

REZONING REPORT

▶ **FILE #:** 2-A-19-RZ (REVISED) **AGENDA ITEM #:** 24

AGENDA DATE: 2/14/2019

▶ **APPLICANT:** JOHN L. SANDERS, FAIA C/O SANDERS PACE ARCHITECTURE, LLC
OWNER(S): Race Street Partners, LLC

TAX ID NUMBER: 69 M L 053 & 051 [View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS: 3415 N Broadway

▶ **LOCATION:** West side of N. Broadway, south of Rider Ave.

▶ **APPX. SIZE OF TRACT:** 0.5 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Accessed via N. Broadway, a major arterial with 66' of right-of way and 55' of pavement.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **PRESENT ZONING:** C-3 (Gen. Comm.) & O-1 (Office, Med., & Related) / IH-1 (Infill Housing)

▶ **ZONING REQUESTED:** C-3 (General Commercial) / H-1 (Historic Overlay) and Design Guidelines

▶ **EXISTING LAND USE:** Commercial

▶ **PROPOSED USE:** Residential use

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Office / C-4 (Highway and Arterial Commercial District)

South: Commercial / C-4 (Highway and Arterial Commercial District)

East: Single Family Residential / F-1 (Floodway District) and NC-1 (Neighborhood Conservation Overlay District)

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

NEIGHBORHOOD CONTEXT: Located on an urban arterial corridor with the Oakwood Lincoln Park neighborhood bordering to the west.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE C-3 (General Commercial) zone with a H-1 (Historic) overlay.**

The property has O-1/IH-1 zoning on the back portion of the parcel and C-3 on the front. Rezoning the entire property to C-3 with an H-1 (Historic Overlay) would allow redevelopment to take place, while preserving the historic structure.

On January 17, 2019 the Historic Zoning Commission (HZC) unanimously recommended a H-1 (Historic Overlay) be placed on this property. The HZC determined that the building meets the criteria for a H-1

Landmark Overlay zoning due to its unique mixed-use building type, its representation of pre-World War II development patterns, and its representation of the Art Moderne style, which is unique in the city. The future redevelopment of this property will be subject to the Historic Zoning Commission review.

Design guidelines are required to be adopted with the H-1 overlay zoning. The guidelines approved by the HZC are those of the Secretary of Interior's Standards of Rehabilitation, including the 1992 "Illustrated Guidelines for Rehabilitating Historic Buildings," or any future updates of these standards by the Secretary of Interior.

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. The site is located on a major arterial (N. Broadway) where C-3 is the predominant zoning district and reinvestment in older structures has taken place. .
2. The parcel to west will be used as the parking area for this site and by keeping O-1 zoning on that parcel will maintain a buffer between the single family neighborhood and this C-3 site.
3. The City continues to invest in urban corridors such as Broadway and is encouraging the adaptive reuse of buildings.

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

1. The C-3 district is for personal and business services and general retail business. Districts in this category are intended to include areas where commercial development has displaced or is displacing residential development, or is moving in on vacant lands. Regulations are designed to guide future change so as to discourage formation of future commercial slums, to preserve the carrying capacity of the streets, and to provide for off-street parking and loading. It is not the intent of this district to encourage the extension of existing strip commercial areas, but rather to provide concentrations of general commercial activities

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. Public water and sanitary sewer utilities are available to serve the site.
2. The site already is developed and is on a corridor that has KAT transit, both factors help minimize the impacts on the surrounding areas.

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 and City One Year Plan proposes a Mixed Use Special District which permits C-3 zoning.
2. The site is located within the Urban Growth Area (Inside City) on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 3/12/2019 and 3/26/2019. If denied, Knoxville-Knox County Planning Commission'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 a Planning Commission decision in the City.



**2-A-19-RZ
REZONING**

From: C-3 (General Commercial)

To: C-3 (General Commercial) / H-1 (Historic Overlay) and Design Guidelines



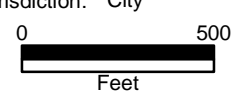
Petitioner: John L. Sanders, FAIA c/o Sanders Pace Architecture LLC, John, Sanders

Map No: 69

Jurisdiction: City

Original Print Date: 1/15/2019
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:



3415 N. Broadway



Architectural Description and History of Building at 3415 Broadway

Architectural Description

Designed to house a mix of uses in 1939, the Art Moderne structure features one- and two-story portions all constructed of block masonry. It originally contained four residential apartments on its upper level with lightwells that provided natural light to their interior spaces. The two one-story projecting wings on each end of the lower level contained inwardly facing commercial spaces which opened into a shared courtyard that was accessed off of Broadway. These wings retain their curved corners, a typical characteristic of Art Moderne.

