

REZONING REPORT

► **FILE #:** 5-D-20-RZ

AGENDA ITEM #: 10

AGENDA DATE: 5/14/2020

► **APPLICANT:** ML ACQUISITIONS, LLC

OWNER(S): Kathleen Linkous / ML Acquisitions

TAX ID NUMBER: 82 P K 031

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 1709 E. Fifth Avenue

► **LOCATION:** North side of E. Fifth Avenue between Holly and Austin Streets

► **APPX. SIZE OF TRACT:** 7500 square feet

SECTOR PLAN: Central City

GROWTH POLICY PLAN: Within City Limits

ACCESSIBILITY: E. Fifth Avenue is a local road with a pavement width of approximately 21 ft. and a right-of-way width of approximately 58.5 ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

► **PRESENT ZONING:** RN-2 (Single-Family Residential Neighborhood)

► **ZONING REQUESTED:** O (Office)

► **EXISTING LAND USE:** Multifamily

►
EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted for this property

SURROUNDING LAND USE AND ZONING:
North: Multifamily - RN-5 (General Residential Neighborhood) District
South: Single family residential - RN-2 (Single Family Residential) District
East: Agricultural/forestry/vacant - RN-2 (Single Family Residential) District
West: Multifamily - RN-2 (Single Family Residential) District

NEIGHBORHOOD CONTEXT: This block marks the beginning of consistent residential uses along E. Fifth Avenue to the west of Caswell Park. It consists of detached single family homes and small apartment buildings. The area to the west, south of Caswell Park, is a mix of uses including Caswell Park (ballfields), small-lot single-family dwelling units, small apartment buildings, office, and commercial uses in the near vicinity. East Magnolia Avenue is two blocks to the south.

STAFF RECOMMENDATION:

► **Withdraw the request to rezone this parcel to O (Office) per the applicant's request.**

The applicant sent an email on April 23, 2020 requesting for this item to be withdrawn from consideration.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

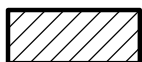
If approved, this item will be forwarded to Knoxville City Council for action on 6/16/2020 and 6/30/2020. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



**5-D-20-RZ
REZONING**

From: RN-2 (Single-Family Residential Neighborhood)

To: O (Office)

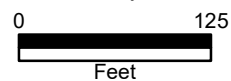


Original Print Date: 4/6/2020 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: ML Acquisitions, LLC

Map No: 82

Jurisdiction: City





Dori Caron <dori.caron@knoxplanning.org>

Fwd: 1709 E 5th Ave

Michelle Portier <michelle.portier@knoxplanning.org>

Thu, Apr 23, 2020 at 10:03 AM

To: Dori Caron <dori.caron@knoxplanning.org>, Laura Edmonds <laura.edmonds@knoxplanning.org>, Amy Brooks <amy.brooks@knoxplanning.org>

Cc: Gerald Green <gerald.green@knoxplanning.org>

Dori and Laura,

I received this email from an applicant requesting to withdraw #10 on the preliminary agenda - Case 5-D-20-RZ, ML Aquisitions, 1709 E. Fifth Ave.

Is it too late to pull it from the ad and the agenda?

Thanks,
Michelle

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

From: **Katie Linkous** <katie@freedominvestmentgroupinc.com>

Date: Thu, Apr 23, 2020 at 9:57 AM

Subject: 1709 E 5th Ave

To: Michelle Portier <michelle.portier@knoxplanning.org>

**WITHDRAWAL REQUEST****File #:** 5-D-20-RZ**Meeting Date:** 5.14.2020

Michelle -

Thanks so much for the update regarding this property. Based on the information you provided and what we have also heard from the neighborhood, we would like to withdraw our application for re-zoning.

Let me know if I need to do anything else.

