

SPECIAL USE REPORT

► **FILE #:** 5-C-21-SU

AGENDA ITEM #: 42

AGENDA DATE: 5/13/2021

► **APPLICANT:** JOHN L. SANDERS, FAIA

OWNER(S): Daniel McGehee C/o Steve Walling, Esq

TAX ID NUMBER: 94 K E 001

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 248 Deaderick Ave.

► **LOCATION:** At the intersection of Deaderick Ave. & Carrick St. in the Mechanicsville Historic District

► **APPX. SIZE OF TRACT:** 698 square feet

SECTOR PLAN: Central City

GROWTH POLICY PLAN: N/A

ACCESSIBILITY: There are no vehicular access points onto this property, as the building comprises the entire lot. The property has frontage along Deaderick Avenue, a local road with a 27-ft pavement width inside a 34-ft right-of-way, and Carrick Street, a local road with a 26-ft pavement width inside a 44-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

► **ZONING:** RN-2 (Single-Family Residential Neighborhood) / H (Historic Overlay)

► **EXISTING LAND USE:** Residential dwellings

► **PROPOSED USE:** Neighborhood Non-residential Reuse

HISTORY OF ZONING: Property was rezoned from R-2 (General Residential) to R-1A (Low Density Residential) as part of a general rezoning for the overall neighborhood (Case 8-B-85-RZ) and the Mechanicsville Historic Overlay District was adopted in 1991 (Case 8-S-91-RZ).

SURROUNDING LAND USE AND ZONING:

North:	Church - RN-2 (Single Family Residential Neighborhood) District
South:	Single family detached dwelling - RN-2 (Single Family Residential Neighborhood) and H (Historic Overlay) District
East:	Emerald Charter School - RN-2 (Single Family Residential Neighborhood) and H (Historic Overlay) District
West:	Single family detached dwelling - RN-2 (Single Family Residential Neighborhood) and H (Historic Overlay) District

NEIGHBORHOOD CONTEXT: This property is located at the southeastern end of the Mechanicsville Historic District. It is a transitional property between a node of commercial, office, and multifamily uses along Carrick Street to the southeast and the single family dwellings to the north and west.

STAFF RECOMMENDATION:

► Approve the request for a non-residential reuse at this location.

1. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the City of Knoxville Department of Engineering.

With the conditions noted, this plan meets the requirements for approval of a non-residential reuse and the other criteria for approval of a use on review.

COMMENTS:

This is a request for a non-residential reuse of a structure in the RN-2 (Single Family Residential) Zoning District. It is on the National Historic Register and is in the Mechanicsville Historic Zoning Overlay District. The structure was built circa 1902. It is a 720 square foot commercial building constructed of red brick and affectionally nicknamed “The Wedge” due to its iconic triangular shape. The building has three levels in the interior, but only two stories are visible from the outside (see photos submitted with application).

As a previously existing commercial structure, it meets the City’s Zoning Ordinance definition of neighborhood non-residential reuse, defined as, “A nonresidential use, subject to special approval, within a residential neighborhood that is nonresidential in its original construction and/or use.” Special use approval will allow the applicant to renovate the structure so it can be more of an asset to the community and become productive once again.

The applicant has stated he is considering any of the following uses:

1. Art gallery
2. Art and fitness studio
3. Office
4. Personal service establishment
5. Eating and drinking establishment
6. Retail goods establishment

The size of the building will self-regulate the types of businesses that could effectively locate here. There is no on-site parking, but there is street parking available along Deaderick Avenue, Carrick Street, and Hannah Avenue.

STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2)

The Planning Commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the One Year Plan, and by the following general standards:

1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.

A. The TDR (Traditional Neighborhood Residential) land use classification of the Central City Sector Plan and the City’s One Year Plan supports the RN-2 (Single Family Residential Neighborhood) Zoning District, which allows non-residential reuse of a commercial structure as a special use. The TDR land use class does not prohibit commercial uses.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.

