

# REZONING REPORT

► <b>FILE #:</b>	<b>5-E-20-RZ</b>	<b>AGENDA ITEM #:</b>	<b>9</b>
POSTPONEMENT(S):	5/14/2020	<b>AGENDA DATE:</b>	<b>6/11/2020</b>
► <b>APPLICANT:</b>	<b>SMJT, LLC</b>		
OWNER(S):	SMJT LLC		
<hr/>			
TAX ID NUMBER:	94 D C 01001	<a href="#">View map on KGIS</a>	
JURISDICTION:	City Council District 4		
STREET ADDRESS:	745 N. Broadway Avenue		
► <b>LOCATION:</b>	<b>South side of Bearden Place at its intersection with N. Broadway Avenue</b>		
► <b>APPX. SIZE OF TRACT:</b>	<b>0.5 acres</b>		
SECTOR PLAN:	Central City		
GROWTH POLICY PLAN:	Within City Limits		
ACCESSIBILITY:	The most likely point of access would be off of Bearden Place, a local road with a pavement width of approximately 25 ft. and a right-of-way width of 40 ft. in front of this building. N. Broadway Avenue is a major arterial with a pavement width of approximately 33 ft. and a right-of-way width of 50.5 ft.		
UTILITIES:	Water Source:	Knoxville Utilities Board	
	Sewer Source:	Knoxville Utilities Board	
WATERSHED:	Second Creek		
<hr/>			
► <b>PRESENT ZONING:</b>	<b>C-G- 2 (General Commercial)</b>		
► <b>ZONING REQUESTED:</b>	<b>DK-E (Downtown Knoxville)</b>		
► <b>EXISTING LAND USE:</b>	<b>Office designation; site of Elkmont Exchange Brewery and Eating House</b>		
►			
EXTENSION OF ZONE:	Yes, DK-E zoning is adjacent to the south		
HISTORY OF ZONING:	Rezoned from the C-3 (General Commercial) District to the C-2 (Central Business) District in August, 2016 (#7-I-16-RZ).		
SURROUNDING LAND USE AND ZONING:	North:	Other use (assisted living facility) - C-G-2 (General Commercial) District	
	South:	Commercial - DK-E (Downtown Edge) Subdistrict	
	East:	Wholesale - C-G-2 (General Commercial) District	
	West:	Industrial - C-G-2 (General Commercial) District	
NEIGHBORHOOD CONTEXT:	This property is on the edge of downtown just north of the intersection of Central and Broadway Avenues. The area just to the south is urban in character with 2- to 3-story buildings and street parking and composition similar to, though on a smaller scale than, downtown. There is a wide mix of uses including commercial, office, multifamily, and single-family residential uses.		

## STAFF RECOMMENDATION:

- **Approve DK-E (Downtown Knoxville Edge Subdistrict) zoning because it is consistent with the Central City Sector Plan's MU-SD, CC-1 (Mixed Use-Special District, Downtown North) designation.**

#### **COMMENTS:**

This property was zoned C-2 (Central Business District) before adoption of the new zoning ordinance and map on January 1, 2020. The applicant is seeking DK-E (Downtown Knoxville-Edge Subdistrict) zoning on this parcel as a comparable zone to the previous zoning before adoption of the new zoning ordinance and map.

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 C-2 zoning district in the previous zoning map was applied in a patchwork manner surrounding the downtown core. Its function could never be fully realized without a more cohesive cluster of parcels with consistent zoning. Therefore, upon adoption of the new zoning ordinance and map, the DK-E subdistrict was created and applied more consistently in the area around the downtown core.
2. The site is in an area just outside of downtown containing densely packed buildings with street parking and composition similar to, though on a smaller scale than, downtown. The intersection of Broadway and Central mark where the development pattern changes. The new, consistent zoning provides an opportunity to provide a greater depth for the zone on the north side of Central. The proposed deeper boundary for the DK-E zone, extending it farther from N. Central Street, more closely mimics the depth of the zone on the south side of the street than its current depth and creates a consistent experience on both sides of the street.

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

1. The proposed amendment to DK-E zoning is intended to address areas of transition between the higher intensity environment of the Downtown and adjacent smaller-scale mixed-use areas. The DK-E Subdistrict facilitates mixed-use development with standards that focus on compatibility with adjacent development.
2. 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.
3. The new DK-E zone terminates at the rear of this parcel. Typically, the more desirable termination point for a zone is mid-block so that the parcels on both sides of a street are the same zone and create a consistent experience from the street. However, in this case, extending the DK-E zone boundary to encompass this parcel moves that outer edge to where it coincides with that of the Central City Sector Plan's MU-SD, CC-1 designation.