The Art Moderne style, emerging on the heels of the Art Deco period in the decade prior to WW II, gained popularity due to its innovative and forward-looking design. It was also appealing at that time due its use of modern and efficient construction techniques and materials, typically masonry. The style was characterized by long, low, streamlined forms and emphasized clean horizontal lines in facades with very little embellishment.

The overall original Art Moderne form and materials of the building remain intact, although the original steel windows are missing and some openings have been infilled. But physical and photo-documentation exists to guide an appropriate rehabilitation which has the potential to provide an impressive entrance to the Oakwood-Lincoln Park Neighborhood.

History of Uses

The commercial spaces changed over the years and contained numerous tenants including restaurants, retail stores, and perhaps most notably a branch of the Knoxville library system. Lawson McGhee Library established this branch in "Arlington" as the area was referred to at the time. The Arlington Branch opened in the south wing of the lower level on June 11, 1940. As reported in the Knoxville News-Sentinel that day, this was the first new library branch in Knoxville since 1931, housing 2000 books in its stacks. According to city directories, the library branch remained in that location until the mid-1960s.

Of further note, the building was identified as a historic structure by TVA in a 2009 Environmental Assessment for First Creek Drainage Improvements.

Recommendation

Based on the above documentation, the structure meets criteria for a H-1 Landmark Overlay zoning due to its unique mixed-use building type, its representation of pre-World War II development patterns, and the high degree of its architectural intactness representing the Art Moderne style.

Sources:

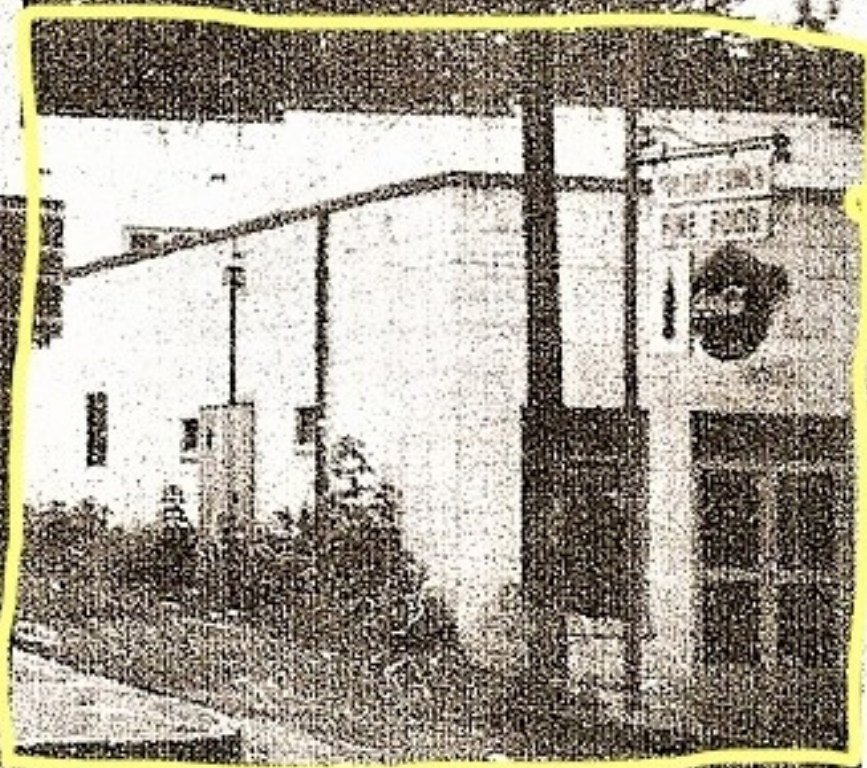
Knoxville City Directories
Sanborn Fire Insurance Map – 1951 update to 1917 map
Knoxville Knox News Sentinel - June 11, 1940
Environmental Assessment for First Creek Drainage Improvements – TVA, 2009

A →

EATER

BROADWAY

WEST QUINCY



Arlny's War Birds Pay Airport Visit



Wings of War swooped low over the Knoxville area Monday when this big bomber brought more planes from the Army Technical College to join their fellows, who came by special train to Knoxville for an inspection of the Aluminex Company plant. The Army pursuit plane mounted with machine guns is in the background.

DUFF-COOPER APPEAL TO HITLER'S SLAYERS

Be Ready for Revolt, Is Implined Advice in Speech

LONDON, June 11—Alfred Duff Cooper, information minister, made an implied radio appeal to all peoples under German domination to be ready to seize the moment for revolt.

