

REZONING REPORT

► **FILE #:** 9-E-21-RZ

AGENDA ITEM #: 13

AGENDA DATE: 9/9/2021

► **APPLICANT:** JOE PETRE / LAWLER-WOOD, LLC

OWNER(S): 350 Land, LLC

TAX ID NUMBER: 95 I A 04101

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 350 S. Gay St.

► **LOCATION:** East side of S. Gay Street across from the intersection of Wall Avenue

► **APPX. SIZE OF TRACT:** 0.54 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via S. Gay Street, a minor arterial road with a pavement width of 38-ft within a 60-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

► **PRESENT ZONING:** DK-H (Downtown Knoxville Historic Core Subdistrict)

► **ZONING REQUESTED:** DK-G (Downtown Knoxville Grid Subdistrict)

► **EXISTING LAND USE:** Parking lot

►
EXTENSION OF ZONE: No

HISTORY OF ZONING: 2-P-07-RZ added the downtown design overlay in 2007

SURROUNDING LAND USE AND ZONING: North: Office - DK-H (Downtown Knoxville Historic Core Subdistrict)

South: Multi-family/retail - DK-H (Downtown Knoxville Historic Core Subdistrict)

East: Parking lot - DK-G (Downtown Knoxville Grid Subdistrict)

West: Office - DK-H (Downtown Knoxville Historic Core Subdistrict)

NEIGHBORHOOD CONTEXT: This property is one of the few "missing teeth" along downtown's S. Gay Street corridor. It is located in the block south of W. Summit Hill Drive, adjacent to Mast General Store, and is part of the Gay Street Commercial Historic District which contains a mixture of office, retail and residential development.

STAFF RECOMMENDATION:

► **Approve DK-G (Downtown Knoxville Grid) zoning because it is compatible with existing zoning in the area, including the requirement to meet standards in the City's Downtown Design guidelines.**

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.3, SUBSECTIONS 1-3: 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. 350 S. Gay Street is one of few vacant properties left in this corridor. The proposed rezoning to DK-G supports the development potential and buildability of the site, maximizing what little land is left in the Gay Street corridor. The proposed rezoning to DK-G is complementary to the increase in recent downtown residential and commercial developments.

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

1. DK-G zoning is intended for the intensively developed central area of Knoxville, with standards that help maintain a pedestrian-oriented, mixed-use environment. The DK-G and DK-H zoning districts are very similar with two main differences being the maximum allowable height, and minimum build-to percentage.

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. Since the property adjoins the historic Cal Johnson Building to the east (301 State Street) and is part of the Gay St. Commercial National Register Historic District, new construction needs to be built in a manner that protects the integrity of adjacent buildings and the historic setting and context. Any proposed development plan for this property will be reviewed by the Design Review Board under both the existing and proposed zoning. This review process will help ensure that future development is appropriate and will mitigate any adverse impacts through application of the development standards for new construction in National Register Historic Districts, contained in the Downtown Knoxville Design Guidelines.

2. DK-G zoning does not have a maximum height requirement, whereas the existing DK-H zoning limits structures to 125 ft. However, buildings more than 85 ft in height must incorporate an "upper-story stepback" in the front facade of at least 10 ft above the third story. This helps to minimize the visual impact of buildings taller than their surroundings, and help maintain a consistent visual experience for pedestrians and those driving along the corridor. The DK-G zone also has a minimum build-to percentage of 80% to help maintain a consistent streetscape.

3. The property is located in an area already well-served by infrastructure and public transit. Any proposed vehicular access to S. Gay Street will be considered in the design review that would be required for development of this property.

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.

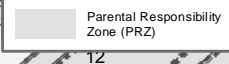
1. The Central City Sector Plan designates this parcel as MU-RC (Regional Mixed Use Center) classification, which is intended for high intensity mixed-use in areas.

2. The proposed rezoning allows redevelopment of the property to fill an existing gap and help complete a continuous street-wall along S. Gay Street.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 10/5/2021 and 10/19/2021. 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.



