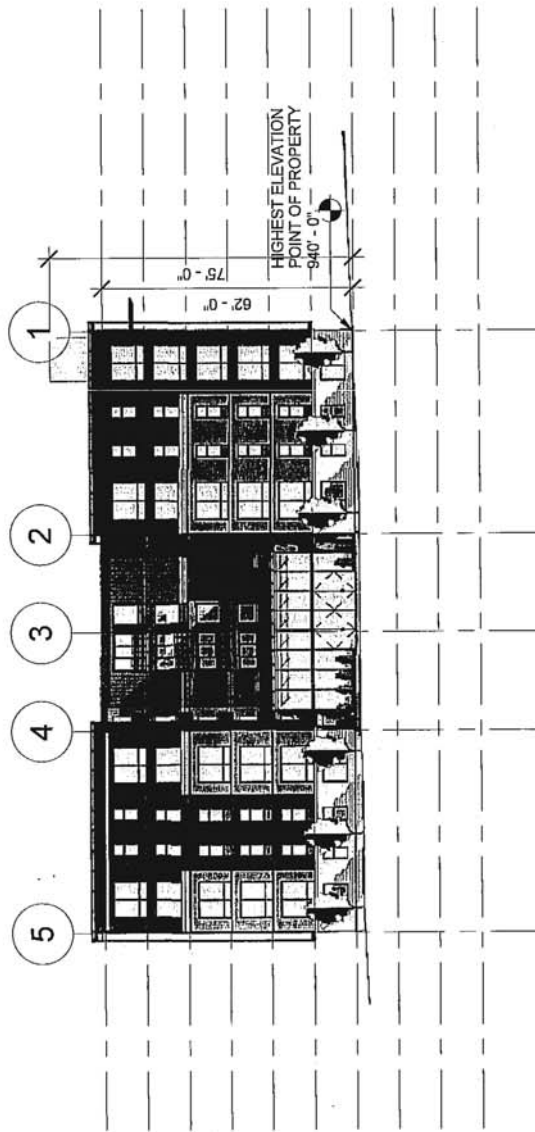
Map No: 108

Jurisdiction: City





8/5/2013



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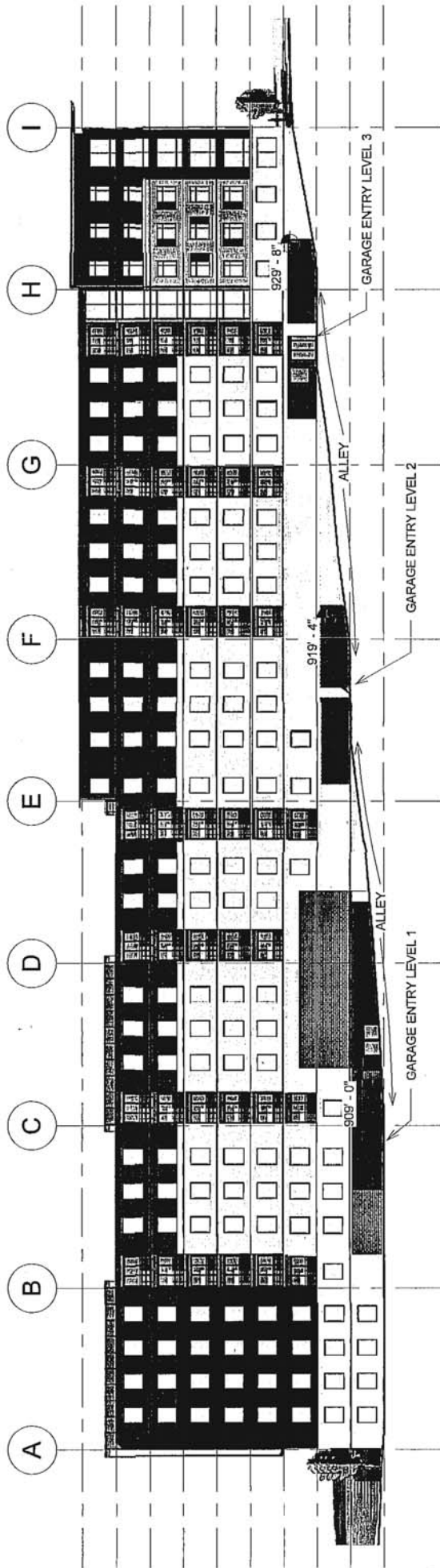
GEM REALTY CAPITAL, INC.  
*Investing in Public and Private Real Estate*