The people of Czechoslovakia will hide their time. When they see that Germany is beginning to stagger under the strain of war, they will rise as they did in the last war and strangle Hitler for lunch at the airport here.

These millions are longing for freedom and civilization. They will rise as they did in the last war and strangle Hitler for lunch at the airport here.

LONDON POLICE RAID SPAGHETTI SPOTS

LONDON, June 11—Police raided a series of lighting and gathering places in the Sobo quarter.

A welfare director in one city shattered it without rumpung a head and killed him.

Welcome To Our Community BRANCH LIBRARY



We, your neighbors and friends take pleasure in welcoming you, Miss Preston, your well filled shelves of books will furnish hours of pleasurable recreation and educational attainment to this section.

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- C. & S. Laundry B'nch 401 N. Broadway, 3-8316
- W. T. Vaughn Grocer 77 W. Broad W & J, 3-1447
- Supreme Foods Co. 1111 J D Odell Ma., OHD 816
- Wininger 1 Super Market 2403 S. Broad T-way, 2-2813
- Arlny Beauty Shop 2407 N. Broadway, 3-1078
- Harding (Yonment & Grocery 249 X. Broadway, 3-7812
- Broadway Theater and Broadway Grill HU N. Broadway, Z-79H
- Athens Clinton Athens Hardware Co. J. L. Daugherty Co. Laminack Hardware Co. Rule Furniture Co. Cu. mberland Cbn. Co.
- Jame, wvn. Jellico Llewellyn. Lal'ollette Lenoir City. Lenoir City. Lenoir City. Lenoir City.
- Schon Barldware Co. Tellico J. um. Co. Agee Furniture Co. Pickell Furniture Co. fromy Tallent Oo. B bel Taylor
- Loudon Il & Trill tercol J. Brof. Stores, Inc. Monterey Harlito WJH rholn Oil c Ohrlitt. B., jon itefro Go.
- Greer Barldware Co. tercol J. Brof. Stores, Inc. Woodford
- Illo em: vrolef Go. K Hantwan B-W OneFOLE Co. Hard Oo.

WAR'S UP-PUES OVER ALLIES

Nation Already Short of Needs And Act Would Be 'War,' He Declares; Declares Our first Concern Should Be for Strong Defense.

By JOHN T. MOITTOUX News-Sentinel Staff Corre+PODdent

WASHINGTON, June 11—The United States is already short of the raw materials needed to carry on a long and bitter struggle against the Axis powers, a leading Republican official said today.

Mr. Jennings said that the transfer of the Allies' war materials to the Axis powers would be a "tragic immediacy of what is occurring in Europe."

Mr. Jennings quoted from our entry into the conflict a force of more than 200,000 men, of law at Northwestern University.

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...to deliver to belligerents... Rep. Carroll Reece, First Dist... m Th l i S e c t i o n

...the executive committee of the NA RE Stucy... American Association of Uni... Sc fi... If we have surplus supplies...

...the combined population of days ago 1 was... the population of the United States is only 130... the first place, we are not...

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Double-width door Try Space for making delicious fresh meat almost-instantly. Built-in freezer.	Freezer Food Storage Ideal for all frozen foods. fresh meat almost-instantly. Built-in freezer.	Big Six 11111111111111111111 Special protection for meat and food saves many food spoils.
Shut-It-Gl Keeps freshness of fruit and vegetables. Keeps color and flavor.	Lift-It-Sf Removable to provide storage space for old frozen foods.	Shine-It Chromium Shale-Bright mirror-smooth lustre that wipes clean in a jiffy.
Anti-theft Simply push it to defrost. Then forget it. When defrosting is complete, mechanism is complete.	Safe Exclusive defrosting. So safe you could eat foods dipped in it. Works under	5-Y. Protection Plan Prorogea apimilid. Hilt. Tiec expense on me sealcd-in silent self-coiling refig-

ALSO Sli ti & sensational GENERAL MOTORS VA.LUE

The lowest priced 6 cubic foot Frigidaire ever offered, including:

Famous Meter-Mixer Mechanism • 4 Big Ice Trays • Aromatic Time Release Oa every Ice Tray • Automatic Interior Light • Automatic Defrosting and Humidifier

order four for **149.50** !!

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**SECRETARY OF INTERIORS STANDARDS FOR REHABILITATING
HISTORIC BUILDINGS (to include the Illustrated Guidelines for Rehabilitating
Historic Buildings (US Department of the Interior, National Park Service - 1992)**

1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
5. Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old design, color, texture, and other visual qualities and, where possible, materials. Replacement or missing features shall be substantiated by documentary, physical or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures should be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. Wherever possible, new additions or alterations to structure shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would not be impaired.

