

REZONING REPORT

► **FILE #:** 5-K-21-RZ

AGENDA ITEM #: 25

AGENDA DATE: 5/13/2021

► **APPLICANT:** LOGAN HIGGINS

OWNER(S): Jonathan Bailey

TAX ID NUMBER: 69 N E 00401 & 00402

[View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS: 3415 Huron Street & 0 Oswald St.

► **LOCATION:** **West side of Oswald Street, north of Hiwassee Avenue, and west of N. Broadway Avenue**

► **APPX. SIZE OF TRACT:** **8.16 acres**

SECTOR PLAN: Central City

GROWTH POLICY PLAN: N/A (within City Limits)

ACCESSIBILITY: This property is accessed off of Oswald Street, a local road with a 17-ft pavement width inside an approximately 55-ft right-of-way that varies in width. There is a paved alley along the southern end of the property with a pavement width of approximately 8 ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

► **PRESENT ZONING:** **I-H (Heavy Industrial)**

► **ZONING REQUESTED:** **I-MU (Industrial Mixed-Use)**

► **EXISTING LAND USE:** **Vacant land**

►
EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted for this property; Infill Overlay was added in 2007

SURROUNDING LAND USE AND ZONING: North: Single family residential - RN-2 (Single Family Residential) and IH (Infill Housing Overlay) Districts

South: Single family residential and industrial - RN-2 (Single Family Residential), I-H (Heavy Industrial), and IH (Infill Housing Overlay) Districts

East: Single family residential - RN-2 (Single Family Residential) and IH (Infill Housing Overlay) Districts

West: Industrial, commercial, and single family residential - RN-2 (Single Family Residential), I-G (General Industrial), I-H (Heavy Industrial), and IH (Infill Housing Overlay) Districts

NEIGHBORHOOD CONTEXT: This property is located in the Lincoln Park-Oakwood and Arlington Neighborhoods in an abandoned industrial site on the eastern side of the railroad tracks that cut through this area. The site is generally north of Atlantic Ave and west of N. Broadway Ave. It is surrounded mostly by single family residential dwellings on small lots.

STAFF RECOMMENDATION:

- **Approve I-MU (Industrial-Mixed Use) zoning because it is more compatible with the surrounding neighborhood than the existing zoning and would bring the property into compliance with the sector plan.**

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.3, SUBSECTIONS 1-3: THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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 GENERALLY:

1. New sidewalks are proposed approximately 1/3 mile to the south along Atlantic Avenue which will connect N. Broadway with Pershing Avenue. The project is currently out for bid.
2. This industrial property was recently deconstructed, making it viable for a different land use. We do not typically count newly abandoned sites as a change in conditions. However, in this instance, the property is disproportionately larger than the small-lot single family homes in the surrounding Lincoln Park and Arlington neighborhoods. This property is just over 8 acres, while the vast majority of single family lots are below ¼ of an acre in area. Therefore, the size of the site makes it a unique opportunity for this community. Development of this site into a mixed use development could provide uses more compatible with the existing neighborhoods than the current I-H (Heavy Industrial) zoning district.

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

1. The I-MU Industrial Mixed-Use Zoning District is intended to provide for a mix of light industrial uses and a variety of compatible commercial uses such as entertainment, amusement and retail establishments. This mix is designed to promote the reuse of older, character giving structures that may no longer be suitable for their original industrial purposes, but that can accommodate a variety of alternative types of uses. Residential uses are also permitted in the I-MU District, both above the ground floor in mixed-use development, and in multi-family dwellings.
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.

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

1. The property is in the Infill Housing Overlay District, so the development plans would require approval from the Design Review Board.
2. The subject parcel is adjacent to I-G (General Industrial) and I-H (Heavy Industrial) on the west and would provide a transition down from the industrial zoning districts to the RN-2 zoning on the east.
3. The I-MU (Industrial-Mixed Use) zone allows uses less intense and which are less likely to cause adverse impacts for the surrounding residential properties than uses allowed in the existing I-H zone.
4. The property is within a quarter-mile of transit, as there is a KAT bus route that runs along Chickamauga Avenue, with a stop located mid-block between Oswald and Huron Streets.
5. The properties are already served by sewer.