BKV GROUP

EAST ELEVATION

WHITE AVENUE, KNOXVILLE TN  
Scale 1" = 30'-0"

8/5/2013



9-A-13-UR

WHITE AVENUE, KNOXVILLE TN

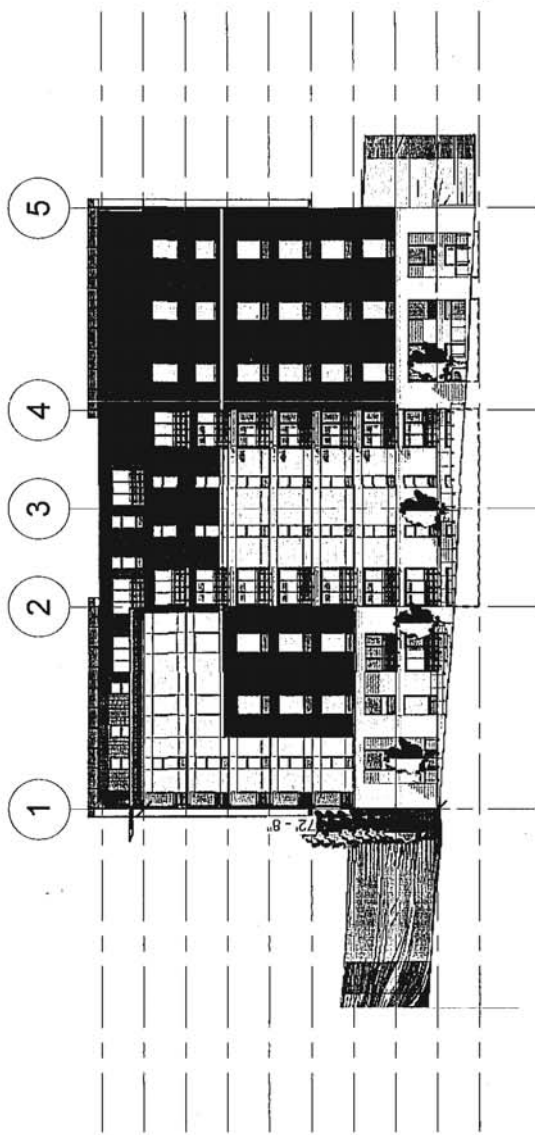
Scale 1" = 30'-0"

SOUTH ELEVATION

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WHITE AVENUE, KNOXVILLE TN  
Scale 1" = 30'-0"

