

REZONING REPORT

► **FILE #:** 7-C-22-RZ

AGENDA ITEM #: 9

AGENDA DATE: 7/14/2022

► **APPLICANT:** CANDORO PROPERTIES

OWNER(S): Dax Witherspoon Candoro Properties

TAX ID NUMBER: 123 A A 003

[View map on KGIS](#)

JURISDICTION: City Council District 1

STREET ADDRESS: 4430 Cadora Ave.

► **LOCATION:** North of Candora Ave., west of Maryville Pk.

► **APPX. SIZE OF TRACT:** 6.3 acres

SECTOR PLAN: South City

GROWTH POLICY PLAN: N/A

ACCESSIBILITY: Access is via Candora Avenue, a local street with a pavement width of 23-ft within a right-of-way width of 43-ft. Access is also via Maryville Pike, a minor arterial with a pavement width of 21-ft within a right-of-way width of 70-ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Goose Creek

► **PRESENT ZONING:** I-MU (Industrial Mixed-Use) & F (Floodplain Overlay)

► **ZONING REQUESTED:** I-H (Heavy Industrial) & F (Floodplain Overlay)

► **EXISTING LAND USE:** Industrial

►
EXTENSION OF ZONE: Yes, I-H is adjacent.

HISTORY OF ZONING: January 1, 2022: I-4 to I-MU

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant - I-H / F & HP overlay

South: Public/quasi-public, agriculture/forestry/vacant, industrial - I-H

East: Single family residential, agriculture/forestry/vacant - I-MU / H-1 overlay

West: Railroad - Right-of-Way

NEIGHBORHOOD CONTEXT: This area is a mix of industrial uses, including historic properties, an arts and events space, commercial uses and residential uses.

STAFF RECOMMENDATION:

► **Deny the rezoning to I-H (Heavy Industrial) because it is not consistent with surrounding development since this area has been transitioning to light industrial and other less intensive uses since the late 1990s.**

COMMENTS:

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

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. Since 2001 there have only been three building permits issued for industrial uses within a quarter-mile of the subject property, however, there have been many building permits issued for residential and commercial uses. Since the late 1990s industrial activities in the Candora Road/Maryville Pike area have declined, as evidenced by aerial photographs.
2. The Candoro Marble Works site, of which the subject property is included, was deemed eligible for the National Register of Historic Places (NRHP) in 1996 because the property is associated with events that have made a significant contribution to the broad patterns of our history, significant to the marble industry that occurred in this area beginning in 1914. Although the subject property contains contributing structures, such as the Cutting Facility, Marble Yard, Polishing and Shipping/Receiving Building and the Boiler Room and Office the was not listed because of owner objection. In 2003, the adjacent property to the southeast, also part of the Candoro Marble Works, the Candoro Marble Showroom and Garage, was purchased and listed on the NRHP in 2005.
3. The existing structures have been deteriorating as evidenced by the loss of roofing material in aerial photographs, particularly for the Cutting Facility. The I-MU zoning district provides a wide array of permitted uses that could potentially reuse the existing structures with repairs and renovations.

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

1. The requested I-H zoning district is intended to provide for a wide variety of general manufacturing, fabricating, processing, distributing and warehousing uses. These uses may result in moderate external effects, such as smoke, noise, glare or vibration, and typically include outdoor storage and related outdoor activities.
2. The existing I-MU zoning 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. Residential uses are also permitted in the I-MU District.
3. Under the current zone district there are 25 uses permitted that are not permitted in I-H, including but not limited to: art gallery, arts and fitness studio, community center, cultural facility, multi-family dwellings, eating and drinking establishment, industrial design, live entertainment as a secondary use, live performance venue, live/work, micro-brewery/distillery/winery, retail goods establishment, etc. These uses are more compatible and representative of the transition of land uses occurring in this area, as well as provide many opportunities for development and re-use of the existing structures on the site. However, there are only 10 uses permitted in the I-H zone that are not permitted in the I-MU zone, including airport, broadcasting facility, impound lot, industrial-heavy, outdoor self-storage, solar farm, outdoor storage yard, vehicle operation facility, and waste transfer facility. Many of these uses could create external effects on adjacent properties and would be challenging to accommodate in the existing NHRP eligible historic structures of Candoro Marble Works, that may also be eligible collectively with the adjacent property as a National Historic Landmark.