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. Expanding the DK-E subdistrict to encompass this parcel would not create any adverse effects directly nor indirectly.
2. The requested zoning is compatible with the surrounding development.

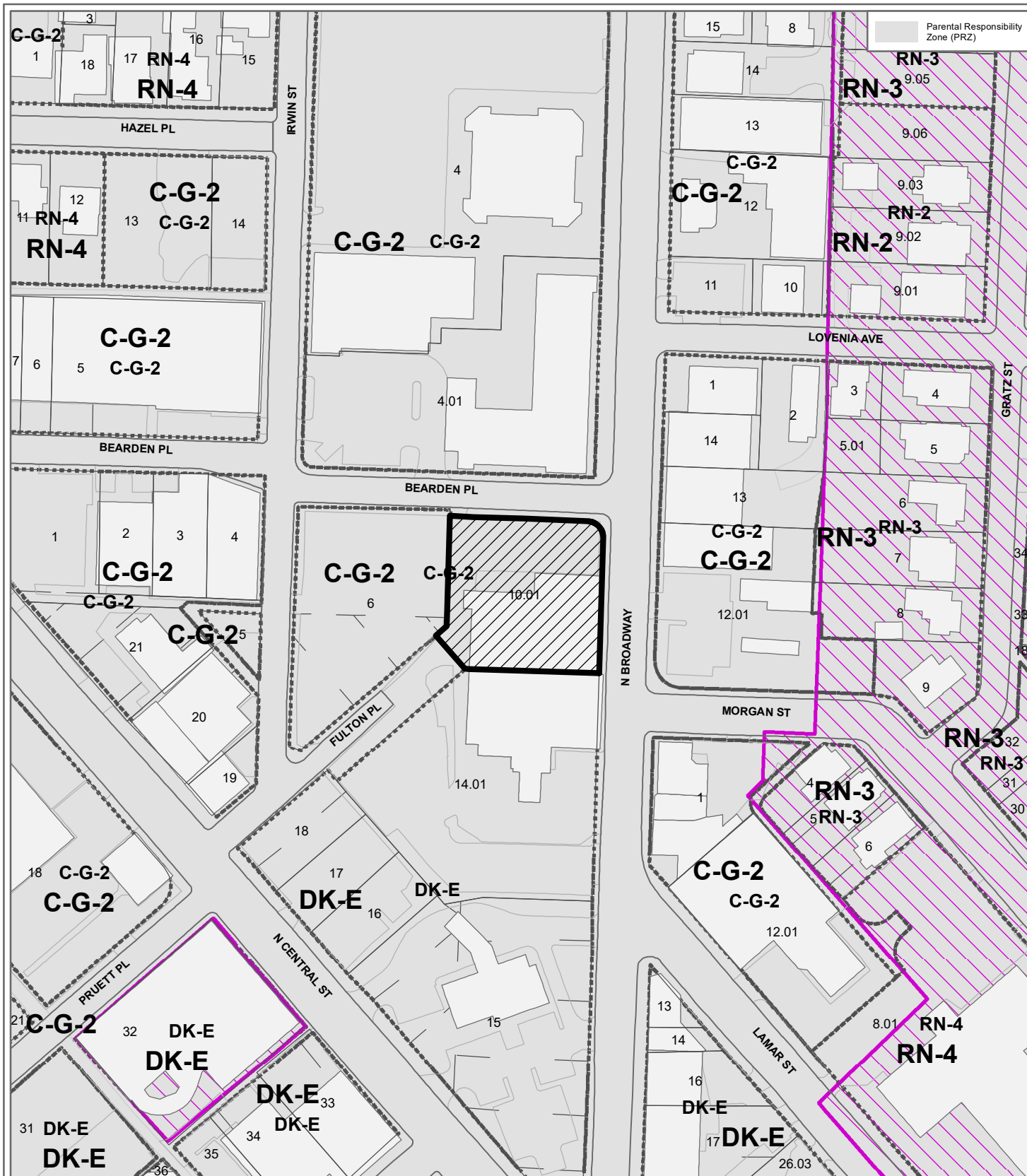
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. DK-E zoning is consistent with the Central City Sector Plan's MU-SD, CC-1 (Mixed Use-Special District, Downtown North) designation, which calls for a variety of uses including office, commercial, and residential.
2. This rezoning would extend the boundary to coincide with the boundary of the Central City Sector Plan's MU-SD, CC-1 (Mixed Use-Special Use District, Downtown North).
3. The property is located within Knoxville's City limits on the Growth Plan.
4. The property is located in FEMA Flood Zone X but does not contain any floodplain areas.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