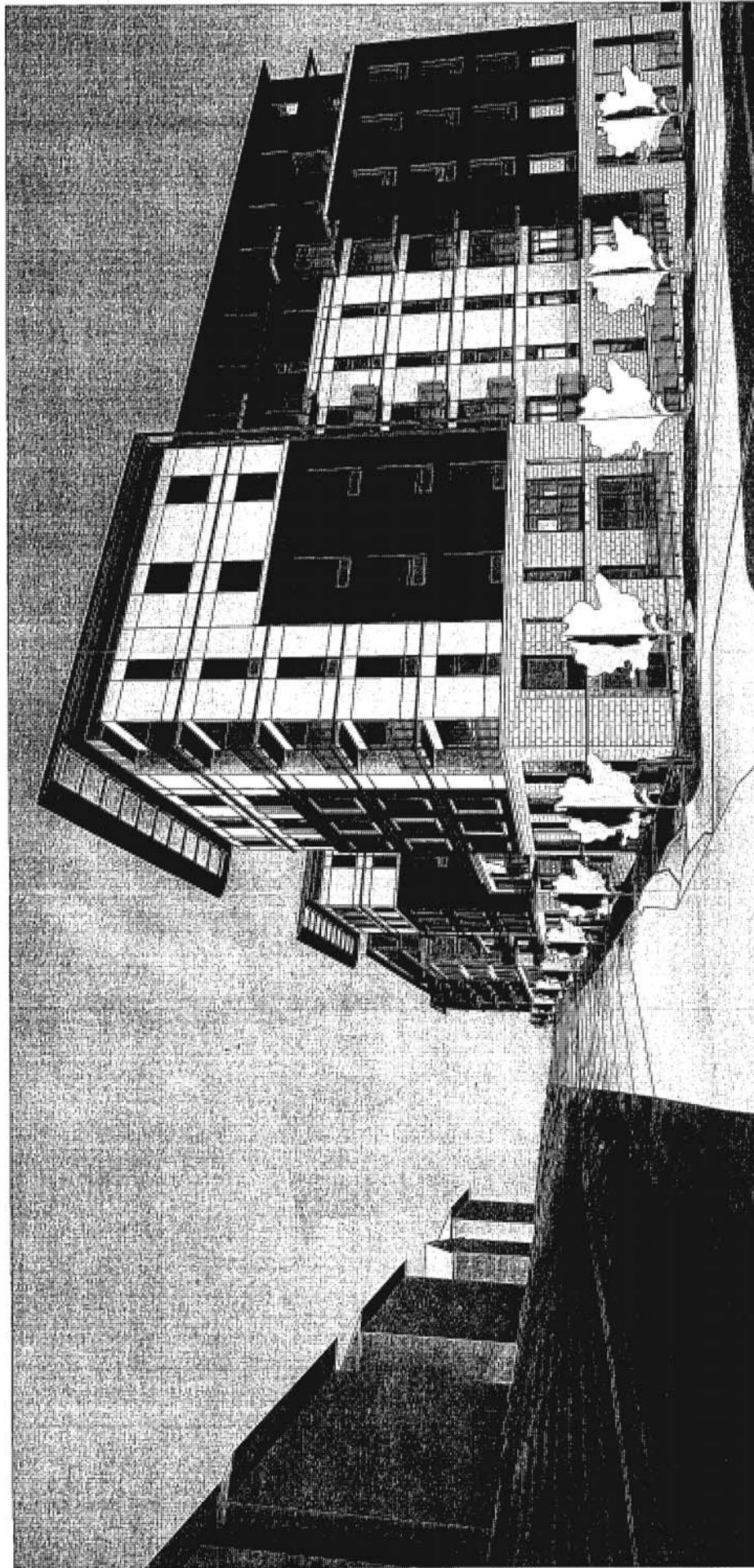
WEST ELEVATION

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WHITE AVENUE, KNOXVILLE TN  
Scale  
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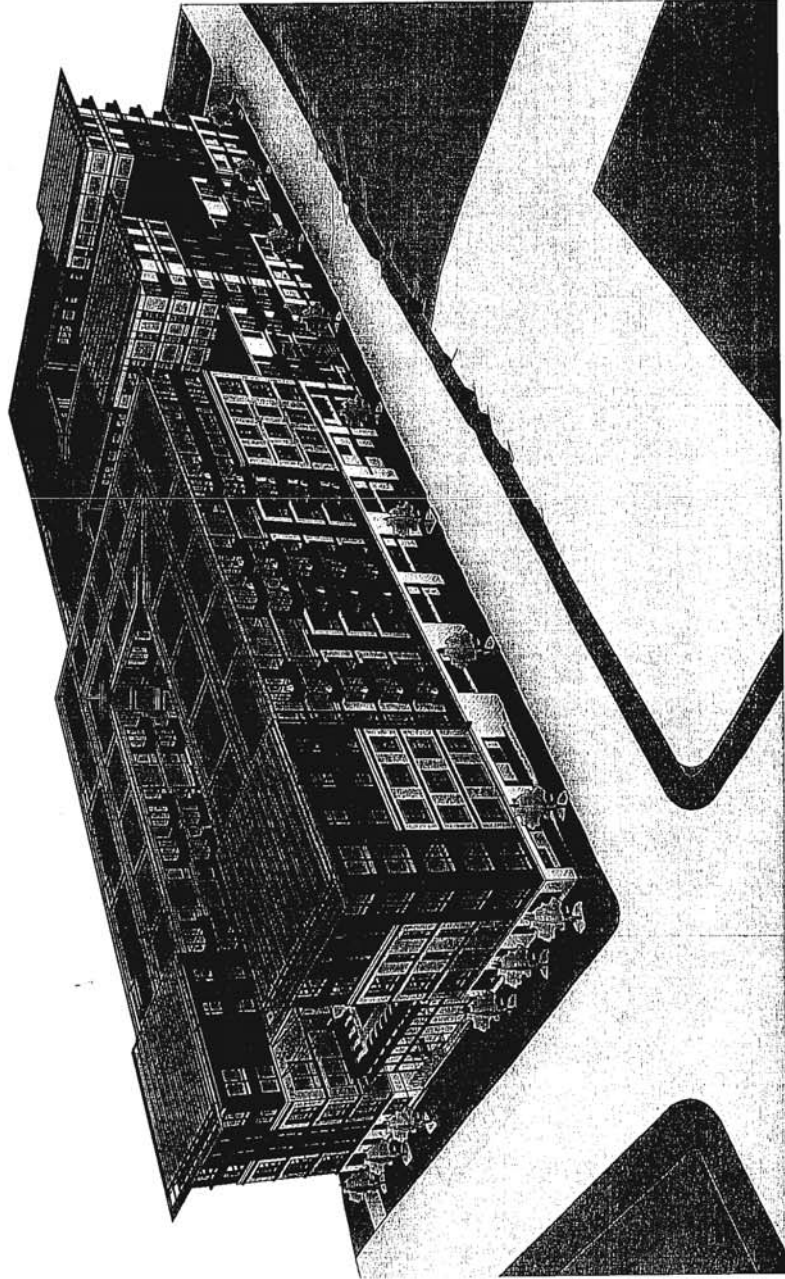
3D VIEW