--

Katie Linkous
Freedom Investment Group, Inc
11124 Kingston Pike Ste 119-115
Knoxville, TN 37934
O: 865-296-0358
M: 865-321-0454
www.freedominvestmentgroupinc.com

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Michelle Portier, AICP
Planner
865.215.3821



DEVELOPMENT REQUEST

RECEIVED

MAR 10 2020

Knoxville-Knox County
Planning

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☒ Rezoning

ML Acquisitions LLC

Applicant Name

Affiliation

3/10/20

5/14/20

5-D-20-RZ

Date Filed

Meeting Date (if applicable)

File Number(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

Kathleen Linkous

ML Acquisitions LLC

Name

Company

11124 Kingston Pike 119-115

Knoxville

TN

37934

Address

City

State

Zip

865-321-0454

katie@freedominvestmentgroupinc.com

Phone

Email

CURRENT PROPERTY INFO

Same as above

Owner Name (if different)

Owner Address

Owner Phone

1709 E 5th Ave

082PK031

Property Address

Parcel ID

Parkridge

N/S E Fifth Ave., west of N. Bertrand St

7500 sq feet

General Location

Tract Size

6th District

RN-2

Jurisdiction (specify district above)

☒ City ☐ County

Zoning District

Central City

multi - use

mu-SD, mu-CC4 Within City limits

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

Existing office

N

KUB

KUB

Existing Land Use

Septic (Y/N)

Sewer Provider

Water Provider

REQUEST

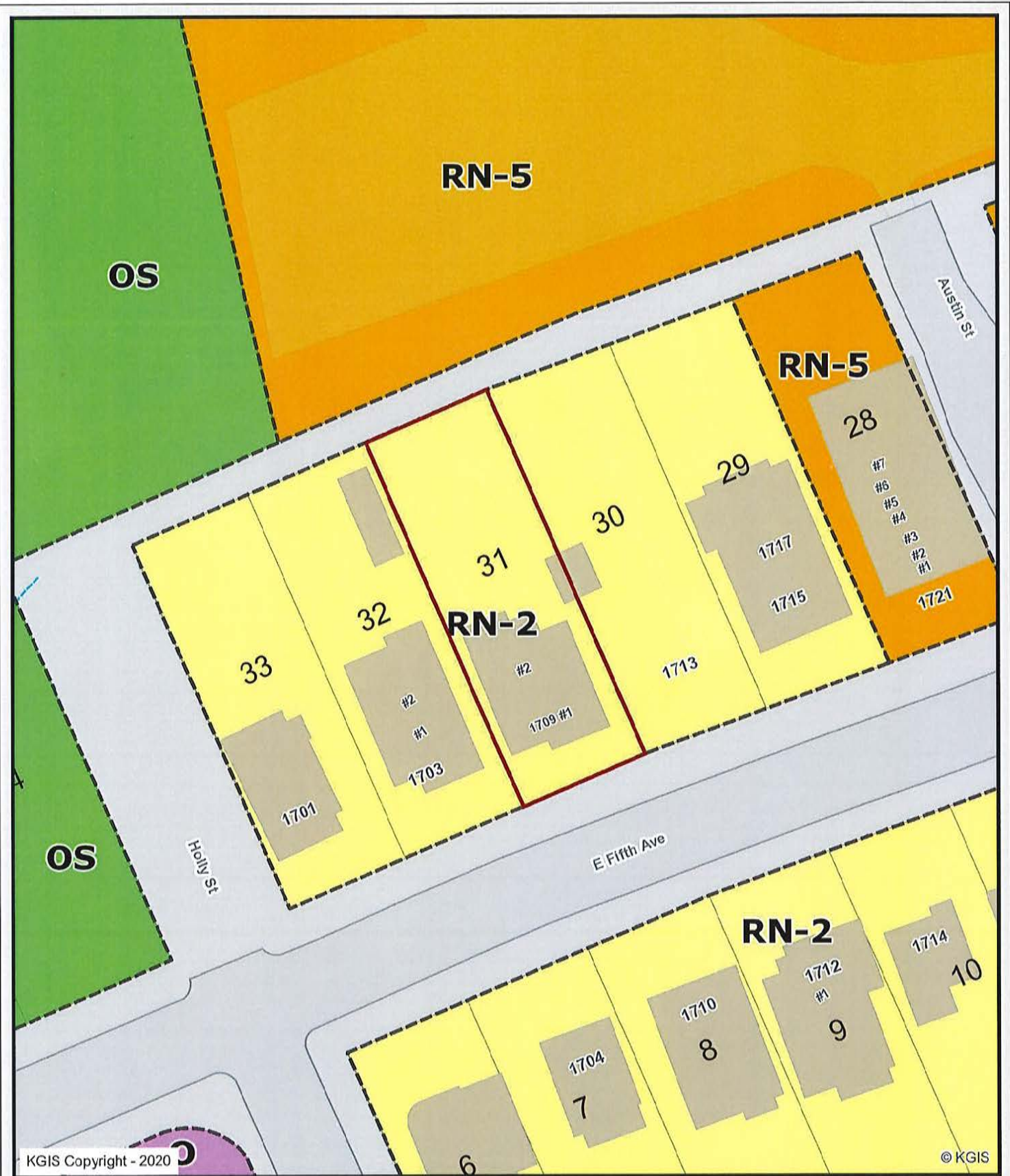
DEVELOPMENT	<input type="checkbox"/> Development Plan	<input type="checkbox"/> Use on Review / Special Use
	<input type="checkbox"/> Residential	<input type="checkbox"/> Non-Residential
	<input type="checkbox"/> Home Occupation (specify): _____	
	<input type="checkbox"/> Other (specify): _____	
SUBDIVISION	<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): _____	
ZONING	<input type="checkbox"/> Attachments / Additional Requirements	
	<input checked="" type="checkbox"/> Zoning Change: <u>Office (per zoning prior to changes 1/1/20)</u>	
	Proposed Zoning _____	
	<input type="checkbox"/> Plan Amendment Change: _____	
		Proposed Plan Designation(s) _____
<input type="checkbox"/> Property Use (specify) _____		Proposed Density (units/acre) _____ Previous Rezoning Requests _____
<input type="checkbox"/> Other (specify): _____		