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. A rezoning to I-H could affect adjacent and surrounding uses because of the range of existing heavy industrial uses permitted in the zone district. Nearby uses include adjacent residential properties and an NRHP listed property, the Candoro Marble Showroom, now a community space and art gallery.
2. The subject property currently has several structures that were considered eligible for NRHP in 1996 and could be reused to accommodate many of the 25 uses permitted by the existing I-MU zoning district, however, the uses within the I-H zoning district would likely require demolition of the existing buildings to accommodate the intensive industrial uses permitted in the I-H zone district.

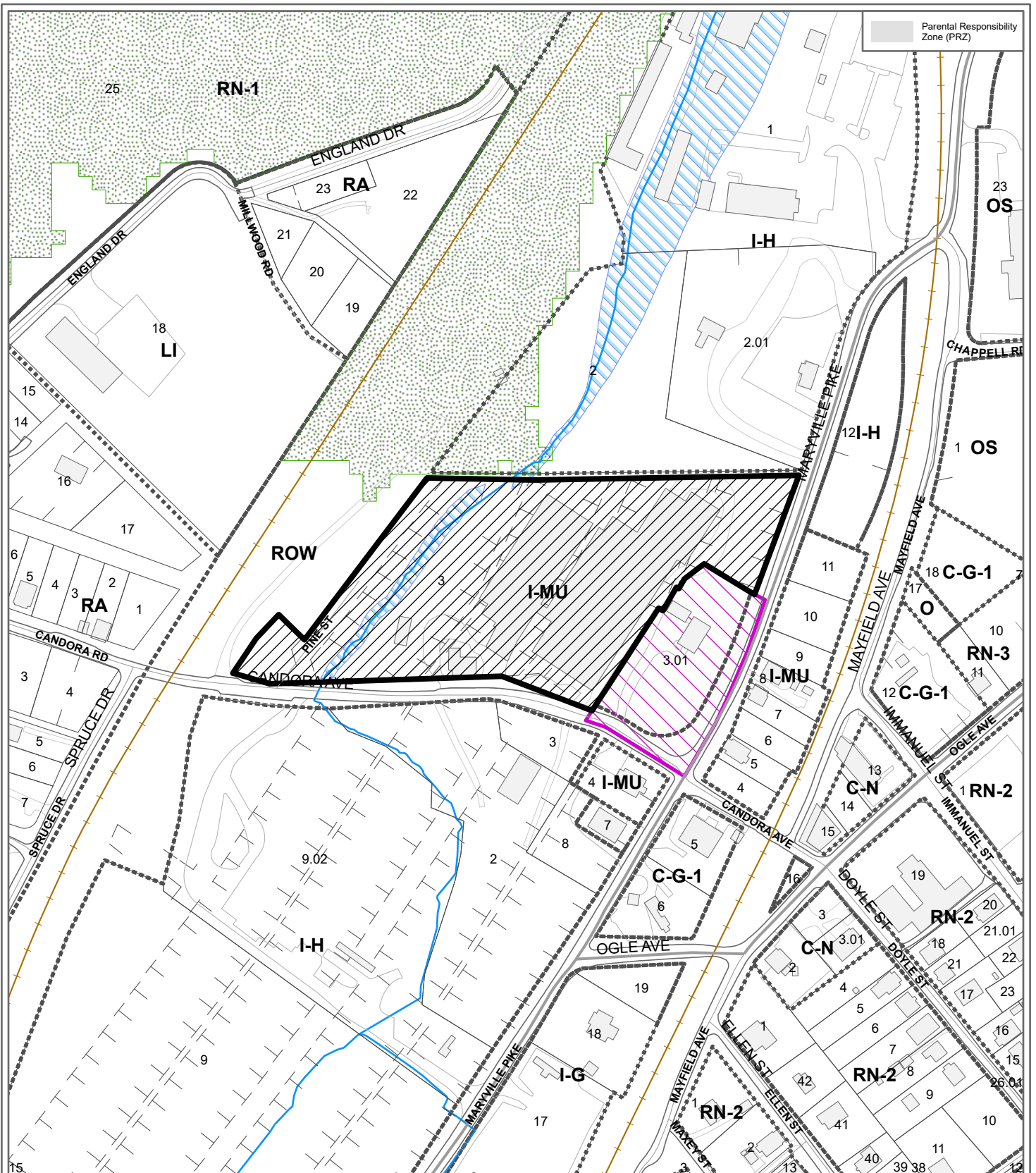
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. While the sector plan and one year plan currently show this area as Heavy Industrial, many of the existing uses and trend for this area over the last 21 years is more Light Industrial, particularly in the area surrounding the Candoro Marble Works site.
2. The Vestal Site Improvement Plan adopted in February 2010 acknowledged the significance of the Candoro Marble Works site to the history of the Vestal community. The plan also noted the continued contribution of the Candoro Marble Works as a neighborhood amenity to which connections should be developed to from the surrounding area.
3. The City of Knoxville Sidewalk Study's Pedestrian Network Plan shows proposed sidewalks for this area as well, along Maryville Pike and Candora Avenue.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