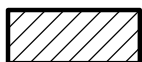
If approved, this item will be forwarded to Knoxville City Council for action on 7/14/2020 and 7/28/2020. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



**5-E-20-RZ  
REZONING**

From: C-G- 2 (General Commercial)

To: DK-3 (Downtown Knoxville)



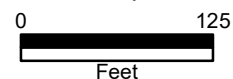
Original Print Date: 4/6/2020  
 Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Revised:

Petitioner: SMJT, LLC

Map No: 94

Jurisdiction: City





# Request to Postpone • Table • Withdraw

Name of Applicant: SMJT LLC

AS IT APPEARS ON THE CURRENT PLANNING COMMISSION AGENDA

Original File Number(s): 5-E-20-RZ

Date Scheduled for Planning Review: May 14, 2020

Date Request Filed: 5/8/2020

Request Accepted by Michelle Porter

## REQUEST

☒ Postpone

Please postpone the above application(s) until:

06/11/2020

DATE OF FUTURE PUBLIC MEETING

☐ Table

Please table the above application(s).

☐ Withdraw

Please withdraw the above application(s).

State reason for request:

Time to finalize plans for property.

Eligible for Fee Refund? ☐ Yes ☐ No

Amount: \_\_\_\_\_

Approved by: \_\_\_\_\_

Date: \_\_\_\_\_

## APPLICATION AUTHORIZATION

I hereby certify that I am the property owner, applicant, or applicant's authorized representative.

Signature: 

PLEASE PRINT

Name: John L. Sanders

Address: 514 W. Jackson Avenue

City: Knoxville State: TN Zip: 37902

Telephone: (865) 300-7448

Fax: N/A

E-mail: jsanders@sanderspace.com

## PLEASE NOTE

Consistent with the guidelines set forth in Planning's *Administrative Rules and Procedures*:

### POSTPONEMENTS

Any first time (new) Planning application is eligible for one automatic postponement. This request is for 30 days only and does not require Planning approval if received no later than 3:30 p.m. on the Friday prior to the Planning Commission meeting. All other postponement requests must be acted upon by Planning before they can be officially postponed to a future public meeting.

### TABLINGS

Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled.

### WITHDRAWALS

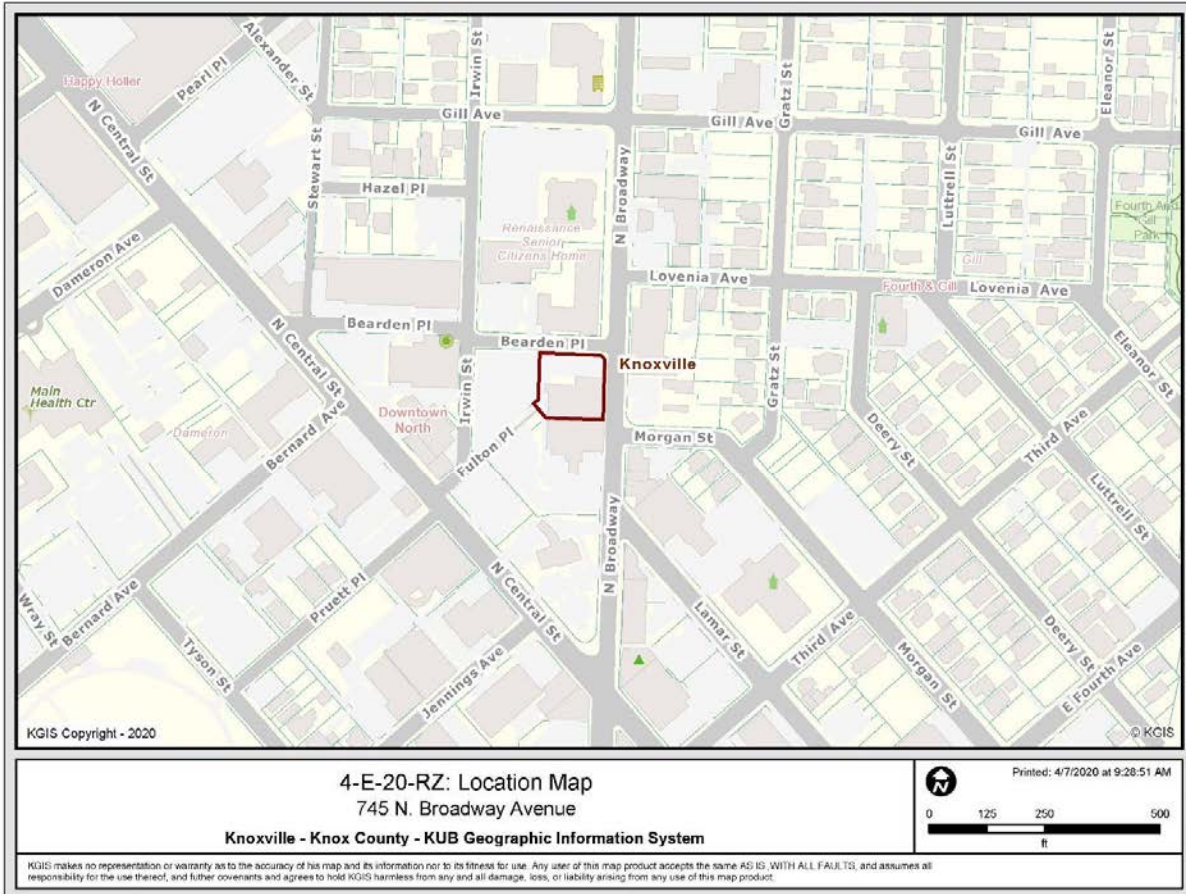
Any item is eligible for automatic withdrawal. A request for withdrawal must be received no later than 3:30p.m. on the Friday prior to the Planning Commission meeting. Withdrawal requests that do not meet these guidelines must be acted upon by Planning Commission before they can be officially withdrawn.