STAFF USE ONLY	PLAT TYPE	FEE 1:	TOTAL:
	<input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	<i>(request comparable)</i>	
	ATTACHMENTS	FEE 2: <i>zone to old previous zoning ordinance.</i>	
	<input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	FEE 3:	
ADDITIONAL REQUIREMENTS			
<input type="checkbox"/> Design Plan Certification (Final Plat only)			
<input type="checkbox"/> Use on Review / Special Use (Concept Plan only)			
<input type="checkbox"/> Traffic Impact Study			

AUTHORIZATION

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

	Kathleen Linkous	3/10/20
Applicant Signature	Please Print	Date
865-321-0454	katie@freedominvestmentgroupinc.com	
Phone Number	Email	
	Michelle Portier	3/10/2020
Staff Signature	Please Print	Date



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1709 E. Fifth Ave.

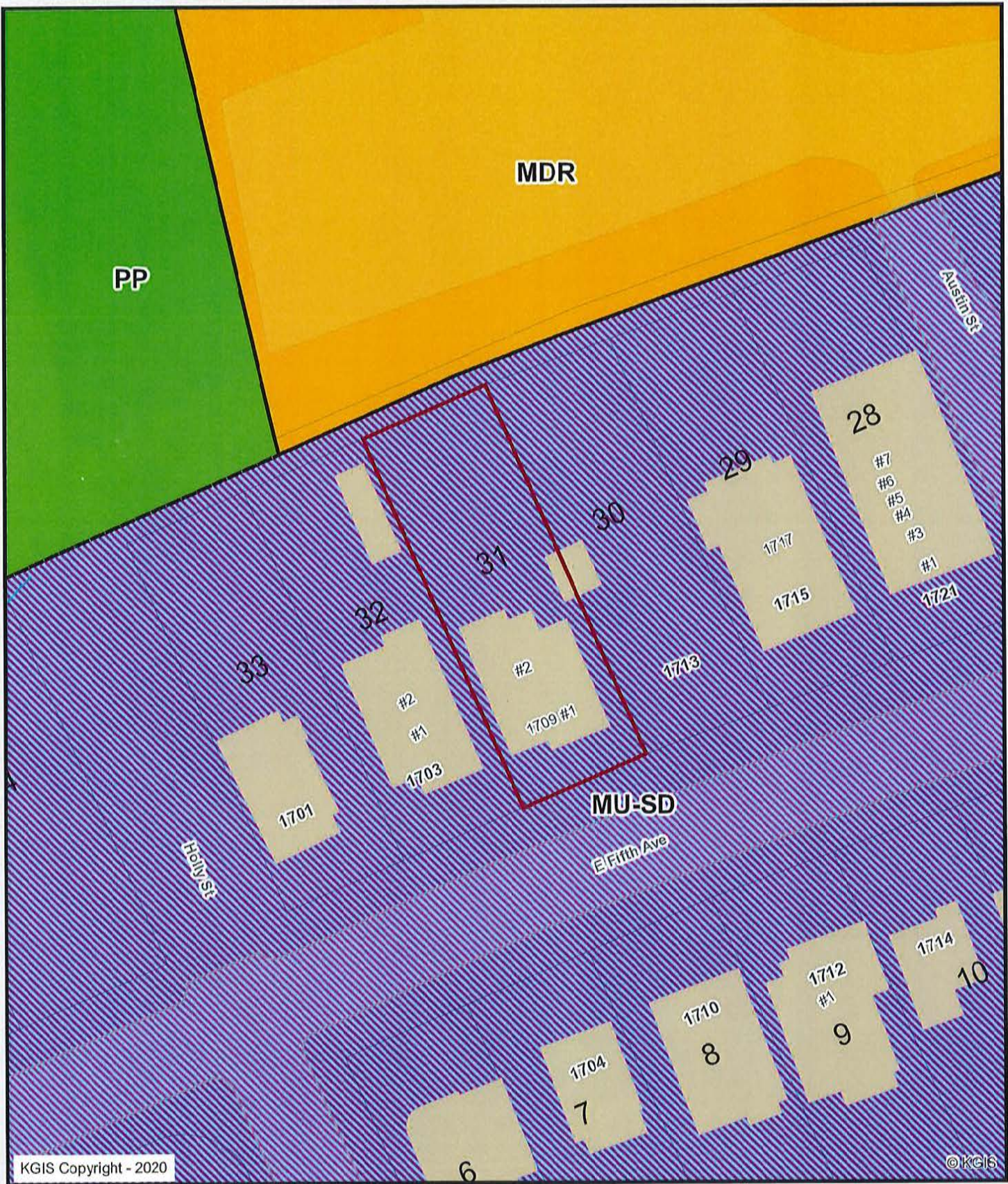
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1709 E. Fifth Ave.