REZONING PLAN AMENDMENT

Name of Applicant: John L. Sanders, FAIA c/o Sanders Pace Architecture LLC

Date Filed: 11/27/2018 Meeting Date: 2/14/19

Application Accepted by: M. Payne

Fee Amount: 1000.00 File Number: Rezoning 2-A-19-RZ-revised

Fee Amount: File Number: Plan Amendment

PROPERTY INFORMATION

Address: 3415 N. Broadway St., Knoxville, TN 37917

General Location: Corner of N. Broadway Street and
Rider Ave. City Block 18602. ^{W/3 N. Broadway}
_{3/8 Rider}

Parcel ID Number(s): 069ML053

Tract Size: .5 Acres

Existing Land Use: CO / TCU

Planning Sector: Central City

Growth Policy Plan: Inside City

Census Tract: 29

Traffic Zone: 144

Jurisdiction: City Council 5 District
 County Commission _____ District

Requested Change

REZONING

FROM: C-3 & O-1/IH-1 ¹⁻¹⁶⁻¹⁹

TO: C-3 / H-1

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: N/A

TO: N/A

PROPOSED USE OF PROPERTY

Residential use.

Density Proposed NA Units/Acre

Previous Rezoning Requests: NA

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT

Name: Race Street Partners, LLC

Company: Race Street Partners, LLC

Address: 109 Northshore Dr, Suite 200

City: Knoxville State: TN Zip: 37919

Telephone: (865) 621-9493

Fax: NA

E-mail: joe@foxandfogarty.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: John L. Sanders

Company: Sanders Pace Architecture

Address: 514 W. Jackson Ave, Suite 102

City: Knoxville State: TN Zip: 37902

Telephone: (865) 329-0316

Fax: NA

E-mail: jsanders@sanderspace.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: 