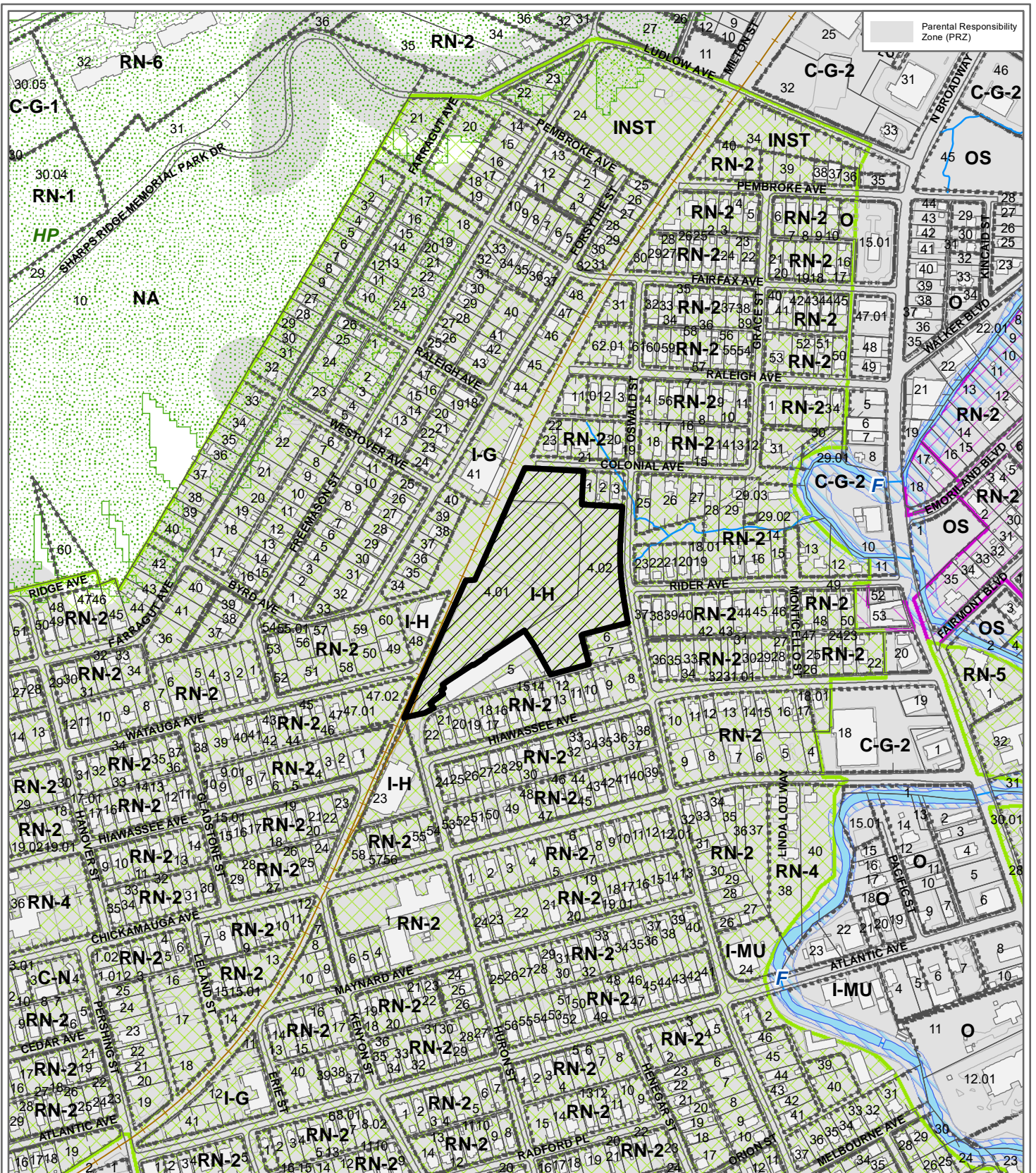
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The I-MU zone is consistent with the Central City Sector Plan's LI (Light Industrial) land use designation.
2. The existing LI designation does not allow consideration of the existing I-H zone, so rezoning these two parcels would bring them into compliance with the sector plan and One Year 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 6/15/2021 and 6/29/2021. 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-K-21-RZ REZONING

From: I-H (Heavy Industrial)

To: I-MU (Industrial Mixed-Use)



Original Print Date: 4/7/2021

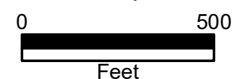
Revised:

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

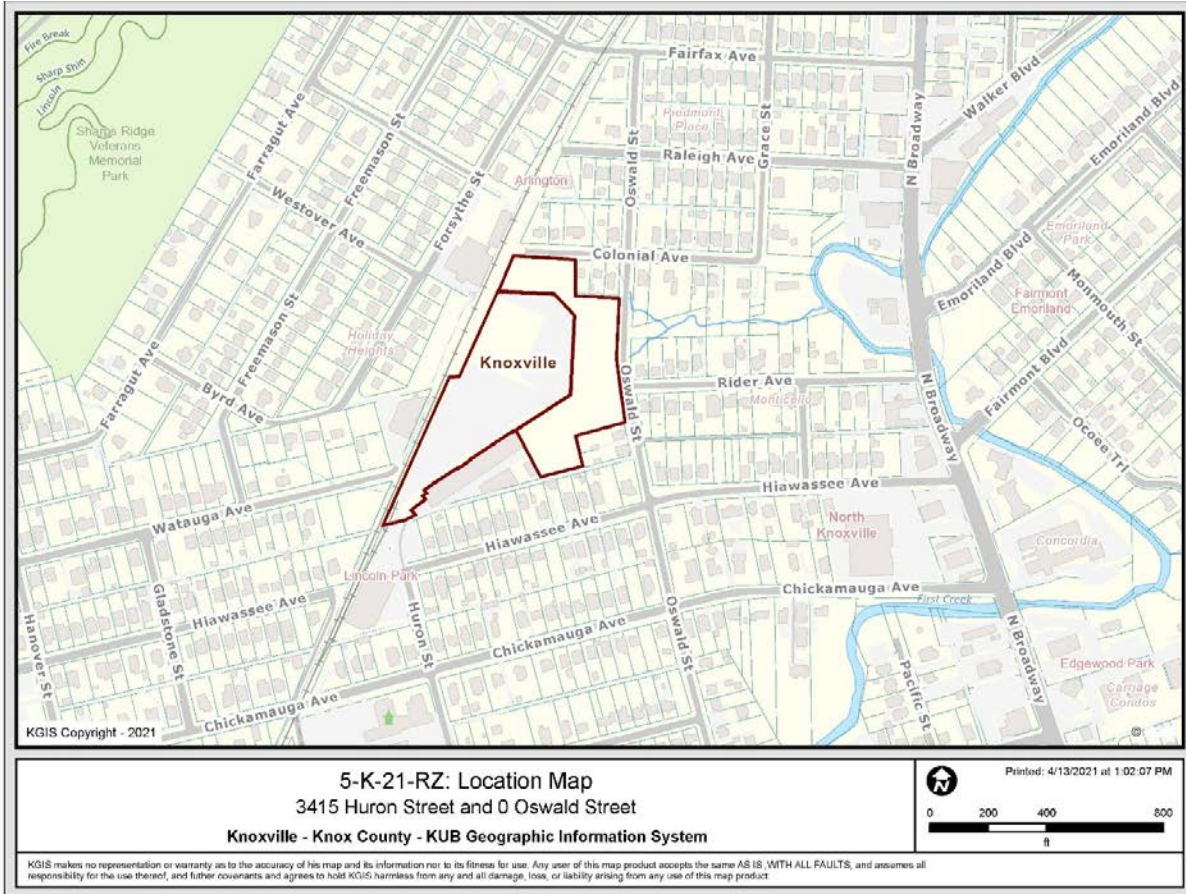
Petitioner: Higgins, Logan