9-E-21-RZ

EXHIBIT A. Contextual Images

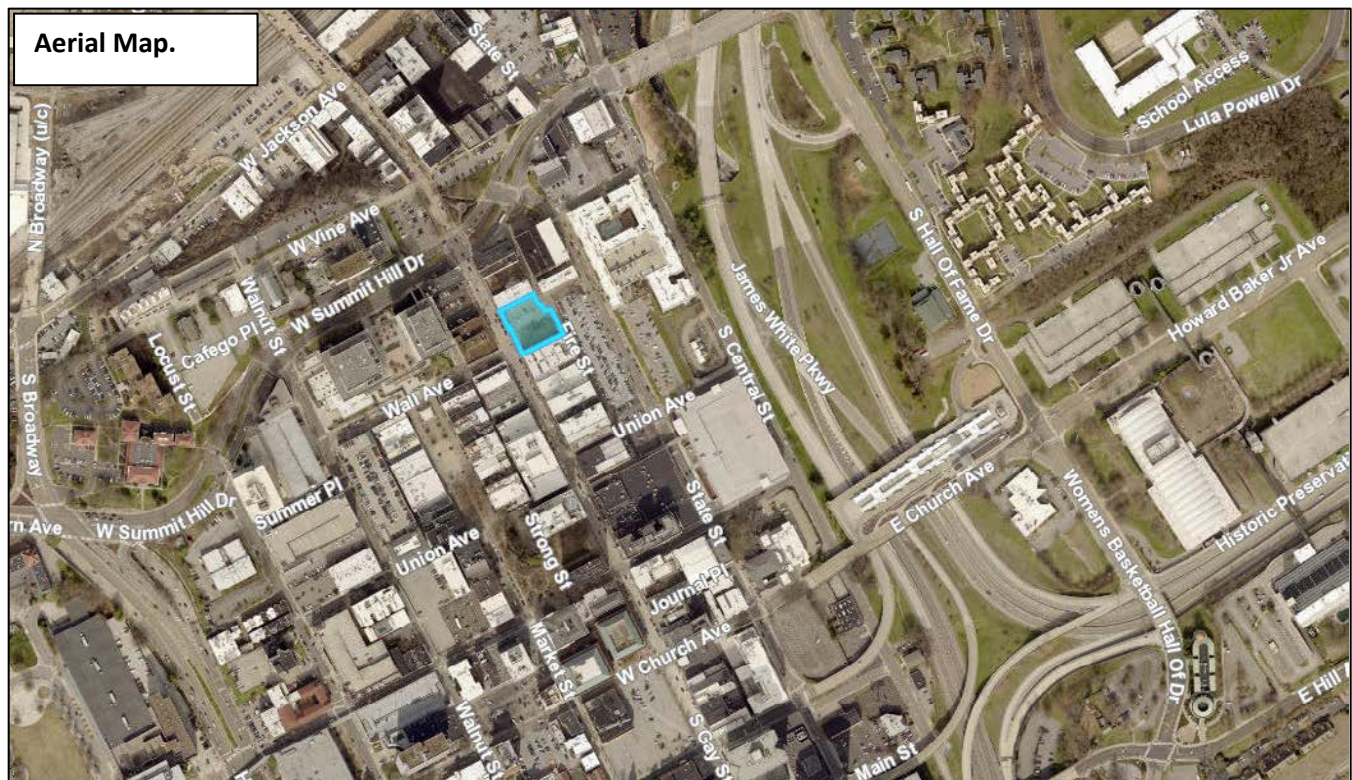