A. The City of Knoxville Zoning Ordinance describes the RN-2 Single Family Residential Zoning District as intended to provide for a range of general industrial uses that may produce limited outside impacts, rendering them incompatible with retail, service, or residential uses. Such uses include limited manufacturing, fabricating, processing, wholesale distributing, and warehousing facilities that do not require frequent visits from customers or clients.

B. Despite the above description, the zoning ordinance allows consideration of non-residential reuse as a special use within the RN-2 zoning district. The proposal is in compliance with the criteria for neighborhood nonresidential reuse per section 9.3.V of the City’s Zoning Ordinance:

Once approval of a neighborhood non-residential reuse is granted, the structure may be reused for any of the uses in item 2 below. Any change of an approved use to another use allowed within item 2 requires a new special use approval.

1. Neighborhood nonresidential reuse establishments are only allowed within existing structures that are nonresidential in their construction and/or use as of the effective date of this Code.

2. The following nonresidential uses are permitted within a neighborhood commercial establishment:
 - a. Art gallery;
 - b. Art and fitness studio;
 - c. Office;
 - d. Personal service establishment;
 - e. Eating and drinking establishment; live entertainment—secondary use prohibited;
 - f. Retail goods establishment;
 - g. Social service center.
 3. No off-street parking is required. However, any off-street parking currently provided must be maintained.
 4. Drive-through facilities are prohibited.
 5. Outside storage or display is prohibited. All business, servicing, processing, and storage uses must be located within the structure.
- C. The applicant's stated desired uses were taken directly from the list in number 2 above and are therefore in compliance with the zoning ordinance.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

- A. The applicant's stated desired uses are of a nature that would be complementary to the neighborhood and would be likely to draw clientele directly from the surrounding neighborhood.
- B. The building was built circa 1902, which is similar to construction dates of the surrounding historic houses. Emerald Academy (1918) is across the street and is of a similar style with similar materials. "The Wedge" building is interwoven into the fabric of the neighborhood as the timeframe and construction styles of surrounding houses, the school, and this building are complementary to each other.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.

- A. The size of the establishment and the types of uses permitted by the neighborhood-non-residential reuse provision will limit the types of uses to those that would be unlikely to cause these types of adverse impacts.
- B. Both the site plans and the business itself would be required to comply with the Article 10 of the City of Knoxville Zoning Ordinance, which regulates the aforementioned impacts. Section 10.2 regulates lighting, while noise, dust and pollution, odors, fire hazards, and other similar concerns are regulated in Section 10.5.

5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

- A. Due to the small size of the structure, it would be unlikely to draw substantial additional traffic through residential streets. It is located two blocks east of Western Avenue, a major arterial via Carrick Street, and two blocks east of College Street, a minor collector, via Deaderick Avenue.
- B. Peak times of the business types listed by the applicant would have different peak times than Emerald Academy School, so it would not add significant traffic during school drop-off and pick-up times.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

- A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed uses within the development.

ESTIMATED TRAFFIC IMPACT: 11 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission'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 a Planning Commission decision in the City.



**5-C-21-SU
SPECIAL USE**



Neighborhood Non-residential Re-use in RN-2 (Single-Family Residential Neighborhood) / H (Historic Overlay)

Original Print Date: 4/13/2021 Revised:
Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Sanders, FAIA, John L.

Map No: 94
Jurisdiction: City

0 100
Feet



Record#: 2108.01

28 March 2021

Knoxville | Knox County Planning
Knoxville, Tennessee 37902

ATTN: Mike Reynolds

RE: 248 Deaderick Avenue

Mr. Reynolds:

It was a pleasure to discuss the potential reuse options for the subject historic property at 248 Deaderick Avenue. As discussed, the reuse intent for the National Register circa 1902 property once purchased by the new entity, would be to allow for the existing residential use as it is currently being used along with the uses as listed under 9.3.V Neighborhood Nonresidential Reuse, Number 2. Items a through f and *excluding* g.