Any new item withdrawn may be eligible for a fee refund according to the following:

Application withdrawal with fee refund will be permitted only if a written request is received prior to public notice. This request must be approved by either the Executive Director, or the Planning Services Manager. Applications may be withdrawn after this time, but without fee refund.

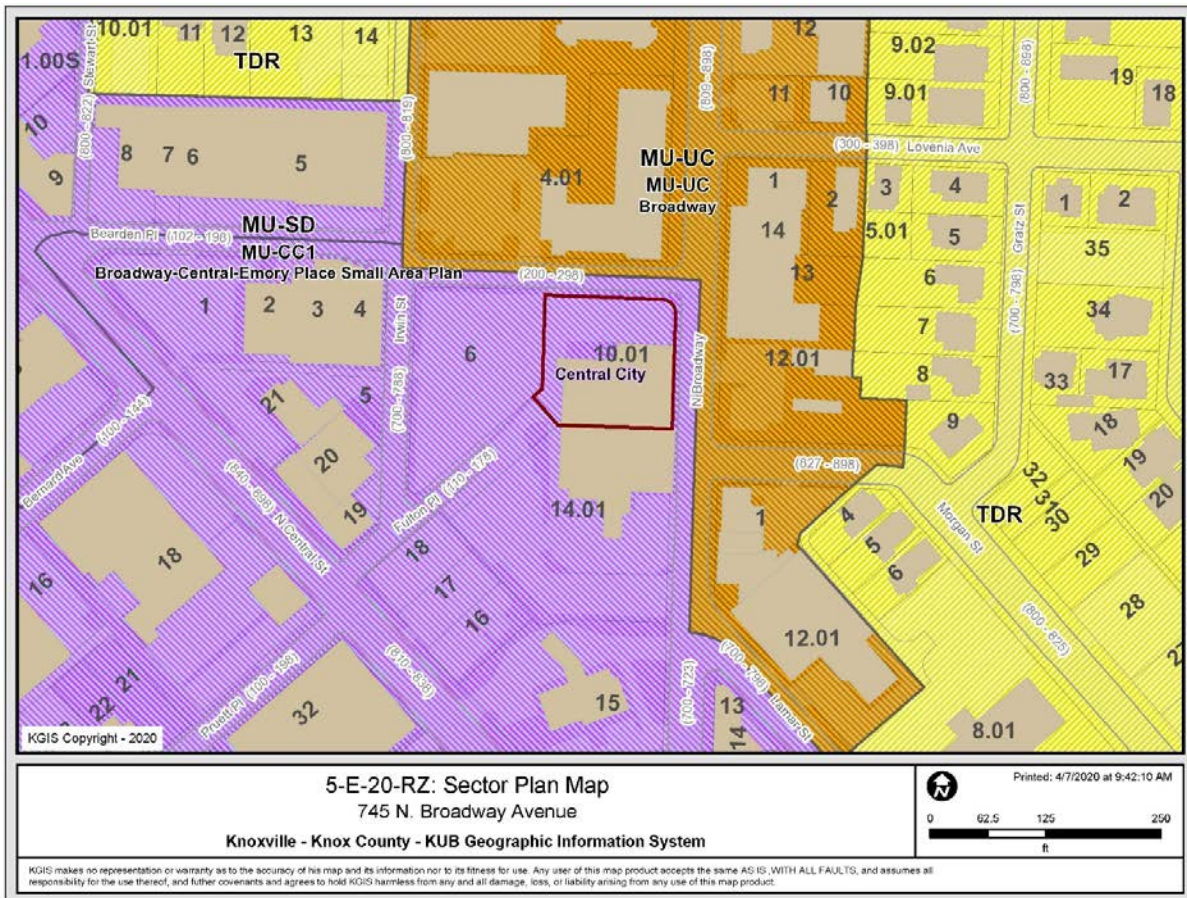
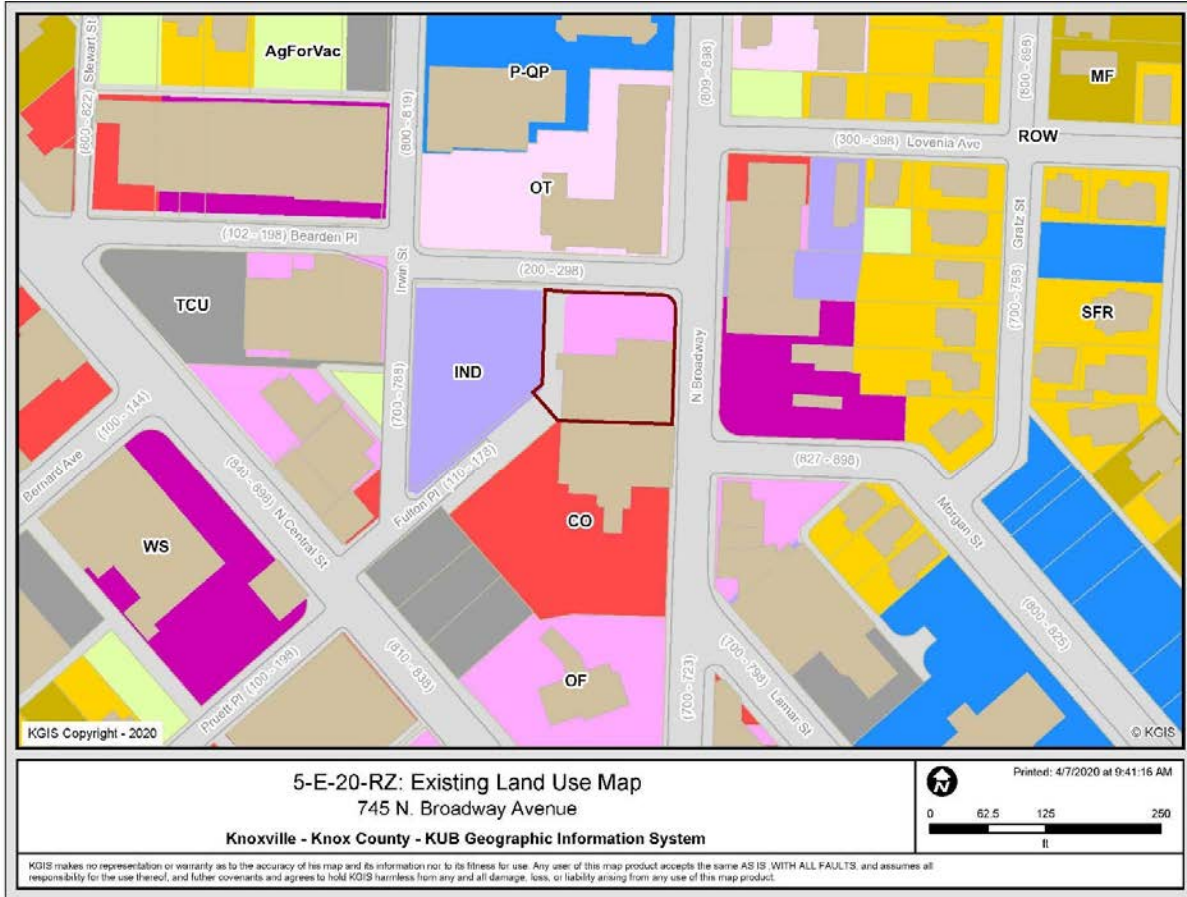