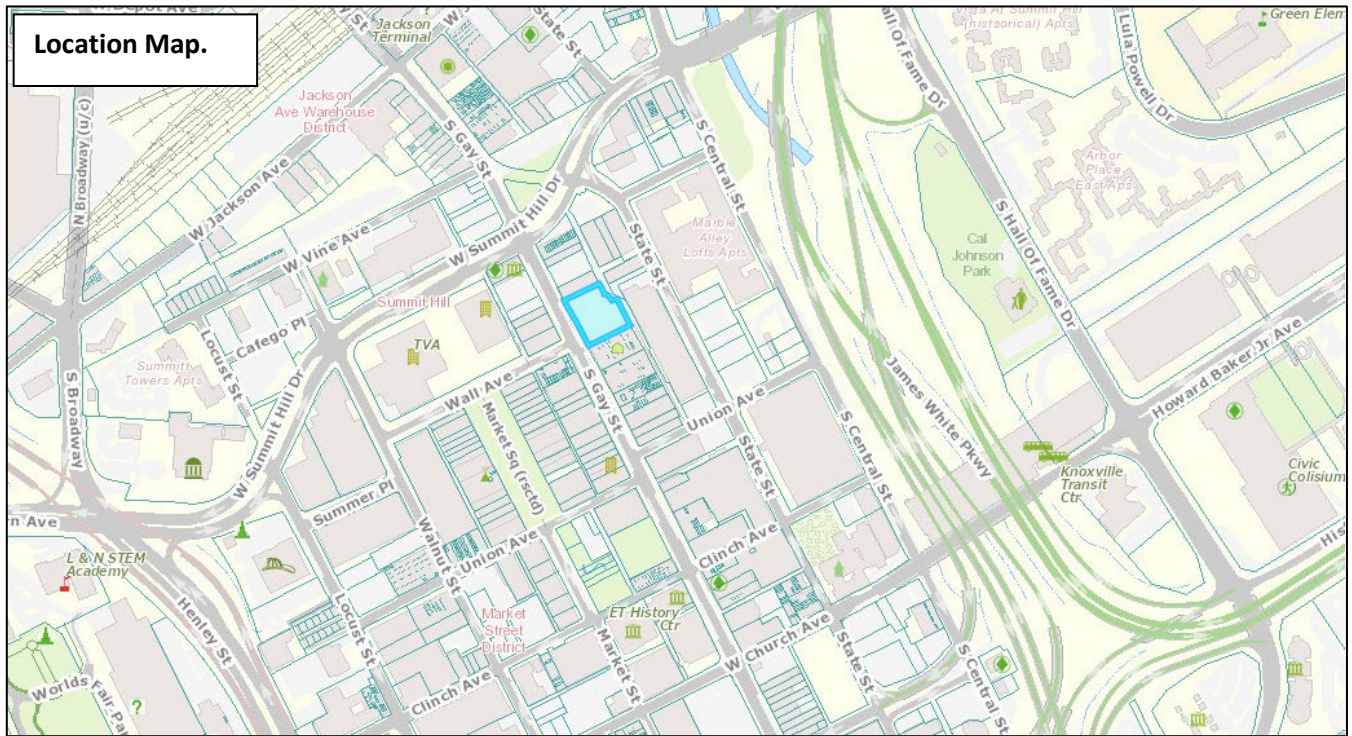
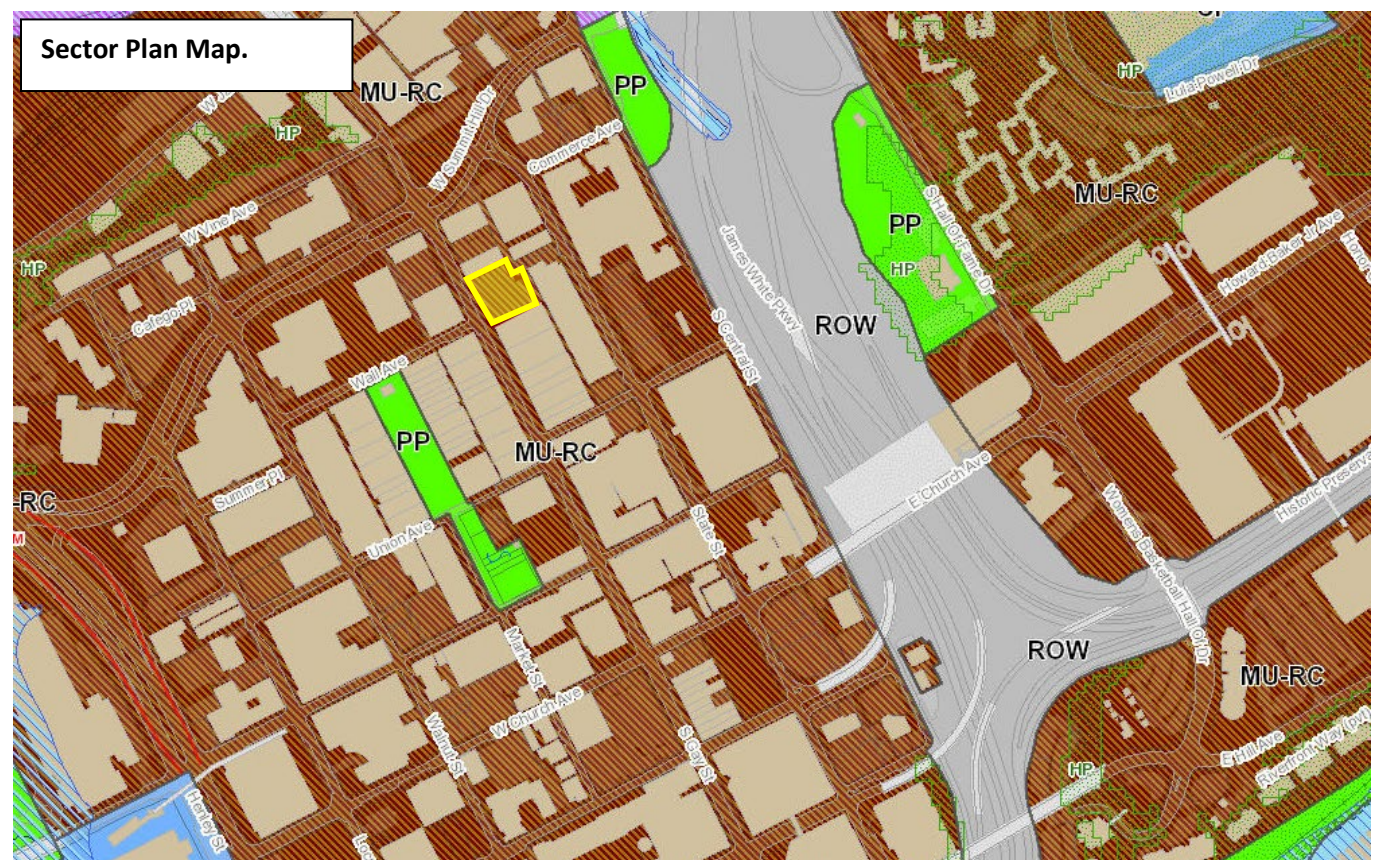
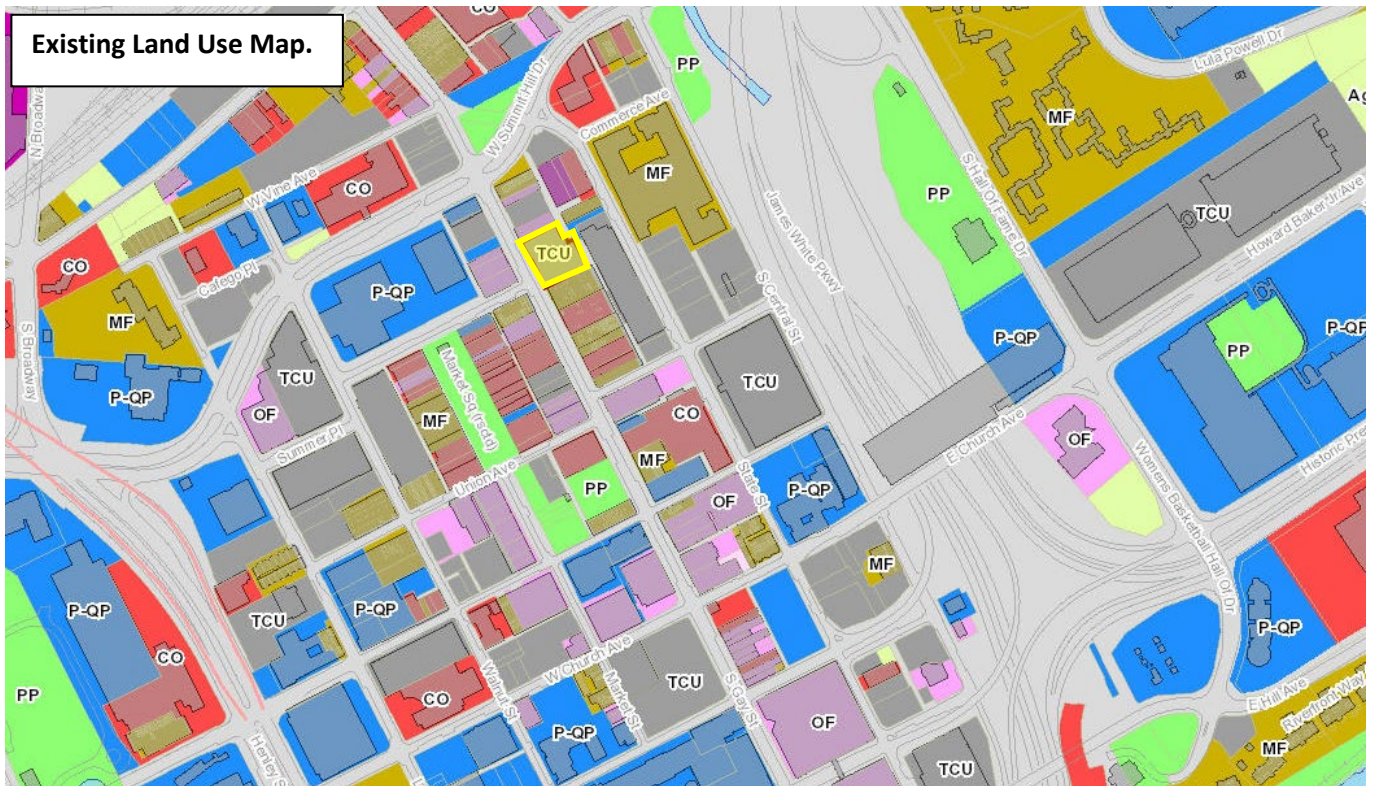