Map No: 69

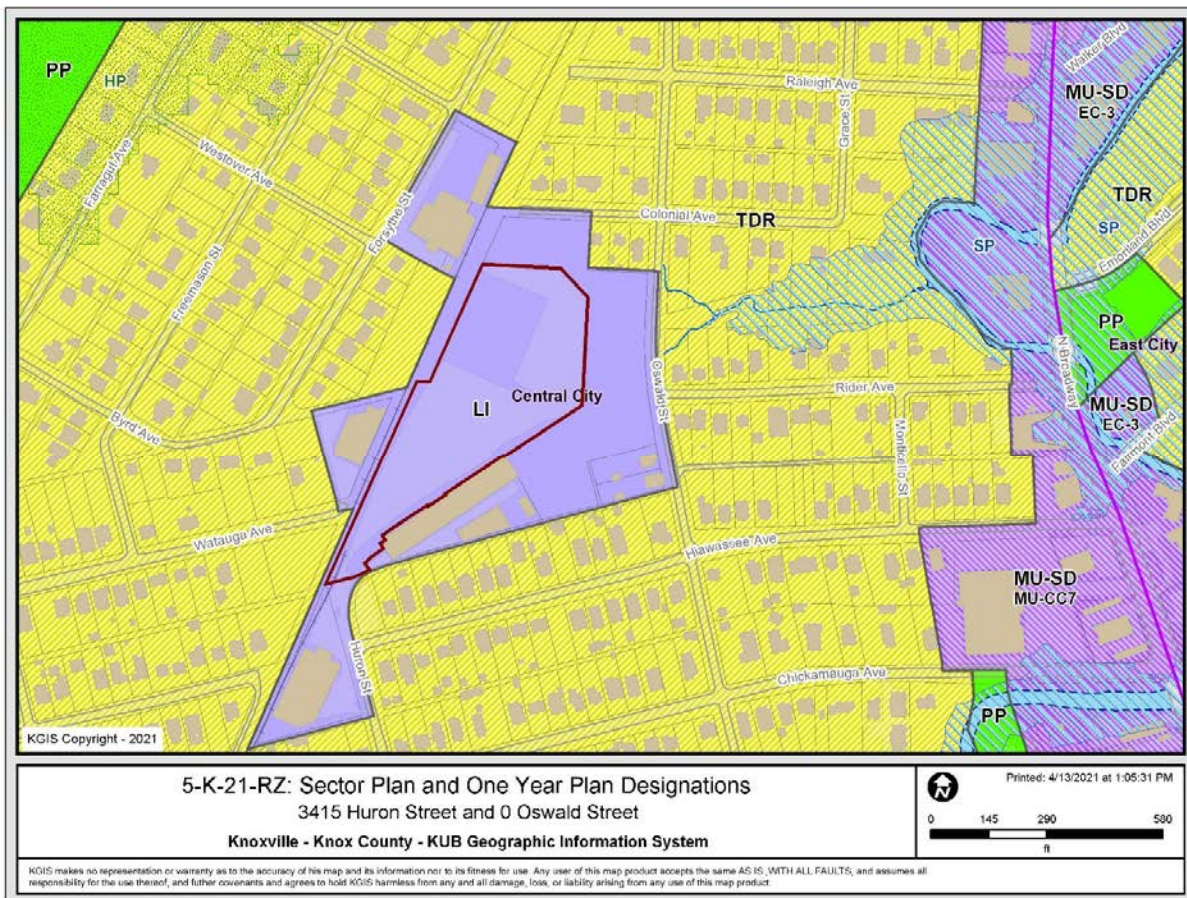
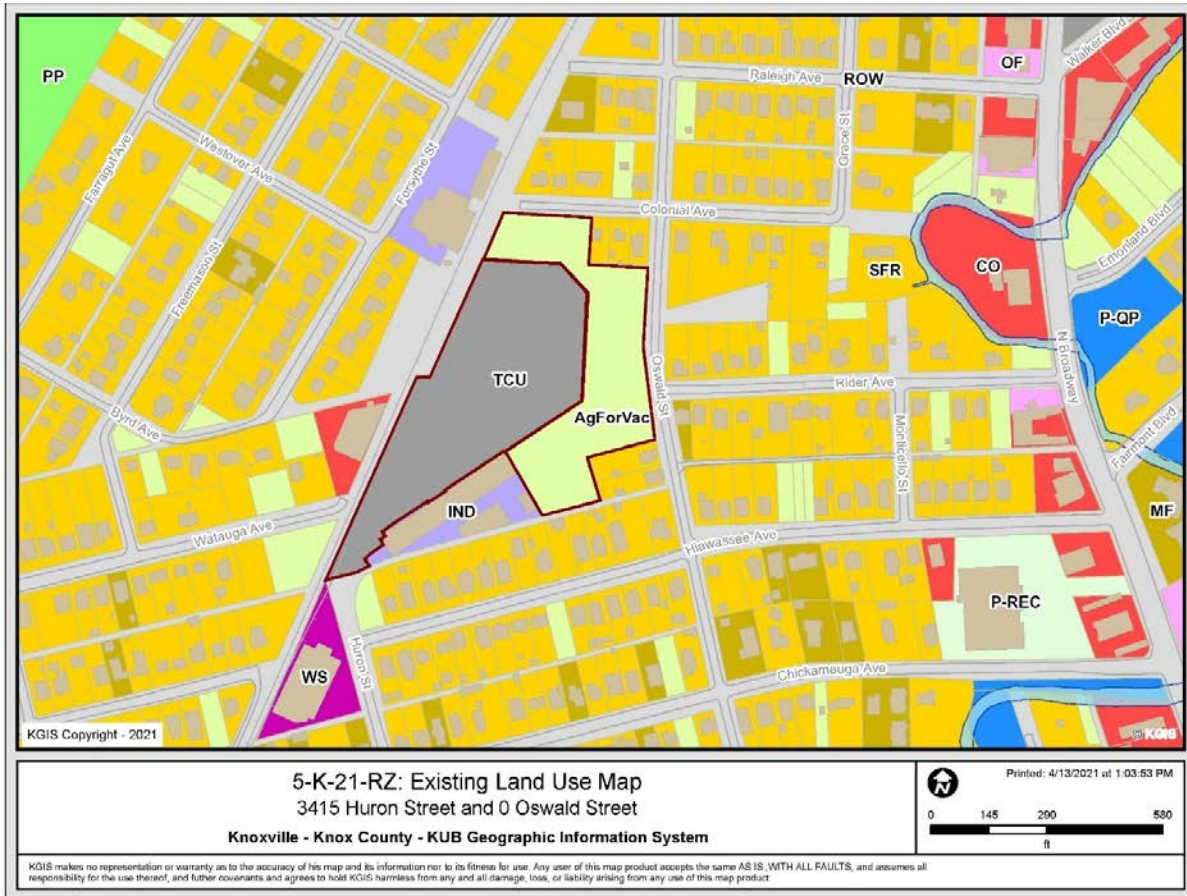
Jurisdiction: City