5-E-20-RZ  
EXHIBIT A. Contextual Images



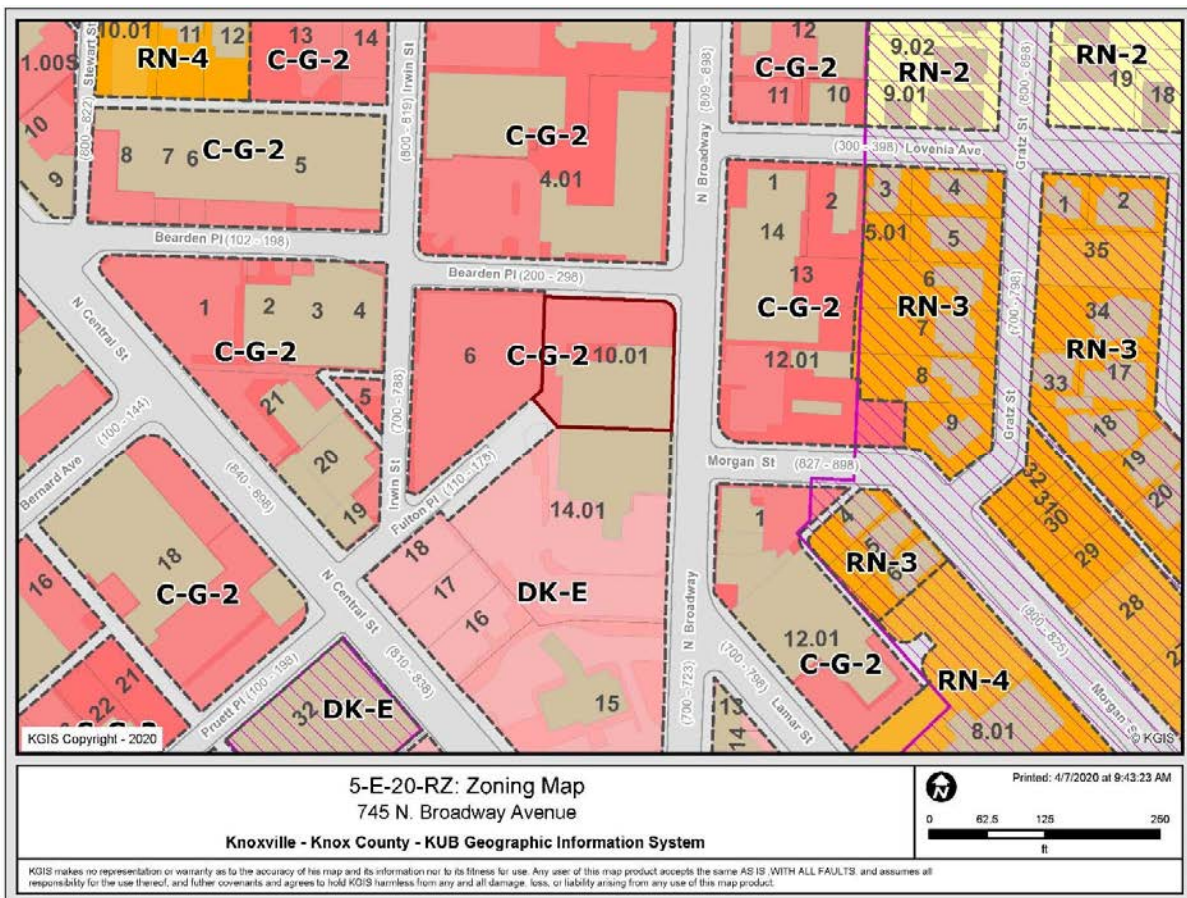
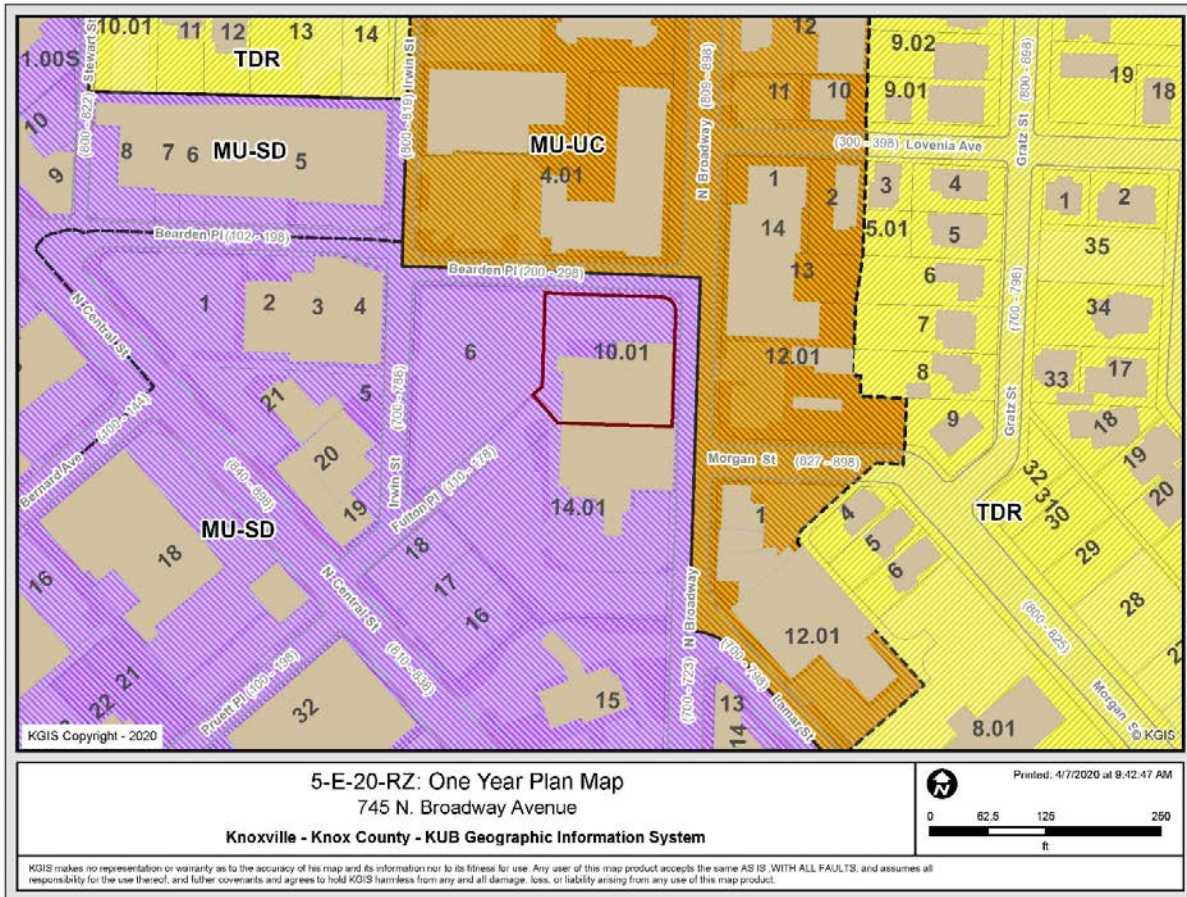