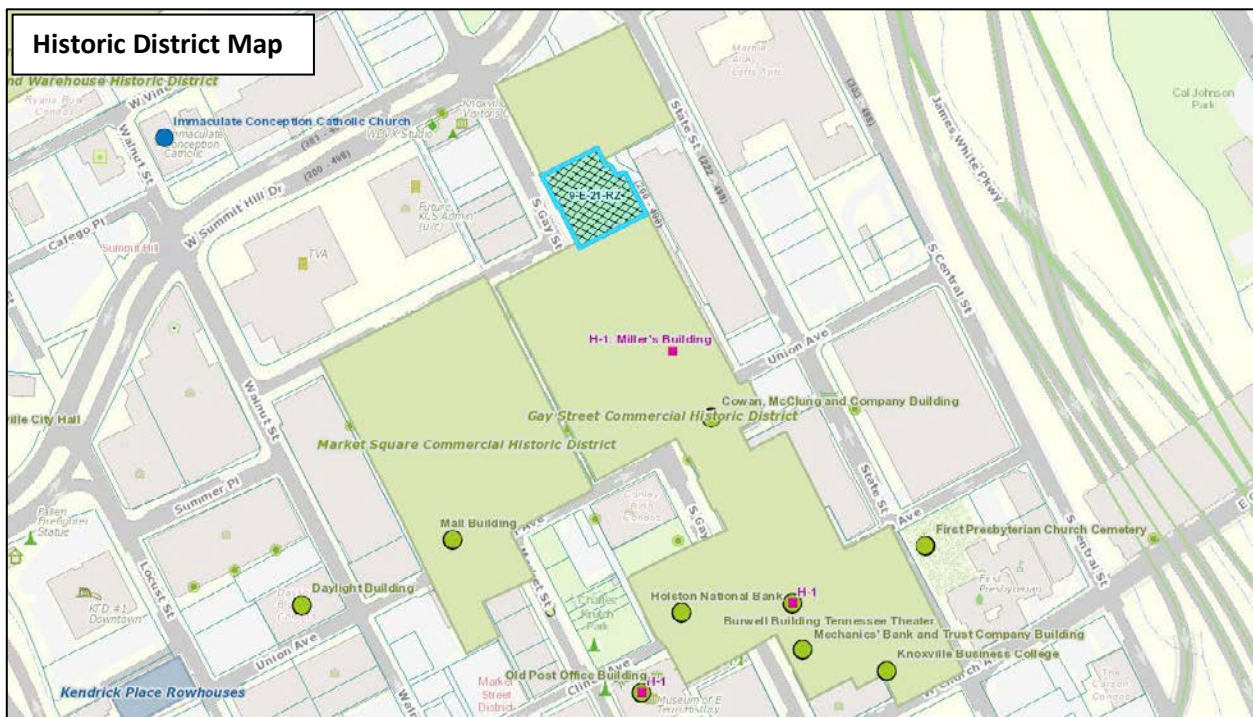
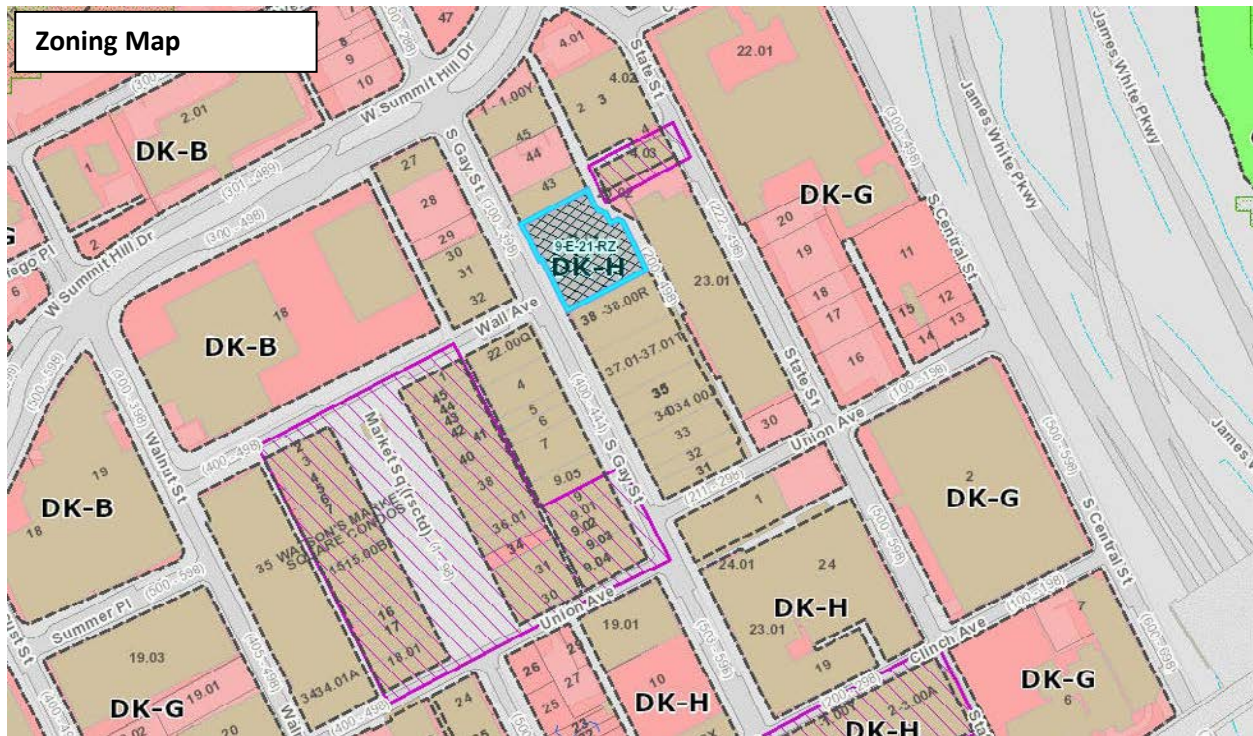