All other items under section V would be met by any use being proposed.

V. Neighborhood Nonresidential Reuse

Once approval of a neighborhood non-residential reuse is granted, the structure may be reused for *any* of the uses in item 2 below. Any change of an approved use to another use allowed within item 2 requires a new special use approval.

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 - d. Personal service establishment;
 - e. Eating and drinking establishment; live entertainment—secondary use prohibited;
 - f. Retail goods establishment;
 - ~~g. Social service center.~~

I look forward to hearing back during the staff review on this approach and I intend to meet with key neighborhood representatives during this process to discuss this approach that we have discussed for this unique and special property.

SANDERS PACE ARCHITECTURE



By: John Lynch Sanders, FAIA, LEED AP
Principal Architect



#2108 - 248 DEADERICK AVENUE
AKA "THE WEDGE"

SPECIAL USE APPLICATION
26 MARCH 2021

5-C-21-SU



EXISTING PHOTOS
N.T.S.

1. SURVEYOR'S LIABILITY FOR THE DOCUMENT SHALL BE LIMITED TO THE ORIGINAL PURCHASER AND DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITIES WITHOUT AN EXPRESSED OR CERTIFICATION BY WHOMSE SIGNATURE APPEARS UPON THE SURVEY.

2. PARCELS NUMBERS SHOWN AS THUS (00) REFER TO TAX MAP 94, KNOX COUNTY, TENNESSEE.

3. ALL DISTANCES WERE MEASURED WITH E.D.M. EQUIPMENT AND HAVE BEEN ADJUSTED FOR TEMPERATURE.

4. THE PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAIN AND IS DETERMINED TO BE IN ZONE "X" AS PER FEDERAL EMERGENCY MANAGEMENT AGENCY FIRM PANEL NUMBER 47093C0283G, DATED 8/5/2013.

5. THIS SURVEYOR WAS NOT PROVIDED WITH A TITLE COMMITMENT, THEREFORE THE PROPERTY IS SUBJECT TO THE FINDINGS OF A DETAILED TITLE SEARCH.

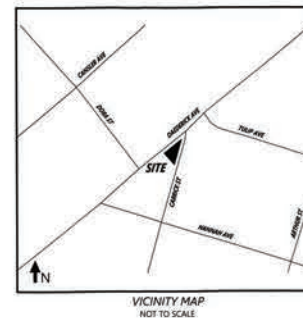
5. PRIOR TO ANY CONSTRUCTION, EXCAVATION OR ANY DISTURBANCE OF THE EXISTING GROUND ELEVATION, THE OWNER AND / OR CONTRACTOR SHOULD ASSUME RESPONSIBILITY OF CONTACTING THE LOCAL UTILITY AUTHORITIES FOR EXACT LOCATION OF UNDERGROUND GAS LINES, TELEPHONE LINES, ELECTRIC CABLES, WATER LINES, ETC. TO AVOID ANY HAZARD OR CONFLICT. IN TENNESSEE, IT IS A REQUIREMENT, PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT", THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE (3) NOR MORE THAN (10) WORKING DAYS PRIOR TO THE DATE OF THEIR EXCAVATION TO AVOID ANY POSSIBLE HAZARD OR CONFLICT. DIAL 811 FOR A ONE CALL CENTER.

7. UTILITIES SHOWN WERE TAKEN FROM FIELD LOCATIONS THAT WERE APPARENT AND COPIED FROM APPROPRIATE GOVERNING AGENCIES MAPS AND ARE APPROXIMATE AT BEST. THERE MAY BE UTILITIES, THE EXISTENCE OF WHICH IS UNKNOWN TO THE SURVEYOR.

8. TOPOGRAPHIC INFORMATION WAS DERIVED BY RANDOM SHOTS PER FIELD SURVEY. CONTOUR INTERVAL IS 0.5 FOOT, DATUM BASED ON NAVD 88.