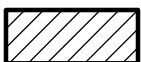
If approved, this item will be forwarded to Knoxville City Council for action on 8/9/2022 and 8/23/2022. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



7-C-22-RZ REZONING

From: I-MU / F (Industrial Mixed-Use)

To: I-H / F (Heavy Industrial)



Original Print Date: 6/16/2022
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Candoro Properties

Map No: 123

Jurisdiction: City

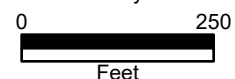
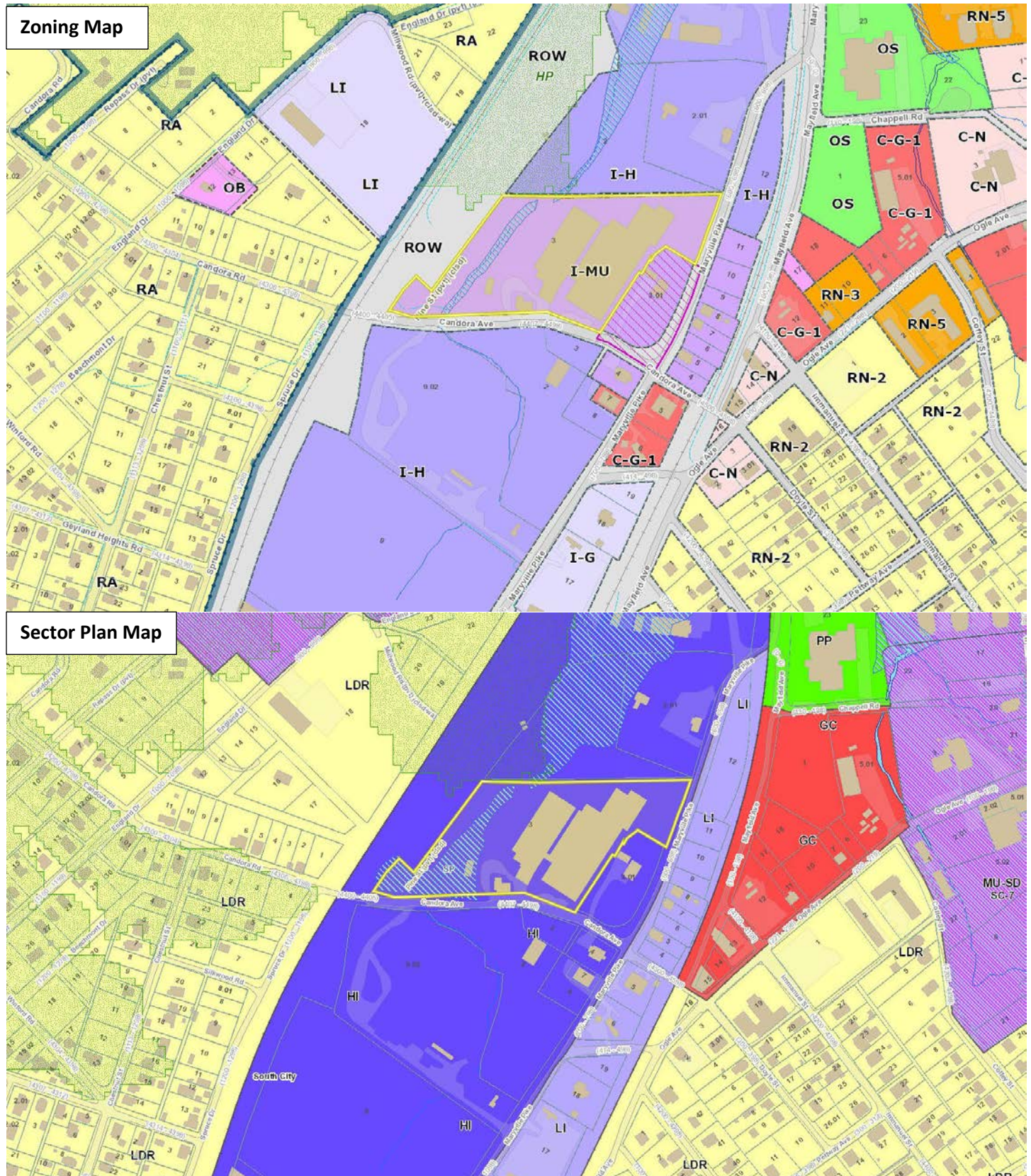