EXHIBIT A. Contextual Images

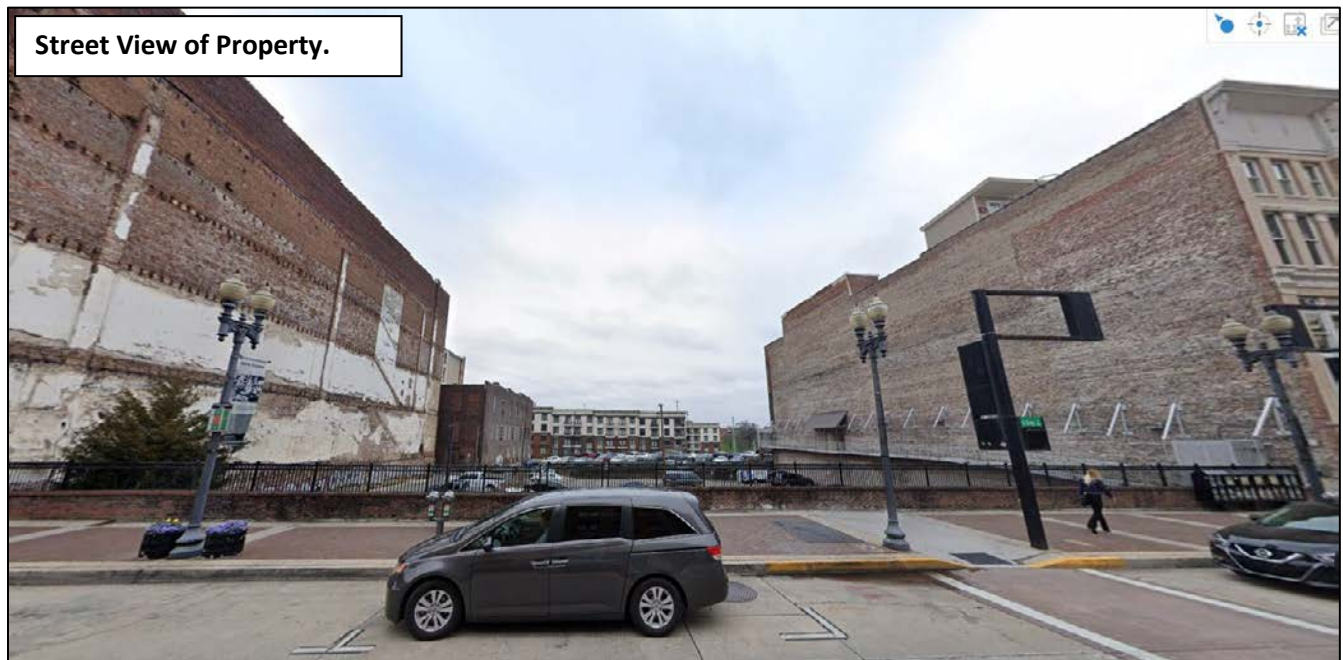
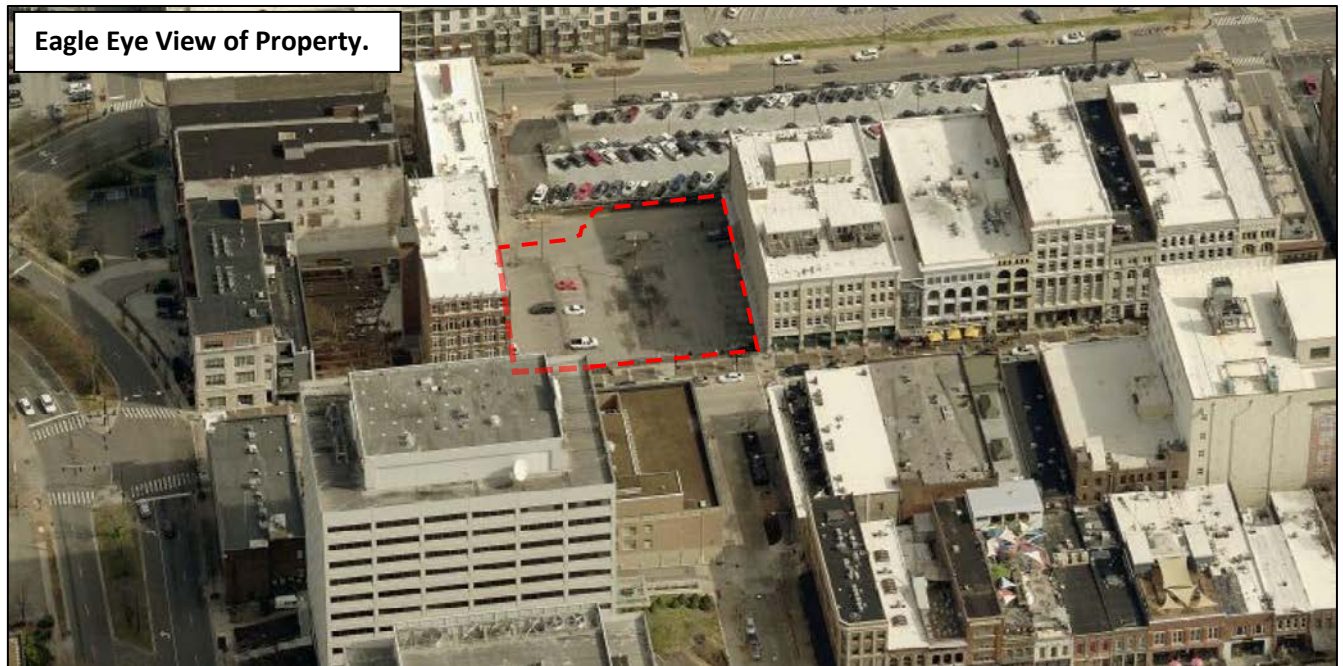


