

▶ **FILE #:** 12-I-18-RZ

AGENDA ITEM #: 45

AGENDA DATE: 12/13/2018

▶ **APPLICANT:** NEYLAND BRYANT ONE, LLC

OWNER(S): Joe Fielden

TAX ID NUMBER: 81 E L 002

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 814 E Woodland Ave

▶ **LOCATION:** Southeast corner of E. Woodland Ave. and Kenyon St. intersection.

▶ **APPX. SIZE OF TRACT:** 0.9 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Accessed via E. Woodland Ave., a minor arterial with 27' of pavement width within a 60' right-of-way and Kenyon St., a local street with 27' of pavement width within a 50' right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **PRESENT ZONING:** R-1A (Low Density Residential) / IH-1 (Infill Housing Overlay)

▶ **ZONING REQUESTED:** O-1 (Office, Medical, and Related Services) / IH-1 (Infill Housing Overlay)

▶ **EXISTING LAND USE:** Medical Office

▶ **PROPOSED USE:** Business Office

EXTENSION OF ZONE: Yes

HISTORY OF ZONING: 3-K-99-UR for Medical Facility

SURROUNDING LAND USE AND ZONING: North: Single Family Residential / R-2 (General Residential District) with IH-1 (Infill Housing Overlay)

South: Vacant Land and Single Family Residential / R-1A (Low Density Residential District)

East: Office / O-1 (Office, Medical, and Related Services District)

West: Single Family Residential / R-1A (Low Density Residential District)

NEIGHBORHOOD CONTEXT: It is located with the Old North Knoxville neighborhood, on the northeastern most section near the St. Mary's Medical site, zoned O-1.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE O-1 (Office, Medical, and Related Services District) zoning with an IH-1 (Infill Housing Overlay).**

Staff recommends O-1 (Office, Medical, and Related Services) / IH-1 (Infill Housing Overlay) zoning, consistent with the Central City Sector Plan and One Year Plan MU-SD (Mixed Use Special District) proposed land use designation. If the property was to be used for residential use the Infill Housing Design Review Committee would review new construction, additions seen from the street, changes to parking, or enclosing the front porch.

In 1999, the Knoxville Zoning Ordinance permitted medical offices in R-1A as a Use Permitted on Review. The Use on Review Application was approved by MPC at the March 1999 meeting. In 2017 MPC approved a rezoning application (8-C-17-RZ) that requested the same change in zoning on a property located directly to the northeast of this site.

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:

Tennova Healthcare announced they are closing Physicians Regional by the end of the year. The Central City Sector Plan (2014) provided two options for this area, one with the facility staying open and the other with it closing. However, both options recommended office uses and zoning. In 2017, MPC approved the same rezoning request for the property to the northeast.

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

The intent of district is to provide areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas. It provides centralized, compact locations for business offices, clinics, medical and dental offices, as well as suburban locations near residential neighborhoods. Having the cluster of O-1 zoning is consistent with the intent of the O-1 district.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY/COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

The existing use is an office building, changing the base zoning from R-1A to O-1 will not have an impact on the surrounding area. In addition, if the property is used for residential purposes there would be an Infill Housing Design Review Committee approval needed. The IH-1 review could ensure neighborhood character is not compromised.

