

REZONING REPORT

▶ **FILE #:** 6-K-22-RZ

AGENDA ITEM #: 21

AGENDA DATE: 6/9/2022

▶ **APPLICANT:** DANIEL LEVY

OWNER(S): Peter Hall / Cherokee Mills, GP

TAX ID NUMBER: 108 B A 025 (PART OF)

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 0 McElroy Ave.

▶ **LOCATION:** East & south of Vandeventer Ave., east side of Varner St.

▶ **APPX. SIZE OF TRACT:** 1.5 acres

SECTOR PLAN: Central City

GROWTH POLICY PLAN: N/A

ACCESSIBILITY: Access is via Vandeventer Avenue, a local road with a 22-ft pavement width within a 38-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

▶ **PRESENT ZONING:** OP (Office Park)

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

▶ **EXISTING LAND USE:** Transportation/Communication/Utilities

▶ EXTENSION OF ZONE: Yes

HISTORY OF ZONING: 9-A-84-RZ: C-6 to I-2

SURROUNDING LAND USE AND ZONING: North: Commercial & public/quasi-public land - C-G-2 (General Commercial)

South: Public park - ROW (Right-Of-Way) & OS (Open Space)

East: Office - OP (Office Park)

West: Single-family residential, vacant - I-MU (Industrial Mixed-Use)

NEIGHBORHOOD CONTEXT: This area has a diverse mix of uses. There are single family residences, commercial and industrial properties as well as ample surface parking lots with office complexes. A railway is adjacent to the south, and there are public park and open spaces to the north and south as well.

STAFF RECOMMENDATION:

▶ **Approve I-MU (Industrial Mixed-Use) zoning because it is consistent with the sector plan.**

COMMENTS:

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6.30.01, 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/COUNTY GENERALLY:

1) The subject property is currently an underutilized surface parking lot. The proposed I-MU (Industrial Mixed-Use) zoning would permit a range of developments that are compatible with surrounding land use, which is a diverse mix of residential, office, commercial, industrial and public park space.

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

1) The I-MU 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. Residential uses are also permitted, both above the ground floor in mixed-use development, and in multi-family dwellings.

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) The proposed rezoning is not anticipated to create any adverse impacts.

2) Rezoning to I-MU would enable a range of development options that are compatible with the area, including residential uses. Infill residential development could meet demand for housing. The property is located along a KAT bus route and near commercial nodes and park space, which reflect the potential capacity for increased housing with minimal impact to surrounding properties.

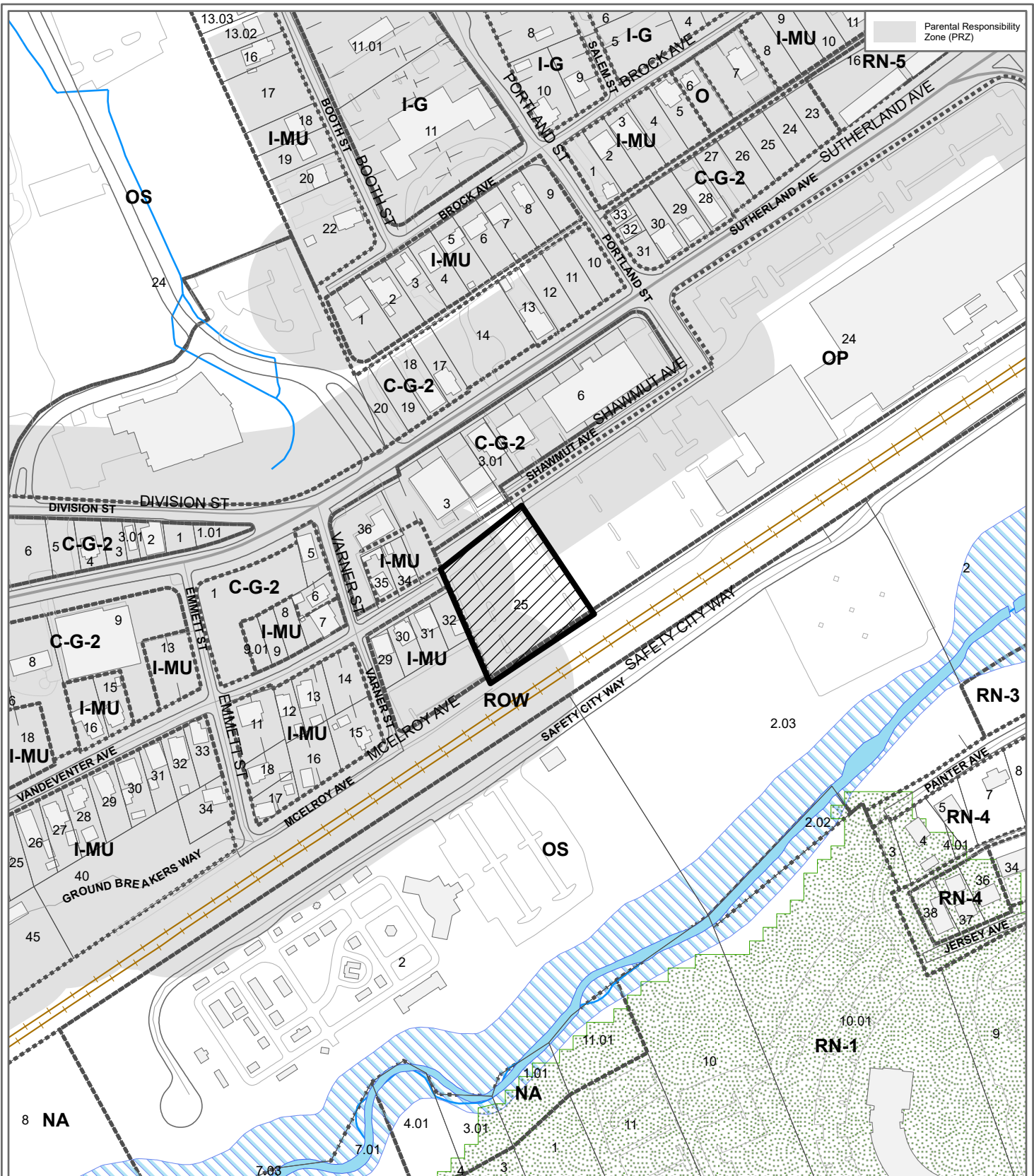
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1) The Central City Sector Plan's MU-CC19 (Mixed Use Community Center - Marble City) land use designation is consistent with the proposed I-MU zoning, and it does not conflict with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