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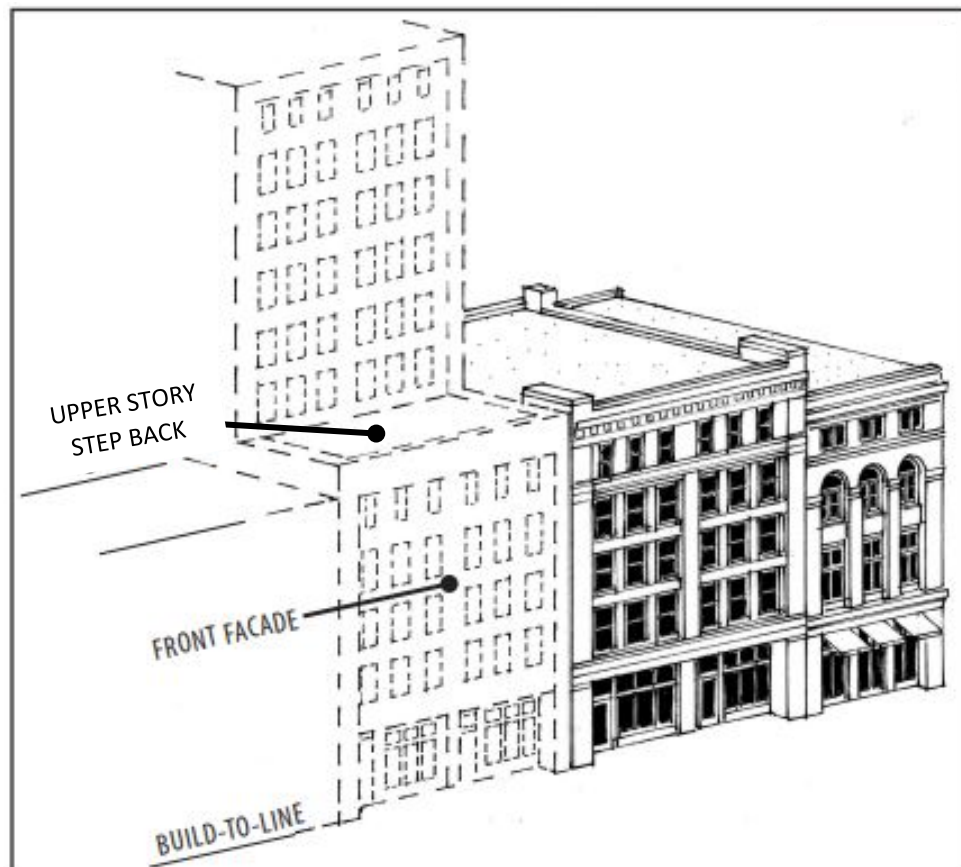
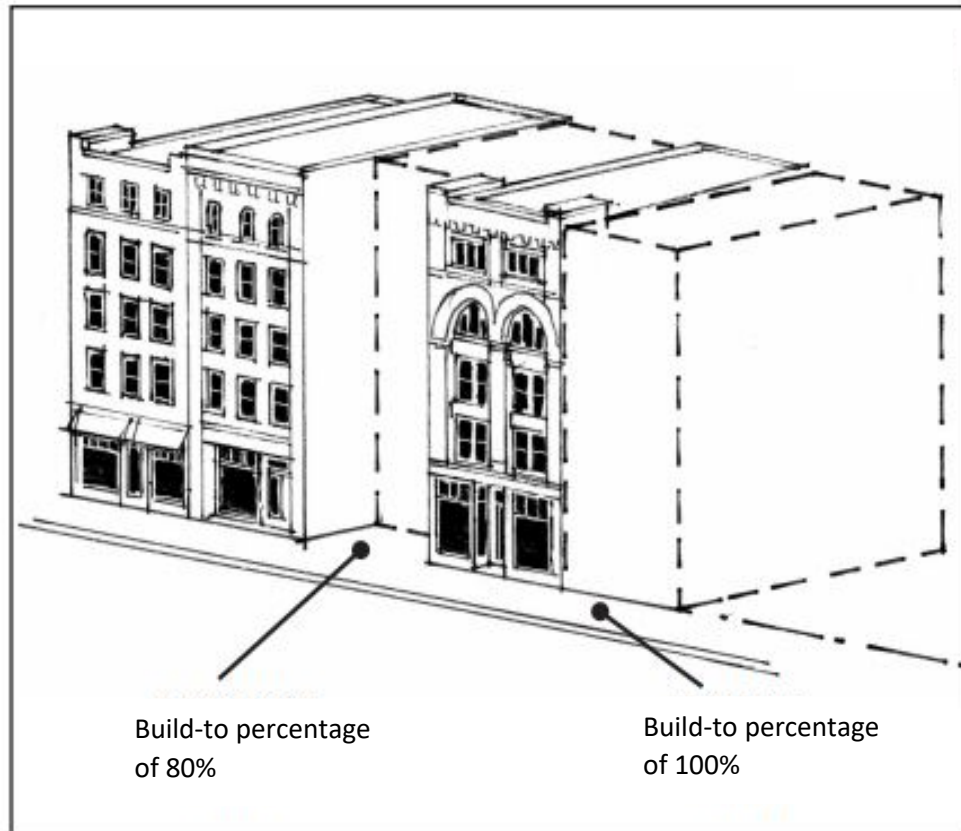