5-E-20-RZ  
EXHIBIT A. Contextual Images





5-E-20-RZ  
EXHIBIT A. Contextual Images

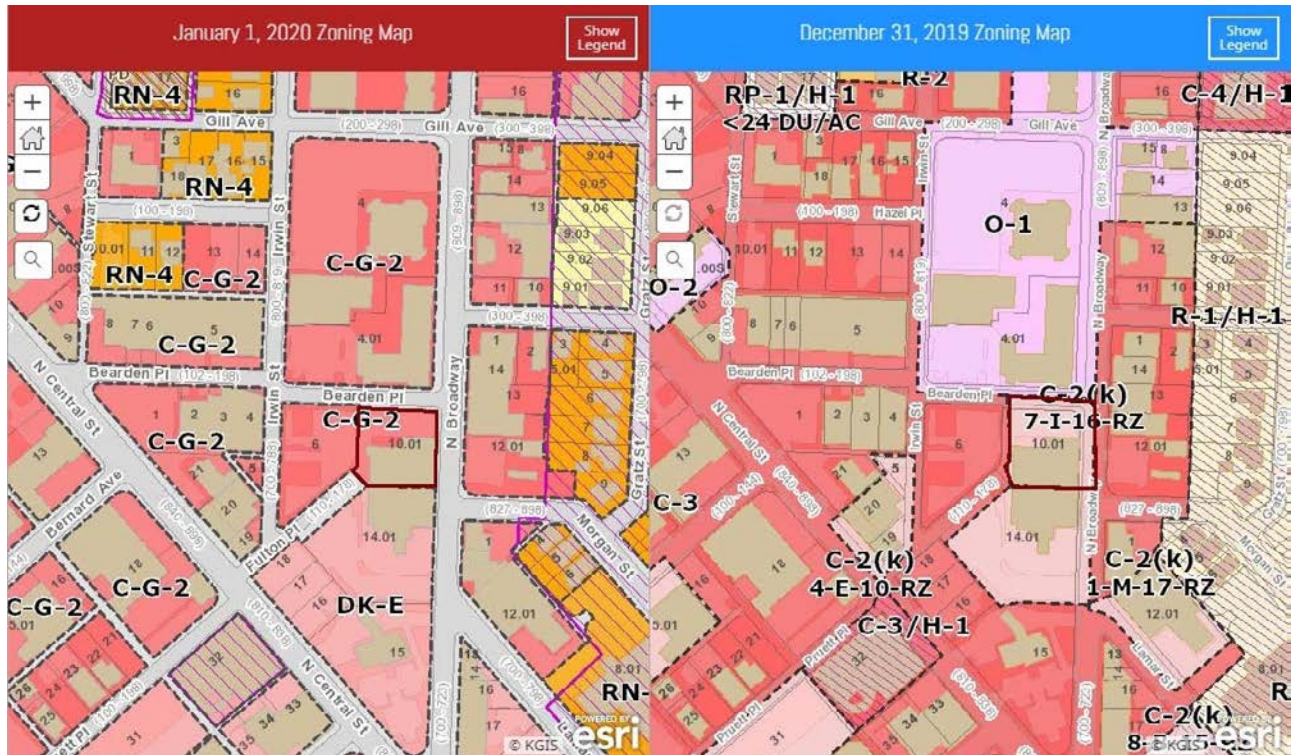




## 5-E-20-RZ

### EXHIBIT A. Contextual Images

Zoning Comparison Map, new zoning adopted January 1, 2020 and prior zoning.







## DEVELOPMENT REQUEST

### DEVELOPMENT

- ☐ Development Plan  
☐ Planned Development  
☐ Use on Review / Special Use

### SUBDIVISION

- ☐ Concept Plan  
☐ Final Plat

### ZONING

- ☐ Plan Amendment  
☒ Rezoning

SMJT, LLC

Owner

Applicant Name

Affiliation

03/17/2020

5-14-2020

5-E-20-RZ

Date Filed

Meeting Date (if applicable)

File Numbers(s)

## CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- ☒ Applicant ☐ Owner ☐ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

John L. Sanders, FAIA

Sanders Pace Architecture LLC

Name

Company

514 West Jackson Avenue, Suite 102

Knoxville

TN

37902

Address

City

State

Zip

(865) 329-0316

jsanders@sanderspace.com

Phone

Email

## CURRENT PROPERTY INFO

SMJT LLC

109 Northshore Drive, Knoxville, TN 37919 (865)621-9493

Owner Name (if different)

Owner Address

Owner Phone

745 N. Broadway, Knoxville, TN 37917

094DC01001

Property Address

Parcel ID

Broadway at Bearden Place

.5 Acres +/-

General Location

Tract Size

4th District

C-G-2

Jurisdiction (specify district above)

☒ City ☐ County

Zoning District

Broadway-Central-Emory Place

MU-SD

mu-cc1

MU-CC1

N/A

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

Restaurant

N

KUB

KUB

Existing Land Use


Septic (Y/N)

Sewer Provider

Water Provider

## REQUEST

DEVELOPMENT	SUBDIVISION	ZONING
<input type="checkbox"/> Development Plan <input type="checkbox"/> Use on Review / Special Use <input type="checkbox"/> Residential <input type="checkbox"/> Non-Residential <input type="checkbox"/> Home Occupation (specify): _____ <input type="checkbox"/> Other (specify): _____	<input type="checkbox"/> Proposed Subdivision Name _____ Unit / Phase Number _____ <input type="checkbox"/> Parcel Change <input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel    Total Number of Lots Created: _____ <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Attachments / Additional Requirements _____	<input checked="" type="checkbox"/> Zoning Change: <b>DK-E</b> Proposed Zoning <input type="checkbox"/> Plan Amendment Change: <b>N/A</b> Proposed Plan Designation(s) <b>Restaurant</b> <input checked="" type="checkbox"/> Property Use (specify) _____ Proposed Density (units/acre) _____ Previous Rezoning Requests _____ <input type="checkbox"/> Other (specify): <b>Requesting rezoning to revert back to conformance with previous C-2 Zoning.</b>

STAFF USE ONLY	<b>PLAT TYPE</b> <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	<b>FEE 1:</b> 0324 N/C	<b>TOTAL:</b> 
	<b>ATTACHMENTS</b> <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	<b>FEE 2:</b>	
	<b>ADDITIONAL REQUIREMENTS</b> <input type="checkbox"/> Design Plan Certification <i>(Final Plat only)</i> <input type="checkbox"/> Use on Review / Special Use <i>(Concept Plan only)</i> <input type="checkbox"/> Traffic Impact Study	<b>FEE 3:</b>	

**AUTHORIZATION** By signing below, I certify I am the property owner, applicant or the owners authorized representative.

<b>John Sanders</b> Digitally signed by John Sanders Date: 2020.03.15 13:03:55 -04'00'		<b>John L. Sanders, FAIA</b>	<b>03/15/2020</b>
Applicant Signature		Please Print	Date
(865)329-0316		jsanders@sanderspace.com	
Phone Number		Email	
			
Staff Signature		Please Print	Date