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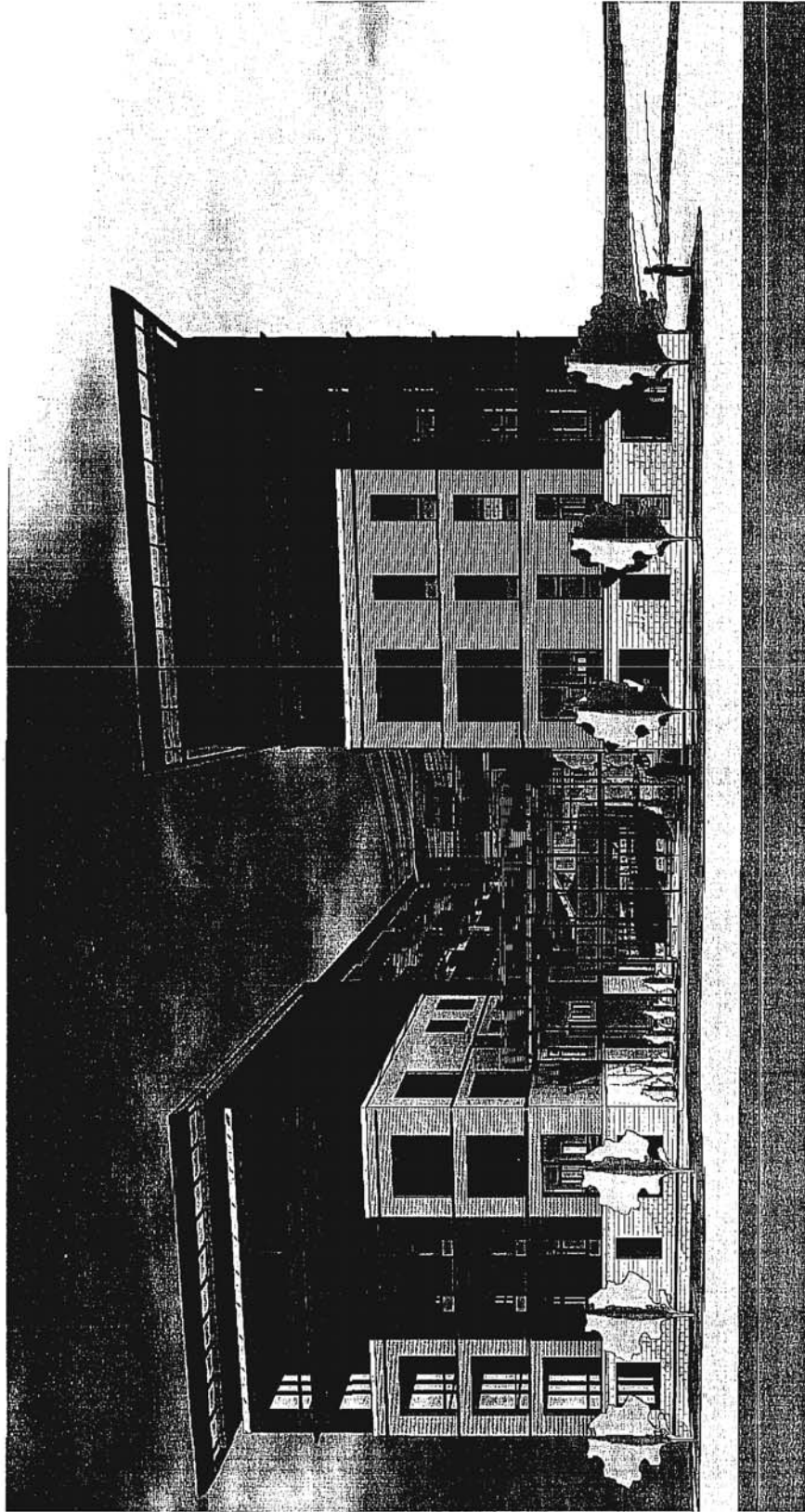
WHITE AVENUE, KNOXVILLE TN  
Scale