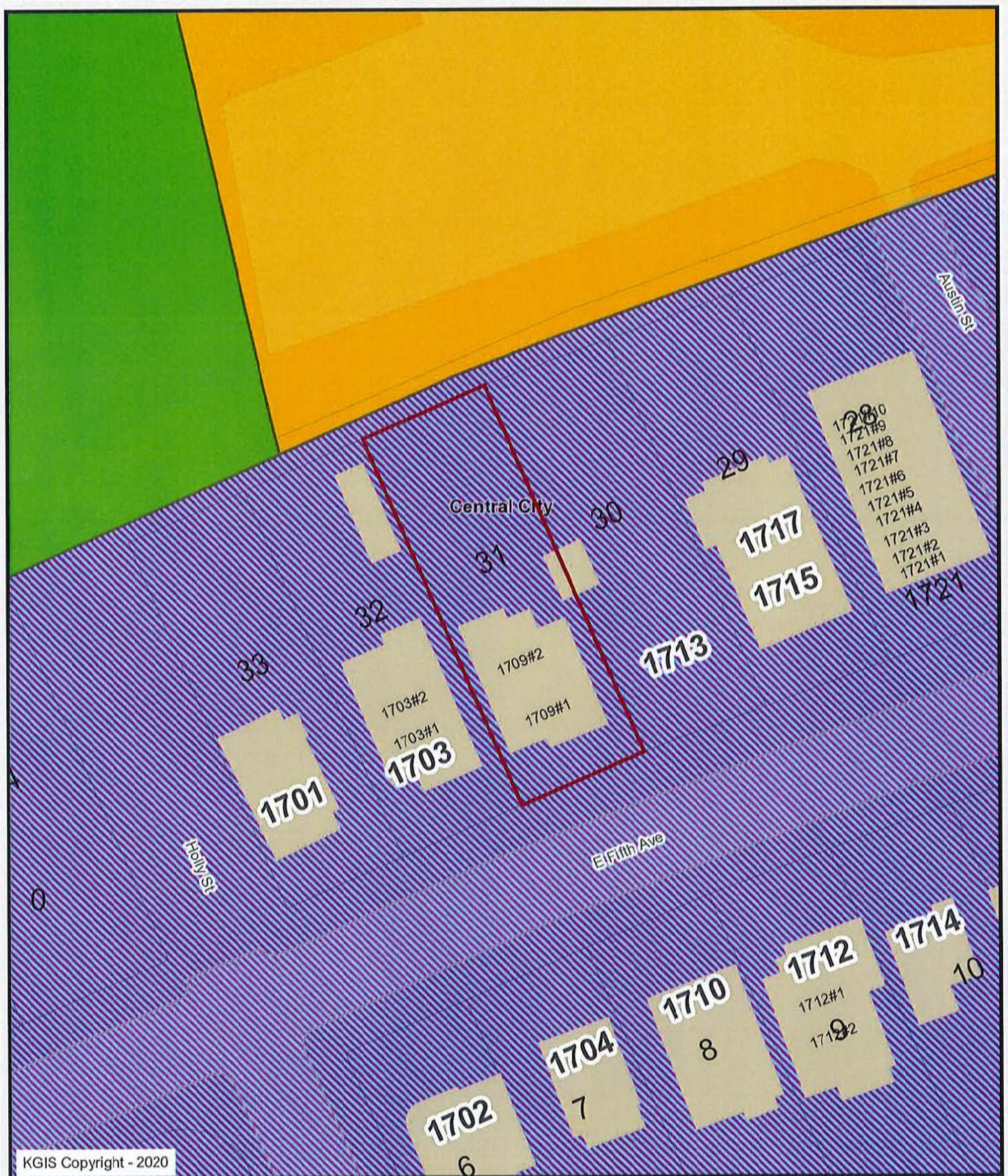
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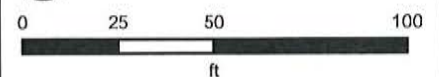


1709 E. Fifth Ave.

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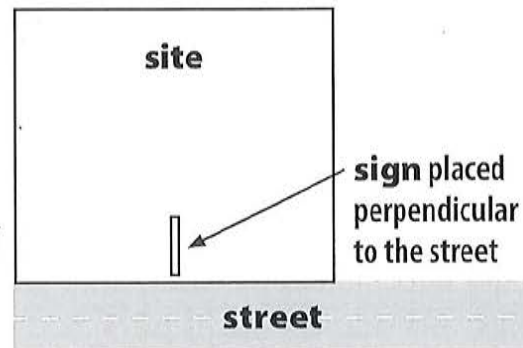
REQUIRED SIGN POSTING AGREEMENT

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 Administrative Rules and Procedures.

At the time of application, 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 Planning 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. Planning 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 Planning Commission 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 Planning Commission 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:

April 29, 2020 and May 15, 2020
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: 

Printed Name: ML Acquisitions, LLC

Phone: _____ Email: _____

Date: 3/10/20

File Number: 5-D-20-RZ