PLEASE PRINT

Name: John L. Sanders

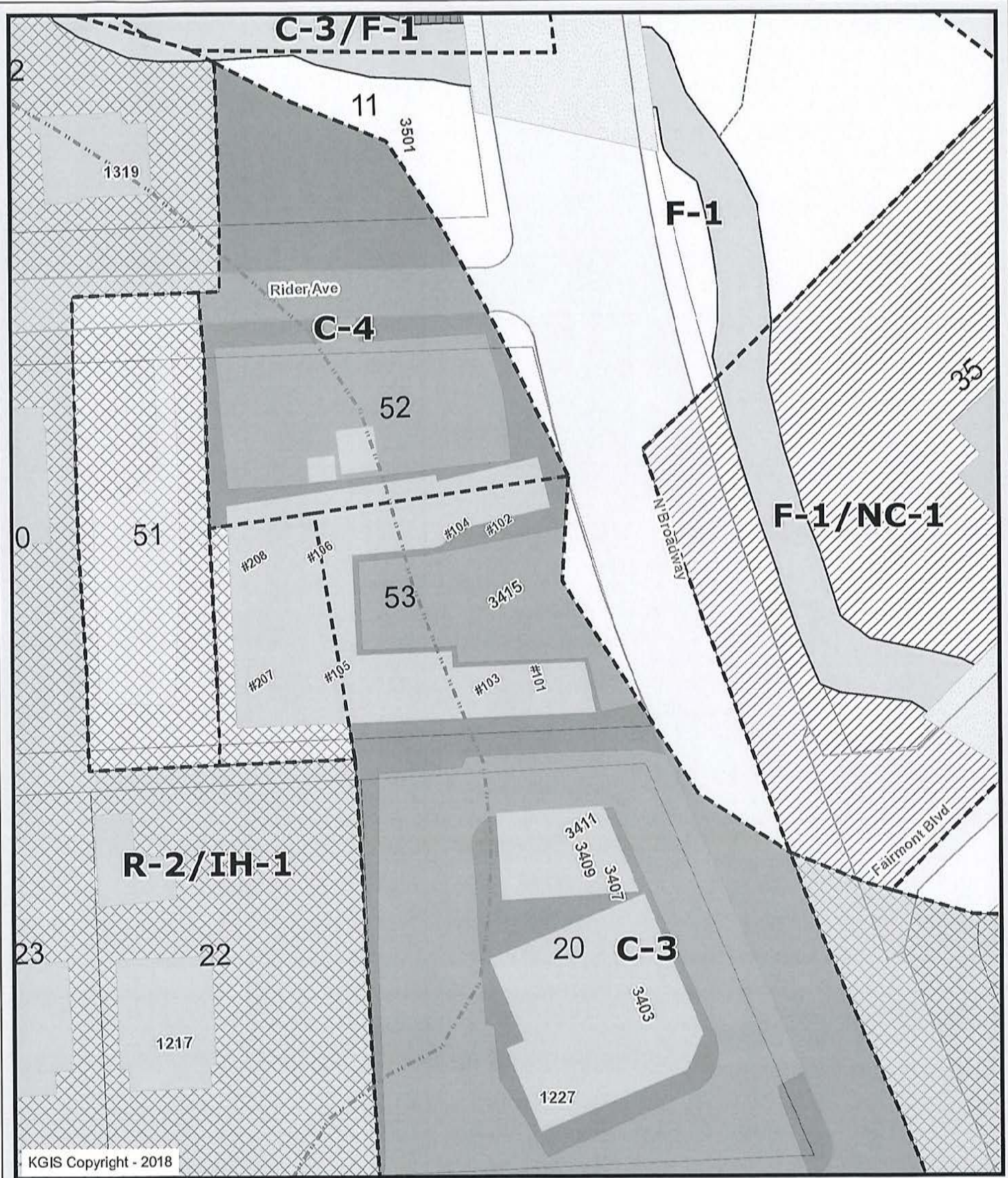
Company: Sanders Pace Architecture

Address: 514 W Jackson Ave, Suite 102

City: Knoxville State: TN Zip: 37902

Telephone: (865) 329-0316

E-mail: jsanders@sanderspace.com



Letter Portrait



Printed: 11/29/2018 at 12:53:28 PM



Knoxville - Knox County - KUB Geographic Information System

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Jeff Archer <jeff.archer@knoxplanning.org>

Rezoning Application for 3415 N. Broadway (2-A-19-RZ)

John L. Sanders, FAIA <jsanders@sanderspace.com>

Wed, Jan 16, 2019 at 9:44 AM

To: Jeff Archer <jeff.archer@knoxplanning.org>

Cc: "Aaron L. Pennington" <apennington@sanderspace.com>, Lauren Buntmeyer <lbuntmeyer@sanderspace.com>, Luke Kendzierski <Luke@foxandfogarty.com>, Kaye Graybeal <kaye.graybeal@knoxplanning.org>, Jay <jay@mcnabbmodern.com>, Tyler Fogarty <Tyler@foxandfogarty.com>, Segal Drummond <segaldrummond@gmail.com>, "Mike A. Mangione" <mam@swordshield.com>

Jeff:

Pursuant to our discussion this morning, please amend our rezoning application 2-A-19-RZ to adjust the multi-zoned parcel located at 3415 Broadway from its current C-3/O-1 with the IH-1 overlay to C-3/H-1 with the understanding that all previously received Use on Review Approvals, IH-1 Approvals and variances will remain in effect for the purposes of receiving a building permit.

Thank you for your attention to this matter and thank you for being flexible with this application. We feel that this revision will clean up the confusion on the property moving forward when the new residential units go on the market for sale. Also, can you send the attached plat to the KGIS team to get the parcel adjusted in their system. It was platted in mid-July but it has never been updated.

John Lynch Sanders, FAIA

T 865.329.0316

C 865.300.7448

jsanders@sanderspace.com

www.sanderspace.com

From: Jeff Archer [mailto:jeff.archer@knoxplanning.org]

Sent: Wednesday, January 16, 2019 8:48 AM

To: John L. Sanders, FAIA

Subject: Re: Rezoning Application for 3415 N. Broadway (2-A-19-RZ)

[Quoted text hidden]

 The Taggart Building - Inst #201802300006473 (2).pdf
317K

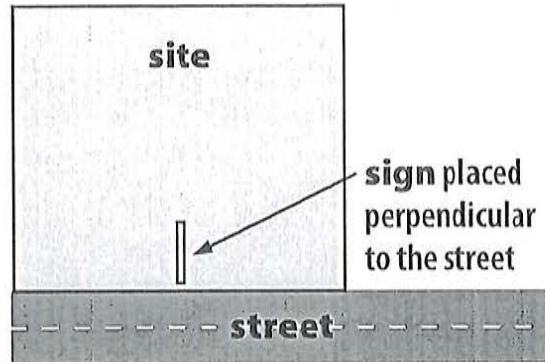
REQUIRED SIGN POSTING AGREEMENT

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:

1/31/19

(15 days before the MPC meeting)

and

2/15/19

(the day after the MPC meeting)

Signature: _____

Printed Name: _____

Phone: 865-329-0314

Email: jsanders@sanderspace.com

Date: _____

November 29, 2018

MPC File Number: _____

2-A-19-RZ