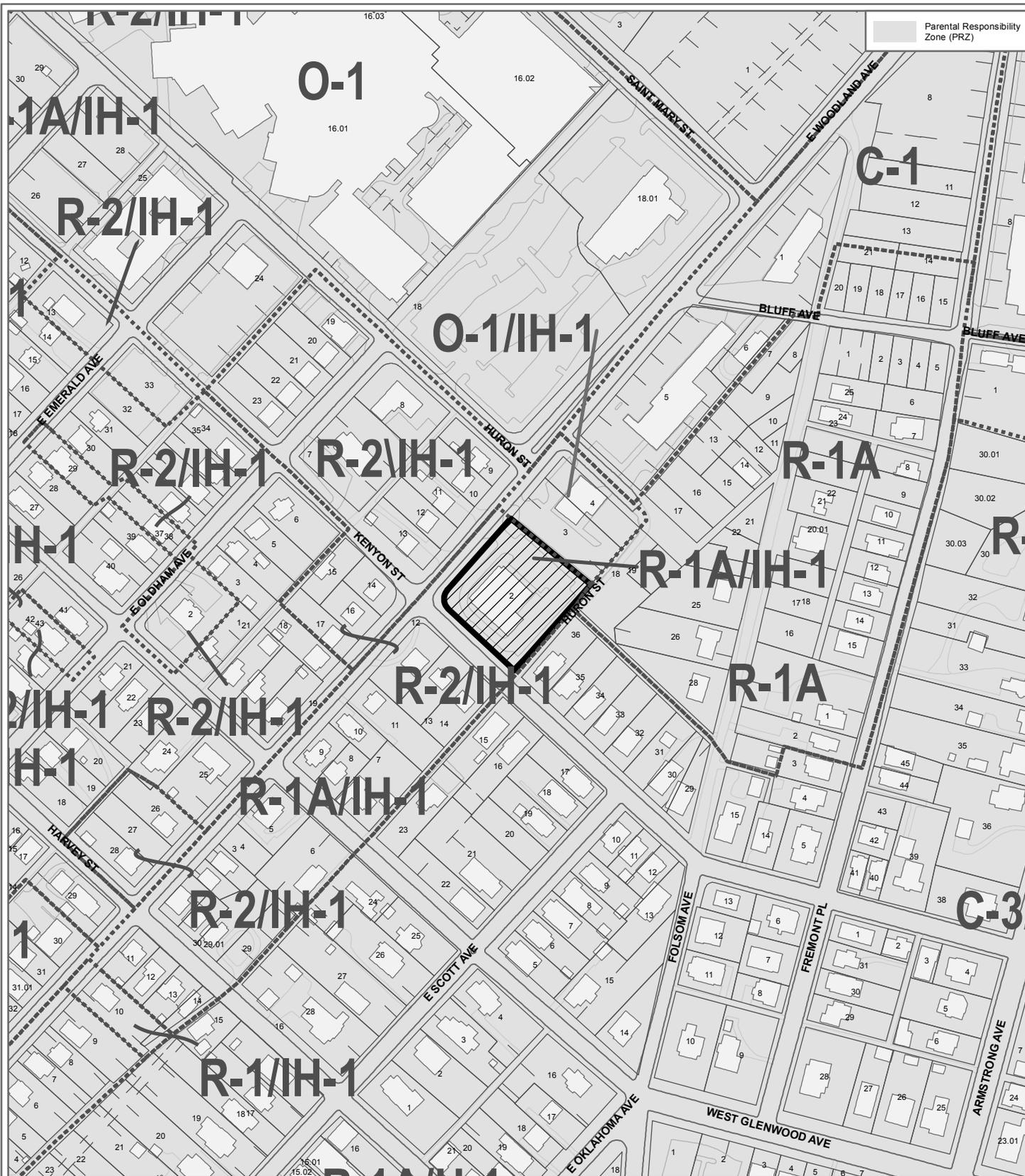
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

The amendment is consistent with the Knoxville-Knox County General Plan, 2033 and the Knoxville-Knox County-Farragut Growth Policy Plan. More specifically, the application for O-1 zoning is consistent with the proposed land use map contained within the City of Knoxville's One Year Plan and the Central City Sector Plan.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 1/15/2019 and 1/29/2019. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**12-I-18-RZ
REZONING**

From: R-1A (Low Density Residential) / IH-1 (Infill Housing Overlay)

To: O-1 (Office, Medical, and Related Services) / IH-1 (Infill Housing Overlay)

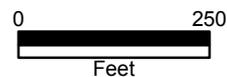


Original Print Date: 11/15/2018 Revised: Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Neyland Bryant One, LLC

Map No: 81

Jurisdiction: City



+ 80%



Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
FAX • 215 • 2068
www.knoxmpc.org

REZONING **PLAN AMENDMENT**

Name of Applicant: NIRLAND BRYANT ONE LLC

Date Filed: 11/2/18 Meeting Date: 12/13/18

Application Accepted by: M. Payne

Fee Amount: 1800 ⁰⁰/₁₀₀ File Number: Rezoning 12-I-18-RZ

Fee Amount: ~ File Number: Plan Amendment ~



PROPERTY INFORMATION

Address: 814 E WOODLAND AVE

General Location: SE side E Woodland Ave.
NE side Kenyon St.