9-E-21-RZ
EXHIBIT A. Contextual Images



9-E-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

Applicant Name JOE PETRE - LAWLER-WOOD, LLC Affiliation Owner's Representative

Date Filed 7/23/2019 Meeting Date (if applicable) Sept. 9, 2021 File Number(s) 9-E-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

Name JOE PETRE Company LAWLER-WOOD, LLC

Address 900 S. GAY ST, Suite 1600 City Knoxville State TN ZIP 37902

Phone 865-599-1696 Email jpetre@lawlerwood.com

CURRENT PROPERTY INFO

* Owner Name (if different) 350 LAND LLC Owner Address PO Box 360, 2042 TOWN CENTER BLVD Owner Phone KNOXVILLE, TN 37922

Property Address 350 S. GAY ST. Parcel ID 095IA04101

Sewer Provider KUB Water Provider KUB Septic (Y/N) N

STAFF USE ONLY

General Location East side of S. Gay St. at intersection of Wall Ave Tract Size 23,400 sq ft (approx)

☒ City ☐ County 6th District DK-H Zoning District TCU Existing Land Use

Planning Sector Central City Sector Plan Land Use Classification MU-RC Growth Policy Plan Designation N/A

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 DK-G
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

0326 | 1000.00

Fee 2

Fee 3

Total

\$1000.00**AUTHORIZATION**

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

Applicant Signature

Please Print

Date

Phone Number

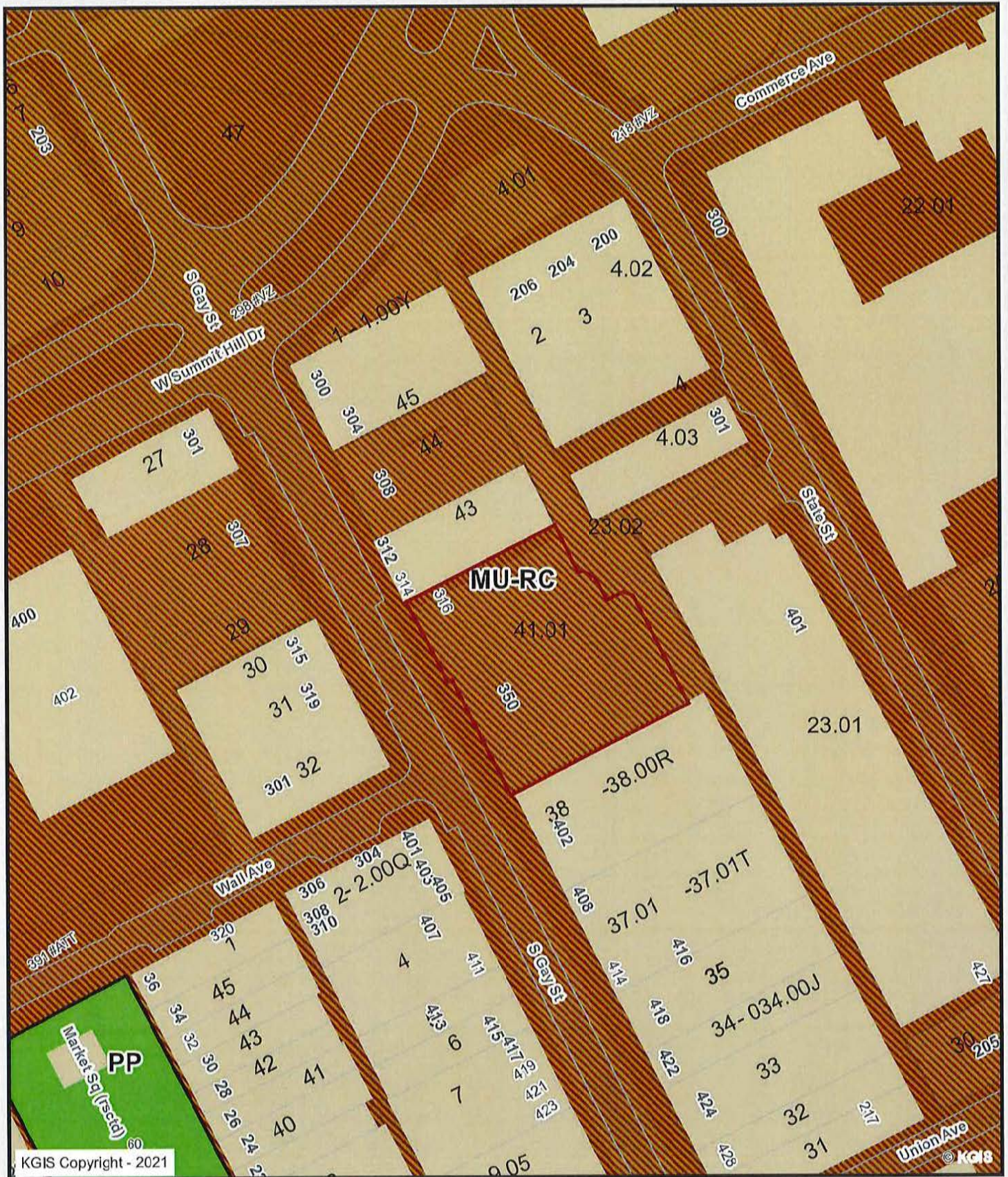
Email

Staff Signature

Please Print

Date

[Signature]JOE E. PETRE7-19-21865-599-1696jpetre@lawlerwood.com[Signature]Sherry Michienzi7/23/2021