Exhibit A. 7-C-22-RZ Contextual Images



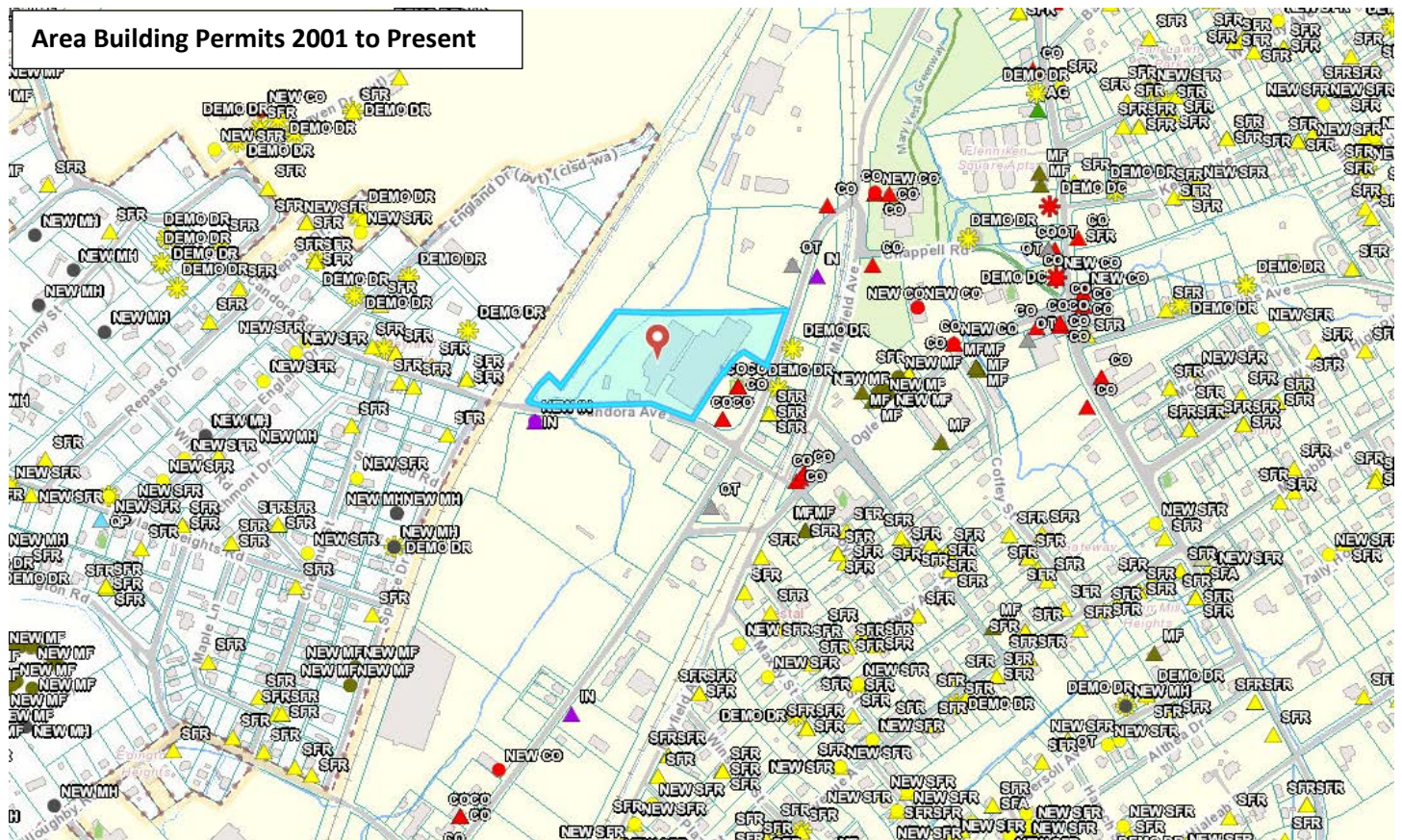