Parcel ID Number(s): 08121002

Tract Size: LESS THAN ONE ACRE

Existing Land Use: OFFICE BUILDING

Planning Sector: CENTRAL CITY

Growth Policy Plan: CITY

Census Tract: 66

Traffic Zone: 91

Jurisdiction: City Council 4th District
 County Commission _____ District

Requested Change

REZONING

FROM: ~~A-1-A~~ A-1-A^{IH-1}

TO: O-1 IH-1

PLAN AMENDMENT

One Year Plan Sector Plan

FROM: N/A

TO: _____

PROPOSED USE OF PROPERTY

BUSINESS OFFICE

Density Proposed _____ Units/Acre

Previous Rezoning Requests: 2-2-07-RZ, 9-0-80-RZ
9-0-81-RZ,

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT

Name: JOE RICHARDSON, JR

Company: NIRLAND BRYANT ONE, LLC

Address: 530 W FIFTH AVE

City: KNOXVILLE State: TN Zip: 37917

Telephone: 523-0508

Fax: _____

E-mail: JOEJR@JARICHARDSON.COM

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: ANTHONY G. SEYMOUR, JR

Company: FRANZ, McCONNELL - SEYMOUR

Address: P.O. BOX 39

City: KNOXVILLE State: TN Zip: 37901

Telephone: 546-9321

Fax: 637-5249

E-mail: AJ.SEYMOUR@FRANZ.com

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: [Signature]

PLEASE PRINT

Name: SAKE AS ABOVE

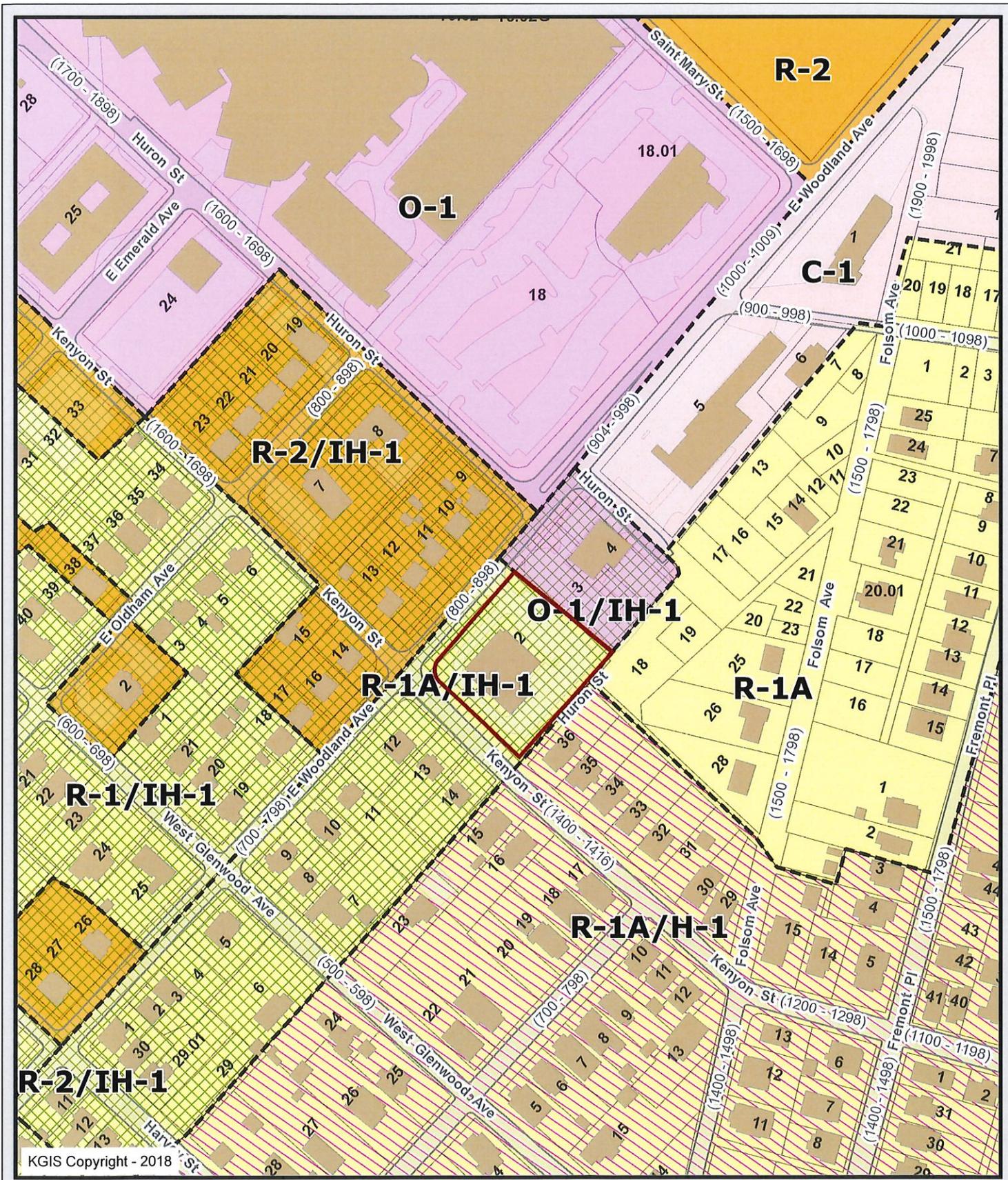
Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