3D VIEW

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WHITE AVENUE, KNOXVILLE TN

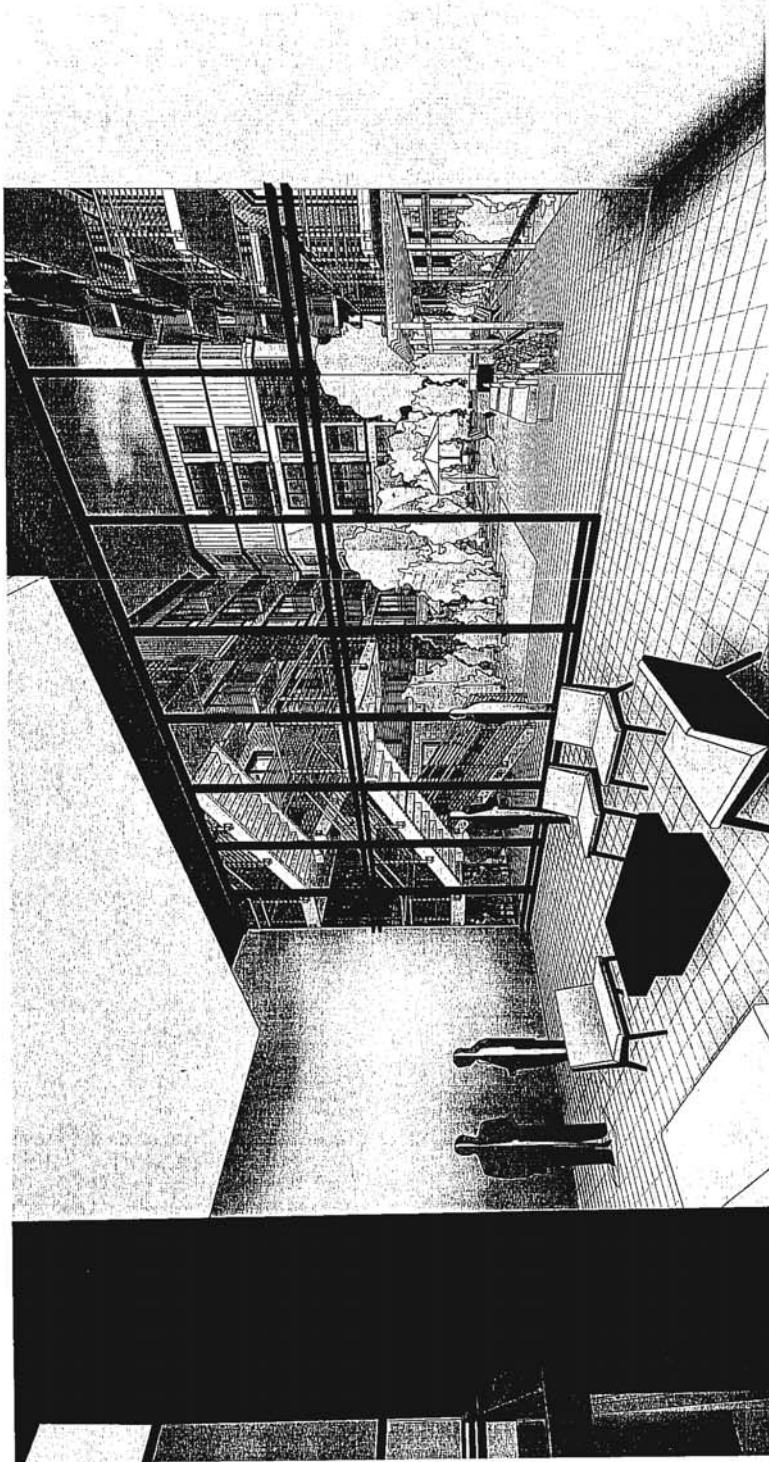
Scale

3D VIEW

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9-A-13-UR

BKV  
G R O U P



**EOR**

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3D VIEW

WHITE AVENUE, KNOXVILLE TN  
Scale  
8/5/2013