5-K-21-RZ
EXHIBIT A. Contextual Images

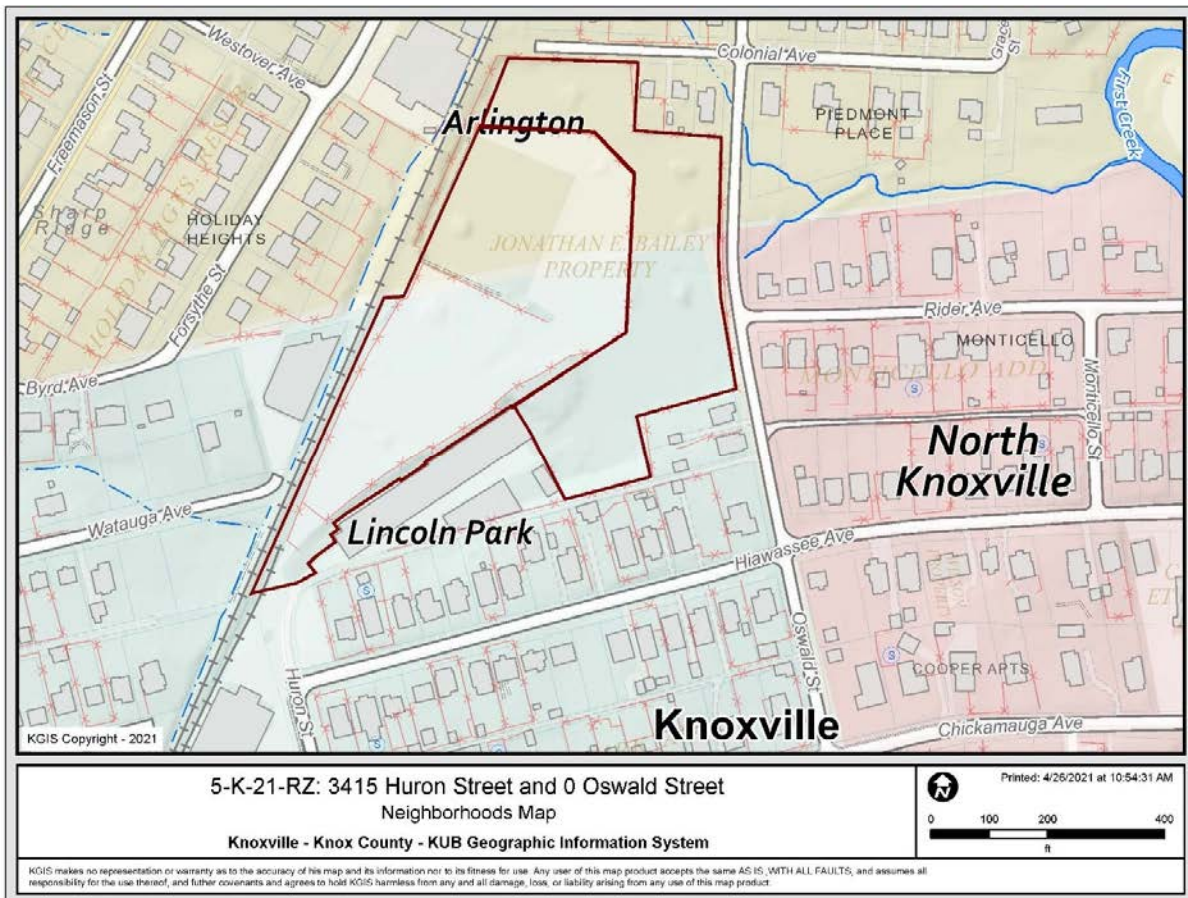
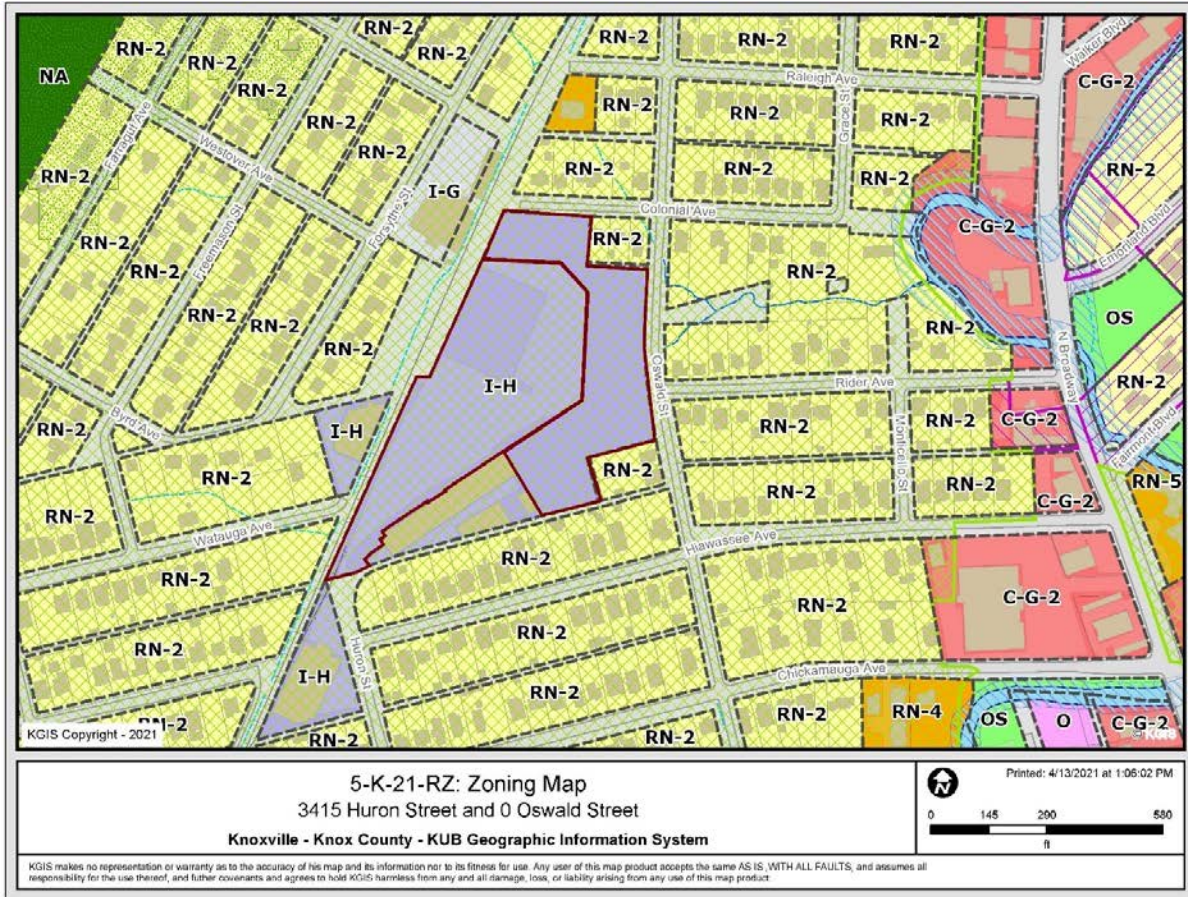


5-K-21-RZ EXHIBIT A. Contextual Images



5-K-21-RZ

EXHIBIT A. Contextual Images





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

Logan Higgins

Applicant Name

3/29/21

Date Filed

May 13, 2021

Meeting Date (if applicable)

Developer

Affiliation

File Number(s)

5-K-21-RZ

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

Logan Higgins

Heyoh LLC

Name

Company

133c S Gay St

Knoxville

TN

37902

Address

City

State

ZIP

423.502.4210

LoganAhiggins@gmail.com

Phone

Email

CURRENT PROPERTY INFO

Jonathan Bailey

105 BILL MAUK RD

n/a

Owner Name (if different)

Owner Address

Owner Phone

3415 Huron St & O Oswald St

069NE00401 & 069NE00402

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

West side of Oswald St, north of Hiawassee Ave. and west of N. Broadway Ave.