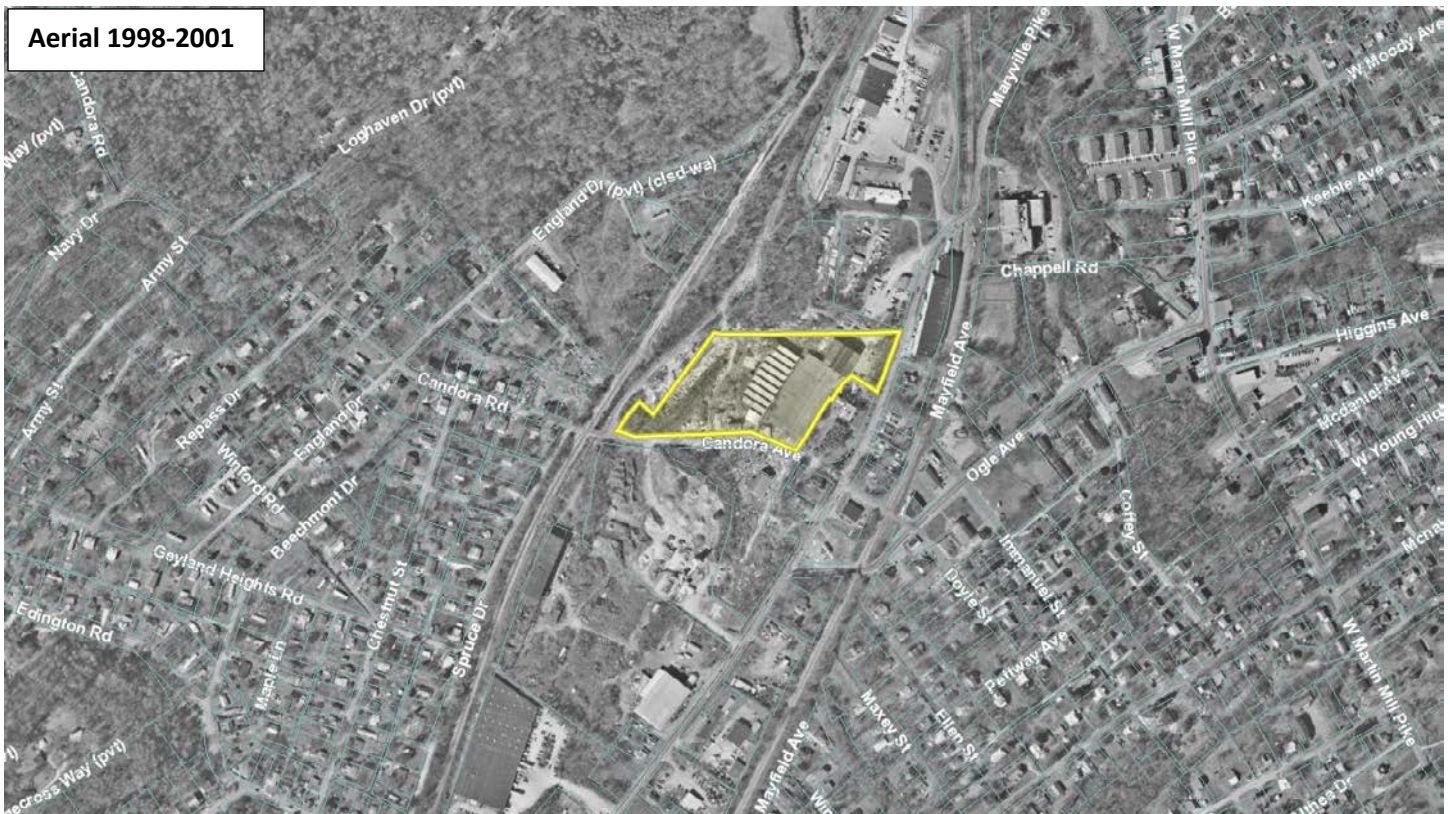