9. ALL DEED & PLAT REFERENCES ARE MADE TO THE REGISTER'S OFFICE OF KNOX COUNTY, TENNESSEE.

10. SURVEY FIELD DATA COLLECTED ON 3 MARCH 2021.

[illegible][illegible]

ZONING: RN-2 SINGLE-FAMILY RESIDENTIAL NEIGHBORHOOD ZONING DISTRICT
FRONT YARD SETBACKS: 20' FEET
SIDE YARD SETBACKS: 5' FEET
REAR YARD SETBACKS: 25' FEET

PROPERTY LOCATED ON KNOX COUNTY TAX MAP
MAP 94, PARCEL 094KX001

CITY: KNOXVILLE

CITY: KNOXVILLE
COUNTY: KNOX
STATE: TENNESSEE
DISTRICT: FIRST CIVIL DISTRICT

SITE ADDRESS 248 DAEDERICK AVENUE
KNOXVILLE, TENNESSEE

OWNER: MCGEEHEE, DANIEL F
244 DAEDERICK AVENUE
KNOXVILLE, TENNESSEE 37921

I hereby certify that to the best of my knowledge and belief the hereon shown Boundary & Topographic Survey represents a Category 'T' survey having an unadjusted ratio of precision greater than 1:10,000 and is true and correct.

By: Robert O. Sandeas Jr. Date: 10/2/2014
ROBERT O. SANDEAS JR., TN Registered Surveyor No. 1614



815 NIGHTINGALE LANE
KNOXVILLE, TN 37908
(615) 875-0003

JOHN SANDERS
5114 W JACKSON AVENUE, SUITE 102
KNOXVILLE, TENNESSEE 37902

[illegible]

BOUNDARY AND TOPOGRAPHIC SURVEY

248 DAEDERICK AVENUE

CITY BLOCK: 09203
9TH WARD CITY OF KNOXVILLE, TENNESSEE
KNOXVILLE, KNOX COUNTY, TENNESSEE

PROJECT NUMBER
212654

S1.0



Development Request

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☒ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ SP ☐ OYP
☐ Rezoning

John L. Sanders, FAIA

Option Holder

Applicant Name

Affiliation

3/29/2021

05/13/2021

Date Filed

Meeting Date (if applicable)

File Number(s)

5-C-21-SU

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

Name

Company

514 W. Jackson Avenue, Suite 102

Knoxville

TN

37902

Address

City

State

ZIP

(865) 300-7448

jsanders@sanderspace.com

Phone

Email

CURRENT PROPERTY INFO

Daniel McGehee (c/o Steve Walling, Esq.) 709 Market Street; Knoxville, TN 37902 (865) 806-7320

Owner Name (if different)

Owner Address

Owner Phone

248 Deaderick Avenue; Knoxville, TN 37921

094 KE 001

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

Mechanicsville (intersection of Deaderick and Carrick)

697.9 Sq Feet = .0156 acre

General Location

Tract Size

☒ City ☐ County
District

6

RN-2 / H

Residential

Zoning District

Existing Land Use

Central City

TDR

~~TDR~~ N/A

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

DEVELOPMENT REQUEST☐ Development Plan ☒ Use on Review / Special Use ☐ Hillside Protection COA☐ Residential ☒ Non-Residential

Home Occupation (specify) _____

Other (specify) Neighborhood nonresidential reuse

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

☐ Combine Parcels ☐ Divide Parcel

Unit / Phase Number _____

Total Number of Lots Created _____

☐ Other (specify) _____☐ Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST☐ Zoning Change _____
Proposed Zoning☐ Plan Amendment Change _____
Proposed Plan Designation(s)