General Location

(8.16 ac total (4.89 ac + 3.27 ac))

Tract Size

☒ City ☐ County

5th
District

I-H

Zoning District

vacant land, previously developed

Existing Land Use

Central City

Planning Sector

LI

Sector Plan Land Use Classification

N/A (within City limits)

Growth Policy Plan Designation

DEVELOPMENT REQUEST

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

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Unit / Phase Number ☐ Combine Parcels ☐ Divide Parcel

Total Number of Lots Created _____

☐ Other (specify) _____

☐ Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

☒ Zoning Change **I-MU**
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
0327	\$1,816.00	\$1,816.00
Fee 2		
Fee 3		

AUTHORIZATION

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


Applicant Signature

423.502.4210

Phone Number

Logan Higgins

Please Print

LoganAHiggins@gmail.com

Email

3/29/21

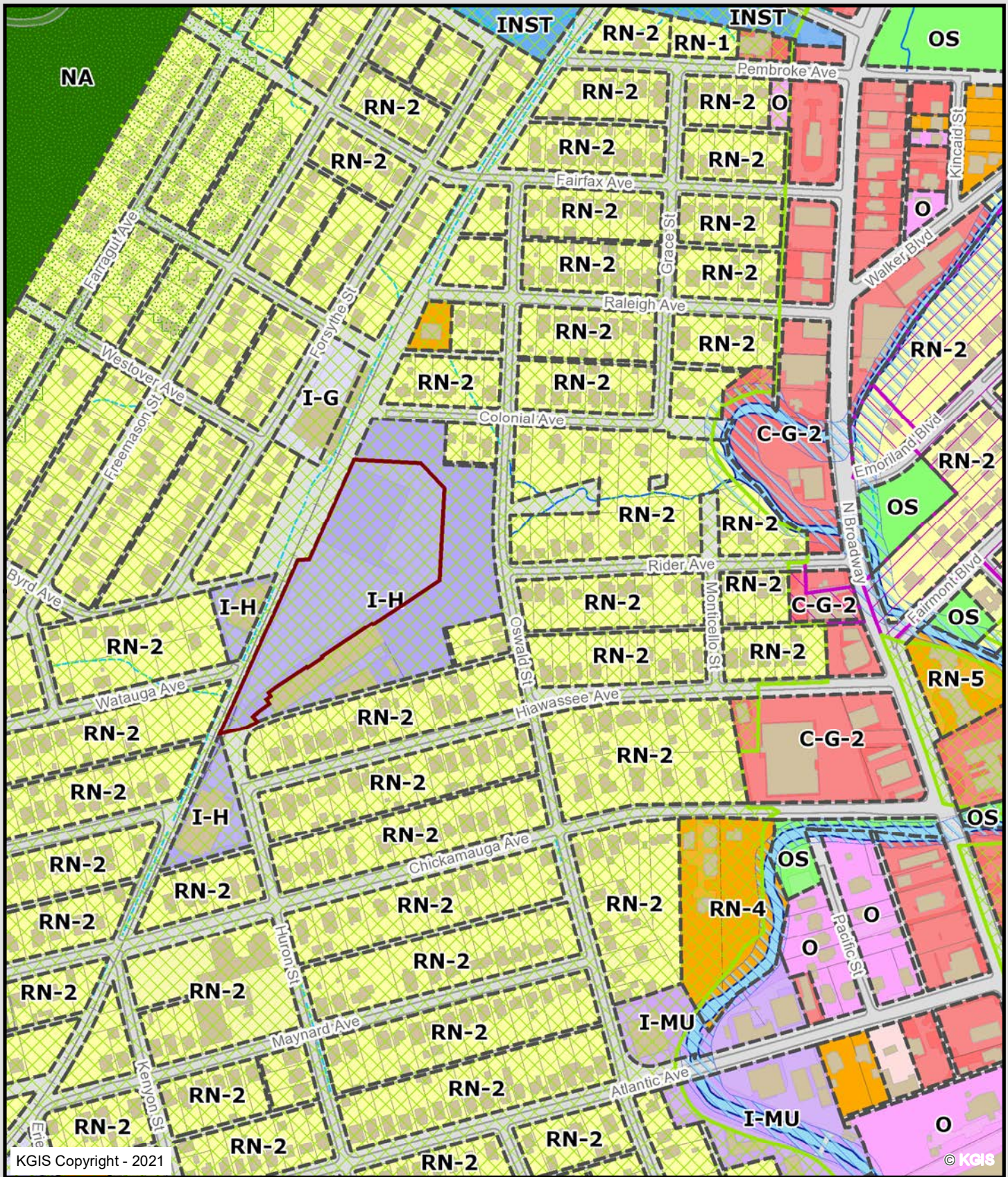
Date


Staff Signature

Michelle Portier

Please Print

Date

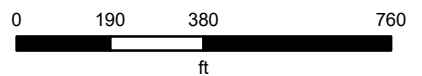


3415 Huron St.
Zoning Map

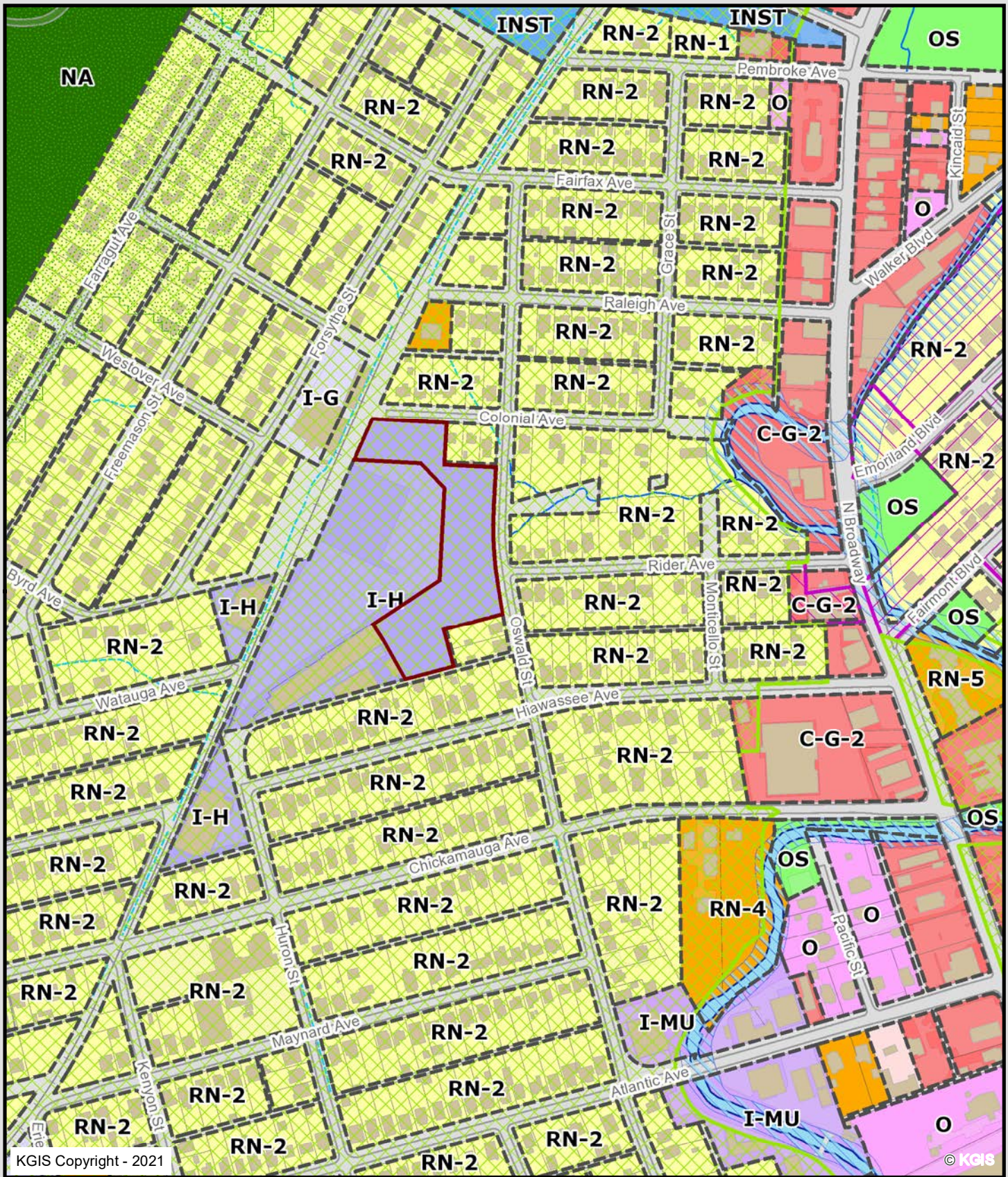
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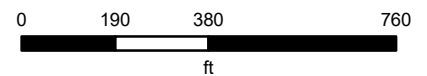


0 Oswald St.
Zoning Map

Knoxville - Knox County - KUB Geographic Information System



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