Exhibit A. 7-C-22-RZ Contextual Images

Aerial 1959



Aerial 1998-2001



Aerial 2022



Exhibit A. 7-C-22-RZ Contextual Images

1996 National Register of Historic Places Nomination for Candoro Marble Works (Section 7, Page 3)

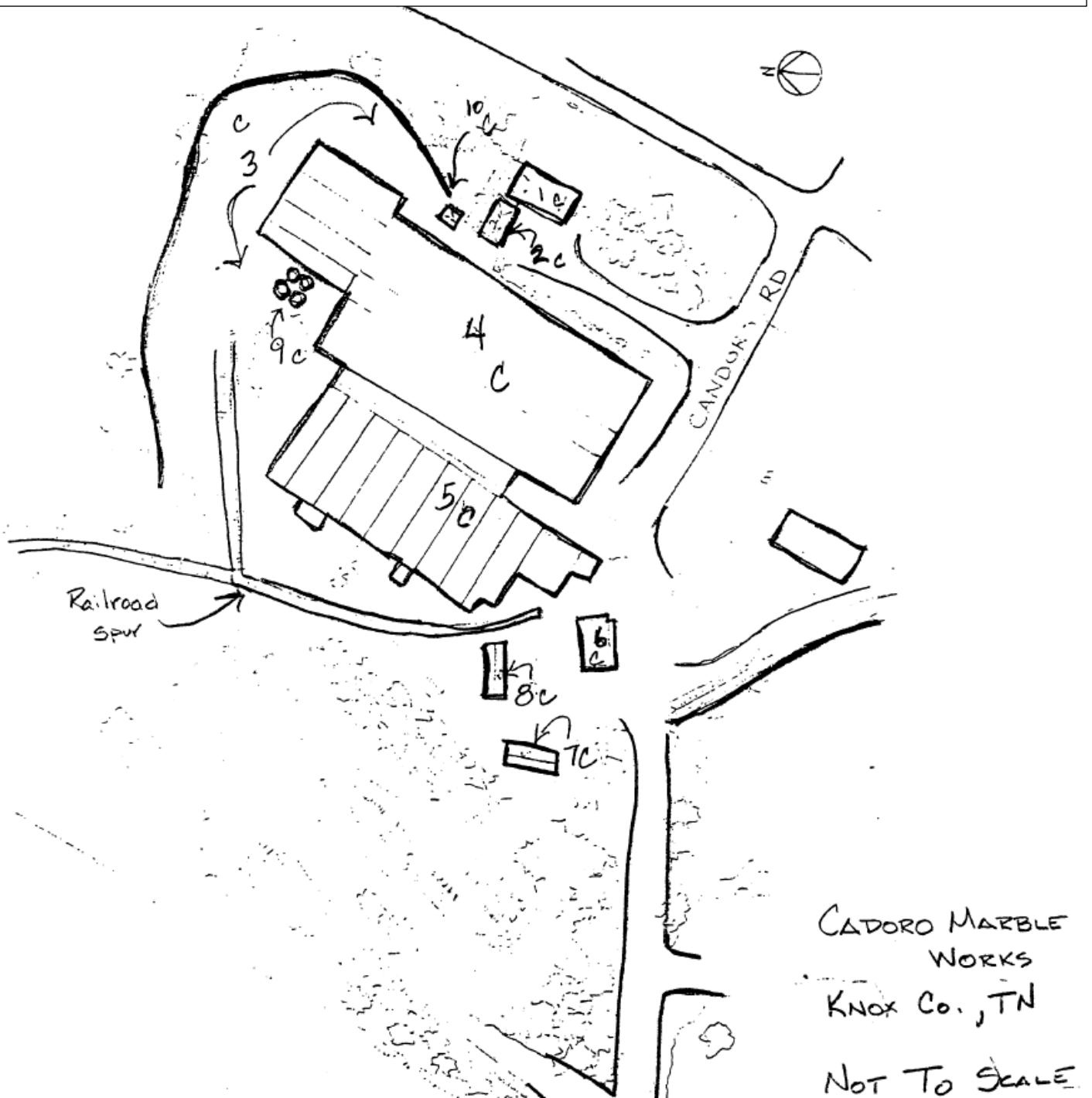


Exhibit A. 7-C-22-RZ Contextual Images

1996 National Register of Historic Places Nomination for Candoro Marble Works (Section 7, Page 1-2)

NARRATIVE DESCRIPTION

The Candoro Marble Works property consists of a showroom with attached garage, a cutting plant, a polishing plant and a shipping and receiving facility (contained in one building), a marble storage yard, an office, several storage buildings and a boiler plant, all located on a multilevel site to the west of Maryville Pike and north of Candoro Road in south Knoxville. The showroom is approached by a paved drive lined with mature cedar trees, that travels northward from Candoro Road, or on foot, by a walkway paved with rectangular marble blocks that leads from Maryville Pike on the east.