Pending Plat File Number

Proposed Density (units/acre) _____

Previous Rezoning Requests _____

☐ Other (specify) _____**STAFF USE ONLY****PLAT TYPE**☐ Staff Review ☐ Planning Commission**ATTACHMENTS**☐ Property Owners / Option Holders ☐ Variance Request**ADDITIONAL REQUIREMENTS**☐ Design Plan Certification (*Final Plat*)☐ Use on Review / Special Use (*Concept Plan*)☐ Traffic Impact Study☐ COA Checklist (*Hillside Protection*)

Fee 1	Total
0402	\$450.00
Fee 2	
Fee 3	

AUTHORIZATION

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



John L. Sanders, FAIA

3/1/2021

Applicant Signature

Please Print

Date

(865) 300-7448

jsanders@sanderspace.com

Phone Number

Email



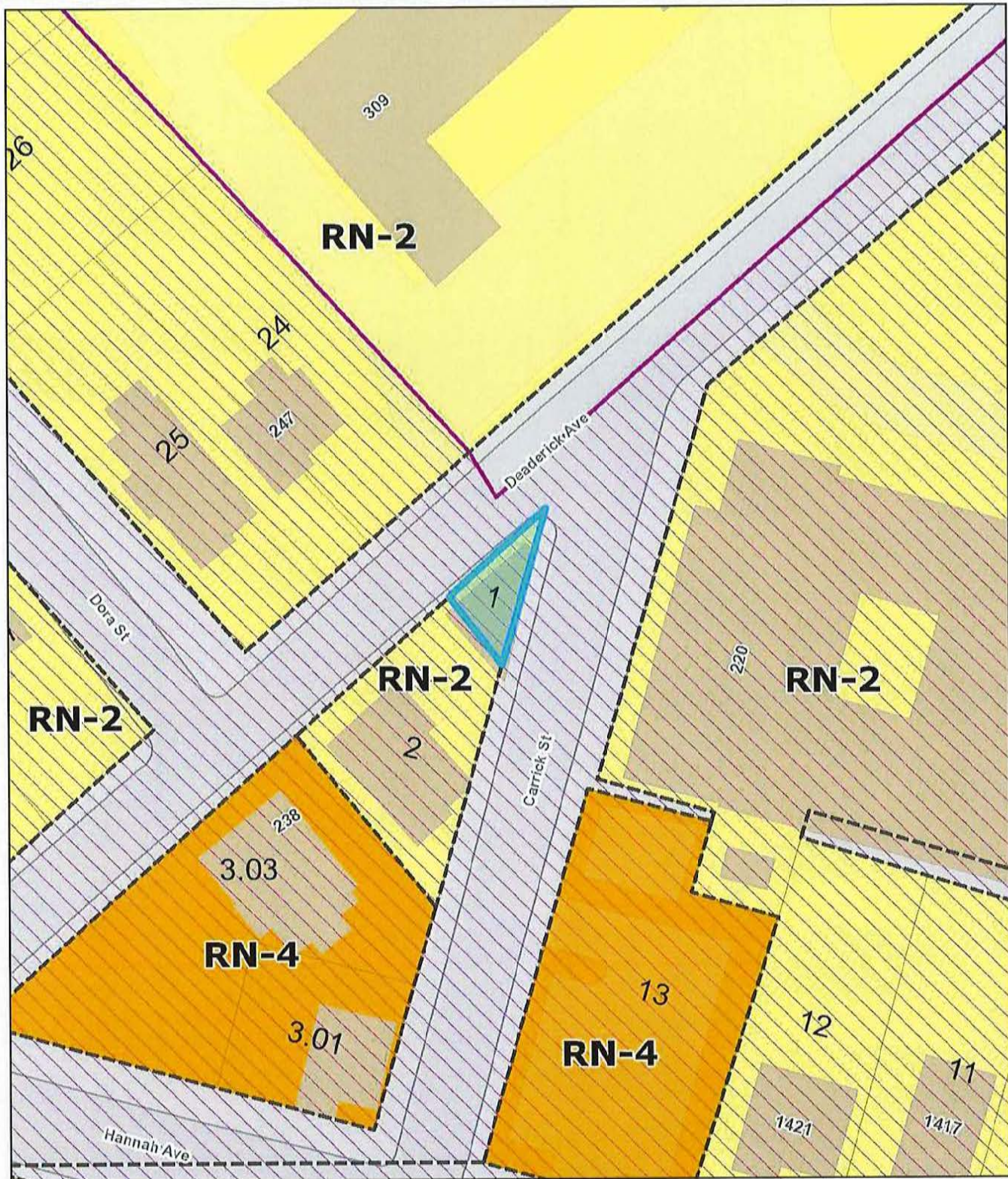
Michael Reynolds

3/29/2021 *Summ* 3/29/21

Staff Signature

Please Print

Date



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Printed: 3/29/2021 9:59:47 AM

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28 March 2021

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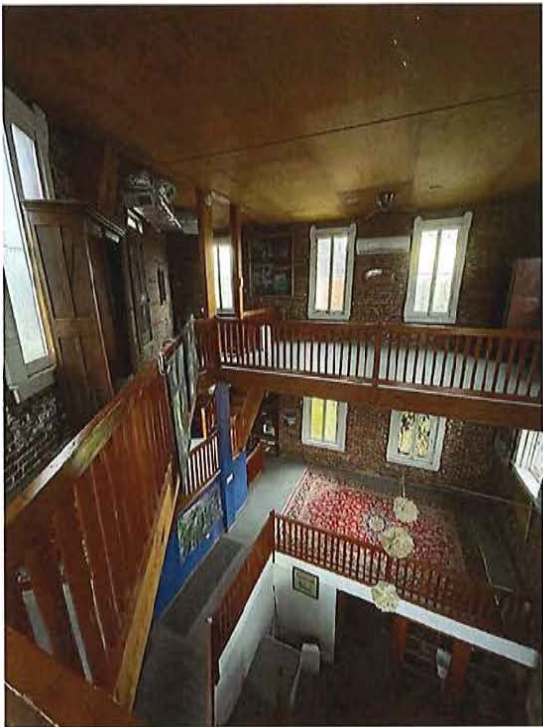
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#2108 - 248 DEADERICK AVENUE