E-mail: _____



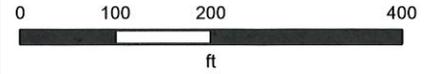
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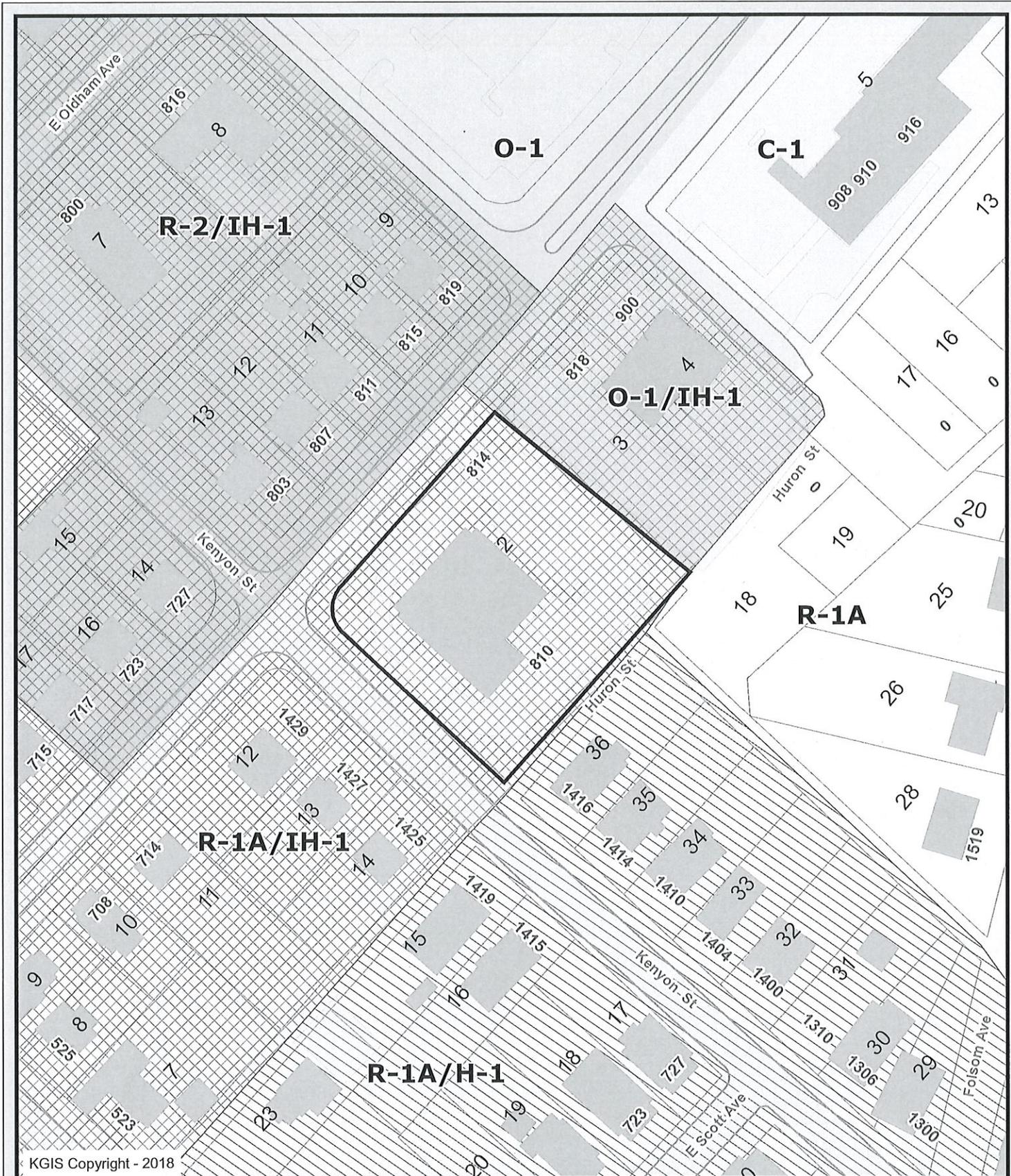
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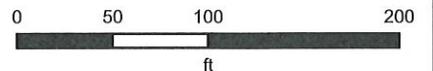
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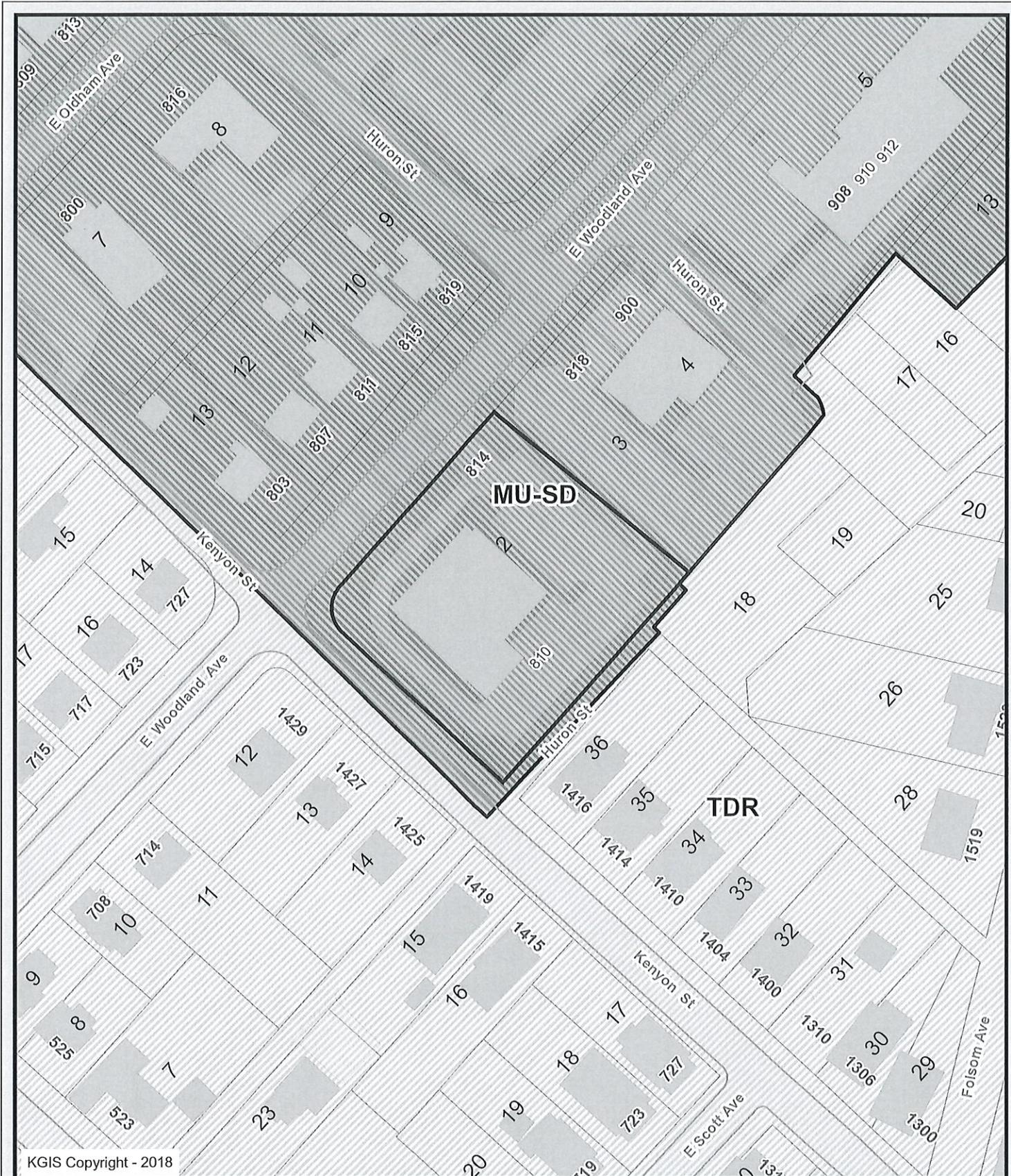
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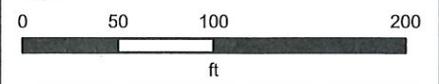
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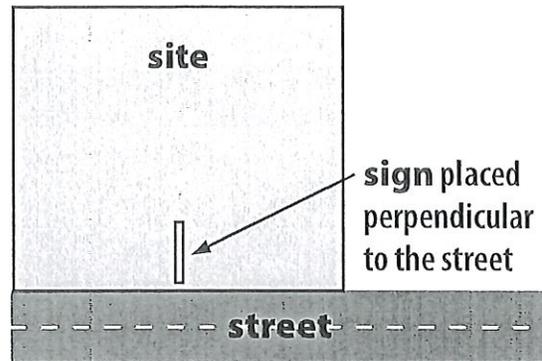
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled MPC public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

11/29/18 and 12/14/18
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: [Handwritten Signature]

Printed Name: ARTHUR G. SKYLOVET

Phone: 576 7301 Email: ASKYLOVET@PUSHH

Date: 11/2/18

MPC File Number: 12-I-18-RZ