1. Candoro Marble Works Showroom. (1923). Beaux Arts. The showroom, a one story building with a marble facade consisting of rectangular ashlar blocks is located on the northeast side of the complex. The rectangular building has a brick foundation and is embellished with carved marble ornamentation including window surrounds and sills. A reeded water table with crossed ribbon trim, dentil cornice and a cartouche above a full arched front entry trimmed by a carved rope molding, all are carved from marble. Recessed wrought iron and glass double leaf doors are located up two marble steps. Marble quoins surround the arched entry, reeded marble pilasters with Doric capitals ornamented with carved acorn pendants flank the entry and a cartouche is located on the facade above it. Windows are ten light metal casement windows. The central two windows on the east facade, facing Maryville Pike, are embellished with ornate carved molding. On the west rear elevation, an exterior marble chimney extends above the roof, which has a central elevated hip portion above a flat roof, covered with slate. Architect Charles Barber designed the building.

Interior finishes of the entry and front rooms in the showroom buildings consist of marble. All marble used in the showroom building is East Tennessee marble, in various colors and patterns. Carved marble baseboards and trim, cornice boards, wainscot and patterned floors are present in three of the rooms of the showroom building.

To the rear of the showroom building is a flight of concrete steps which descends to a marble yard. A concrete block addition attached to the rear (north elevation) of the showroom opens onto the marble yard, and was originally used as a drafting room. Two sets of metal twelve light windows overlook the marble yard, the middle six lights of each window are top hinged to open outward. The drafting room has a flat roof which adjoins a terrace for the showroom above it, concrete window sills and a metal door. (C)

2. Garage. (1923). Spanish Colonial Revival. On the west rear elevation of the showroom, a projecting wall with a flat arched entry, connects the showroom to a garage with three full arched bays. The hip roof with a Roman terra cotta tile roof covering. The south facade of the garage, which contains the openings, is faced with marble blocks, has round marble columns with Doric capitals supporting the arches, and a smooth stucco wall covering above the arches on the upper two-thirds of the wall. The remaining three elevations of the garage are covered with stucco. (C)
3. Marble yard. (1914). A large paved open space is located to the rear of the showroom. At one time it was covered by stacked slabs and pieces of variously colored and patterned marble. It currently is nearly vacant. (C)
4. Cutting Facility. (1914). To the west of the marble yard is an industrial building used as the cutting building. Concrete buttresses and lower walls support concrete columns that appear between the metal windows of this

Exhibit A. 7-C-22-RZ Contextual Images

1996 National Register of Historic Places Nomination for Candoro Marble Works (Section 7, Page 1-2)

Continuation Sheet

Section number 7 Page 2

Candoro Marble Works
Knox County, TN

warehouse facility. The steel frame building is unfinished on the interior. The exterior is marked by a front gable roof with clerestory windows, metal doors on the front elevation, and a green finished cement shingle wall covering in the gables. The roof covering is v-crimp metal. The warehouse is built in two sections, with the lower, gabled, clerestory roofed section being lower in height and to the front of the site; the rear section is square, with a gabled roof. Four large cylindrical water tanks are located to the northwest of the facility and discussed in #9 below. (C)

5. Polishing and Shipping/Receiving Building. (1914). To the west of the cutting facility is warehouse building that housed both the polishing and shipping and receiving functions. The building is rectangular in shape and is built with concrete block lower walls and steel frame upper walls. The building consists of nine bays with wooden doors in each bay. A series of angular roofs covers each individual bay, with north facing metal framed skylight windows. (C)
6. Boiler Room and Office. (1914). This building is located to the west of the polishing facility. The building consists of two sections, one section is a single story and the other is two story. The south and east elevations, visible from Candoro Road, are painted, shaped brick. Concrete block walls are found on the west and rear (north) elevations. Boomtown roof sections on the east and west disguise a corrugated tin gable roof. Ten light metal casement windows appear on all elevations of the building, with a large shipping door on the east elevation. The front section of the building was constructed as an office. The floor is paved with marble tiles, and exhibits a marble wainscoting topped by a carved marble chair rail. All the marble on the interior of the office is East Tennessee Marble. (C)
7. and 8. Two Industrial Style Buildings. (1914). Both buildings are located to the north and west of the office and shipping and receiving building. They are currently used for storage, and their original function is not clear at this time. Doors are large, single leaf and covered with metal, and there are no windows or loading docks to indicate their function. They are built of concrete block construction, with a v-crimp metal roof. (C)
9. Four Water Tanks. (ca. 1914). The four metal water tanks are to the northwest of the cutting and polishing facility. They were used for water that powered the machinery prior to electrification. They were also used for washing the marble as it was being polished and cut. (C)
10. Retaining Walls. (ca. 1923). Constructed of stacked marble, approximately 1/2 inch thick, the wall surrounds the showroom and marble yard. (C)