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EXISTING PHOTOS
N.T.S.

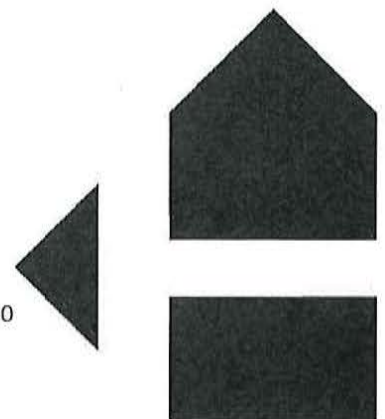


Memorandum

TO: John Lynch Sanders, FAIA
James Tente, Chief of Building Inspections, City of Knoxville
FROM: Lindsay Crockett, AICP, Historic Preservation Planner
DATE: March 22, 2021
SUBJECT: Historic Designation Status: 248 Deaderick Ave.
ADDRESS: 248 Deaderick Avenue

COMMENTS:

The building at 248 Deaderick Avenue was listed on the National Register of Historic Places in 1980 (NRHP Reference No. 80003842) as a contributing structure to the Mechanicsville Historic District (listed as 244 Deaderick Avenue in the nomination). The building is also a contributing structure to the Mechanicsville Historic (H) zoning overlay ("Mechanicsville Historic District Design Guidelines," 1991 and 2011).





Memorandum

TO: John Lynch Sanders, FAIA
James Tente, Chief of Building Inspections, City of Knoxville
FROM: Lindsay Crockett, AICP, Historic Preservation Planner
DATE: March 22, 2021
SUBJECT: Historic Designation Status: 248 Deaderick Ave.
ADDRESS: 248 Deaderick Avenue

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