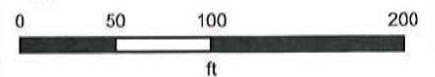
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Union Ave © KGIS

oyp map

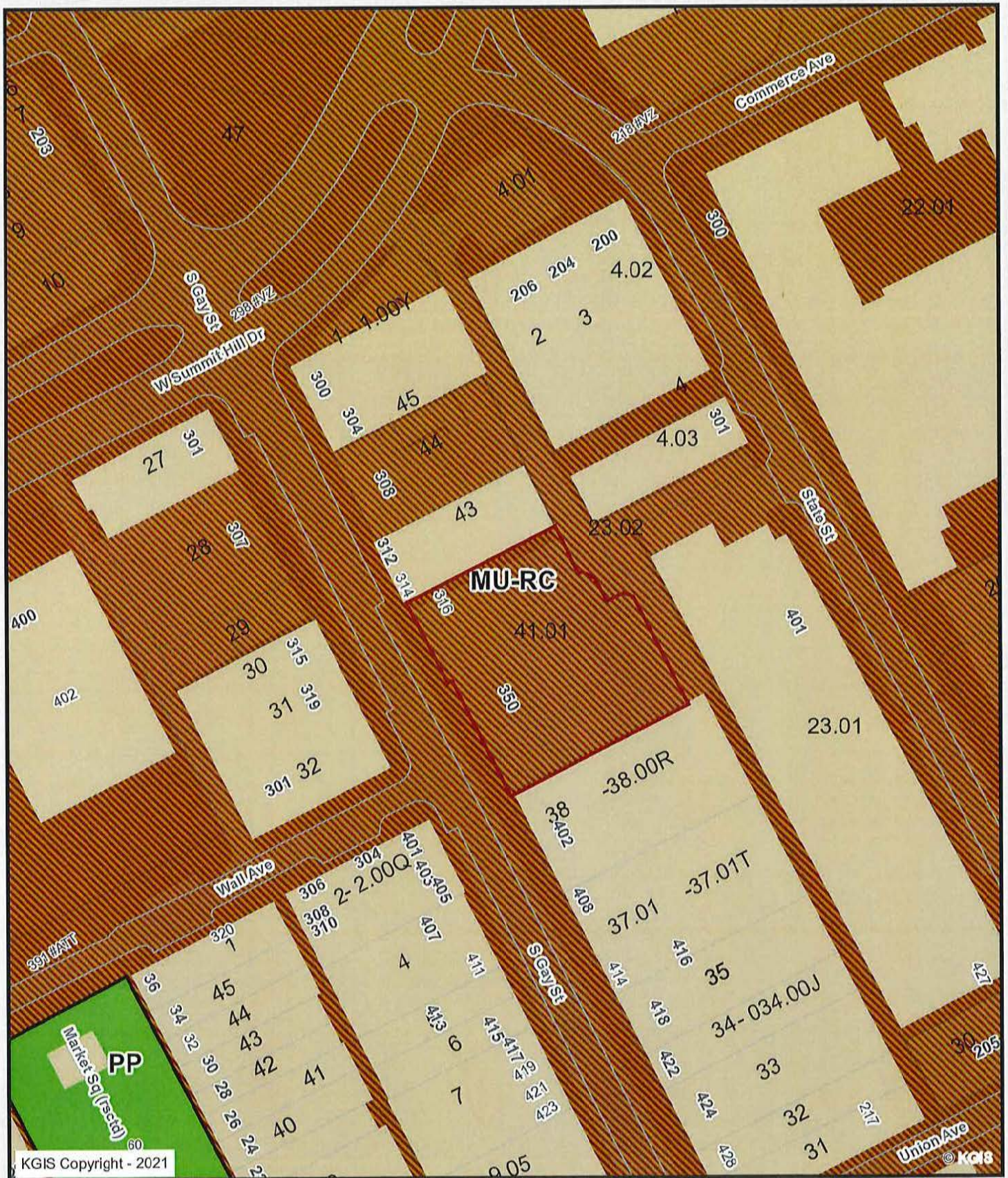


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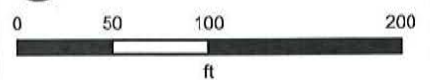


sector map

Knoxville - Knox County - KUB Geographic Information System

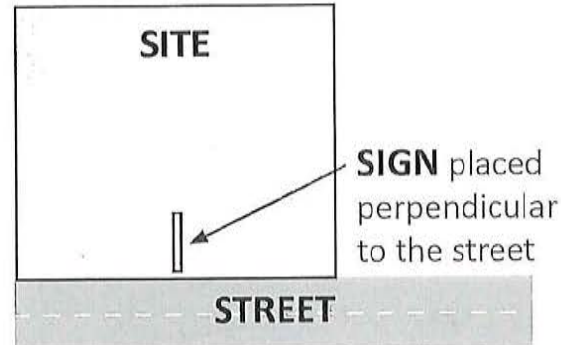


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The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, 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 **not less than 12 days prior to 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 not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

Aug 25 (Wed) and Sept 10 (Fri)
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Joe Petre

Date: 7/23/2021

File Number: 9-E-21-RZ

☐ Sign posted by Staff

☒ Sign posted by Applicant