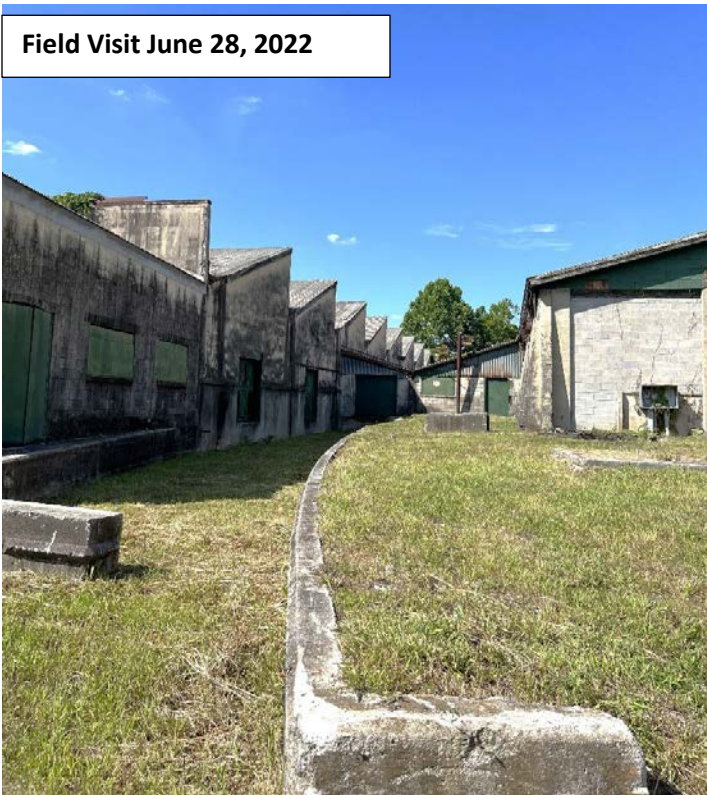
Rusting machinery, abandoned railroad tracks, and stacks of marble appear throughout the site.

Exhibit A. 7-C-22-RZ Contextual Images

Candoro Marble Company (date unknown)



Field Visit June 28, 2022



Field Visit June 28, 2022





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

CANDORO PROPERTIES

Applicant Name

Affiliation

5/19/2022

Date Filed

7/14/2022

Meeting Date (if applicable)

File Number(s)

7-C-22-RZ

CORRESPONDENCE

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

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

Dax Witherspoon

Name

Candora Properties

Company

PO Box 52505

Address

Knoxville

City

TN

State

37950

ZIP

865 548 7768

Phone

dax@volequip.com

Email

CURRENT PROPERTY INFO

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

4430 Candora Ave

Property Address

123 AAA003

Parcel ID

Kub

Sewer Provider

Kub

Water Provider

NO

Septic (Y/N)

STAFF USE ONLY

NORTH OF CANDORA^{AVE}, WEST OF MARYVILLE PK 6.3 AC

General Location

Tract Size

☒ City ☐ County 1ST

District

I-MU / F

Zoning District

IND

Existing Land Use

SOUTH CITY

Planning Sector

HI / SP

Sector Plan Land Use Classification

N/A

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 H / F
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

0325 | \$1100

Total

\$1100

Fee 2

Fee 3

AUTHORIZATION

Applicant Signature

Please Print

Date

Phone Number

Email

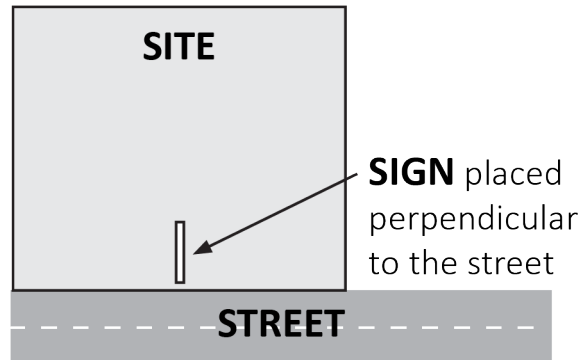
Property Owner Signature

Please Print

Date

*Dax Witherspoon**5-19-22**865 548 7702**dax@volquip.com**Dax Witherspoon**5-19-22*

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:

_____ and _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: _____

Date: _____

File Number: _____

☐

Sign posted by Staff

☐

Sign posted by Applicant