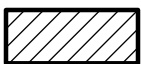
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 7/12/2022 and 7/26/2022. 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.



**6-K-22-RZ
REZONING**

From: OP (Office Park)
To: I-MU (Industrial Mixed-Use)



Petitioner: Levy, Daniel

Map No: 108
Jurisdiction: City

Original Print Date: 5/5/2022 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

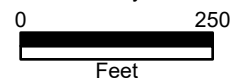


Exhibit A. 6-K-22-RZ Contextual Images

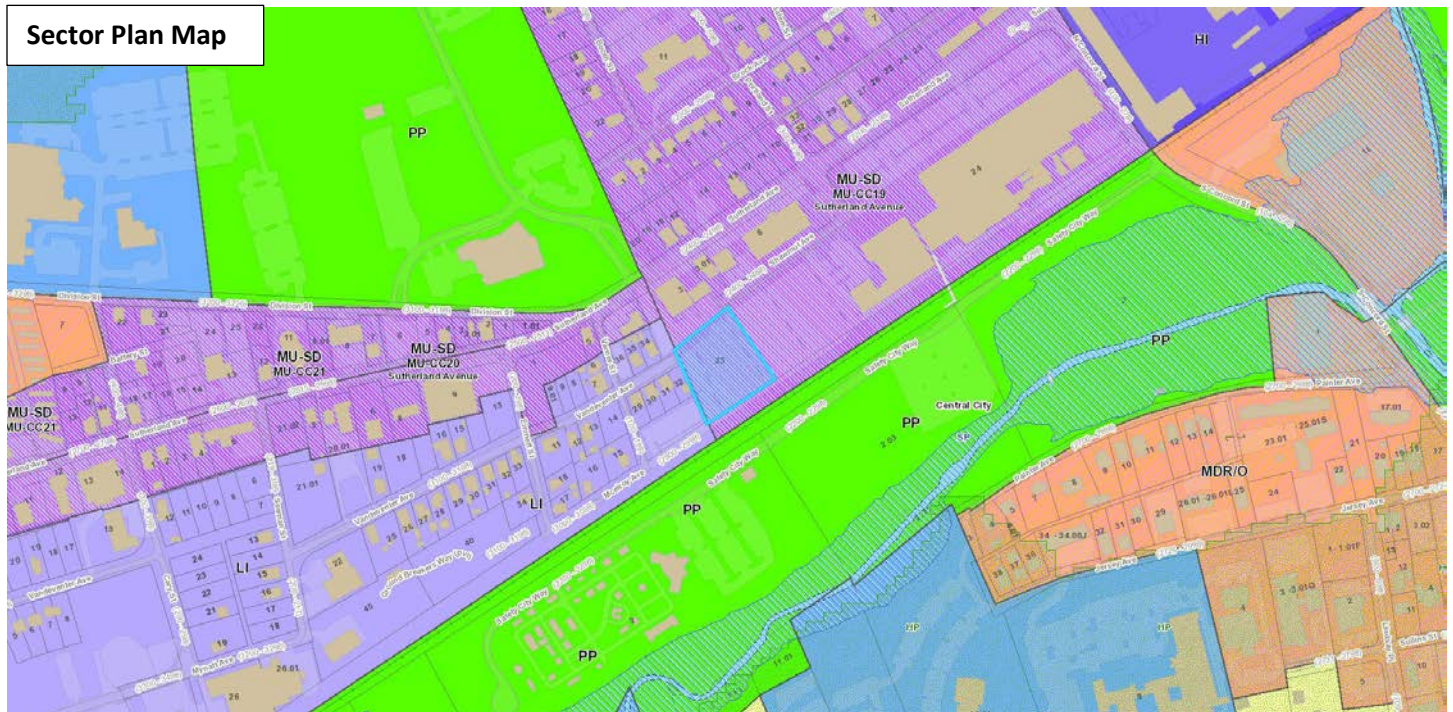
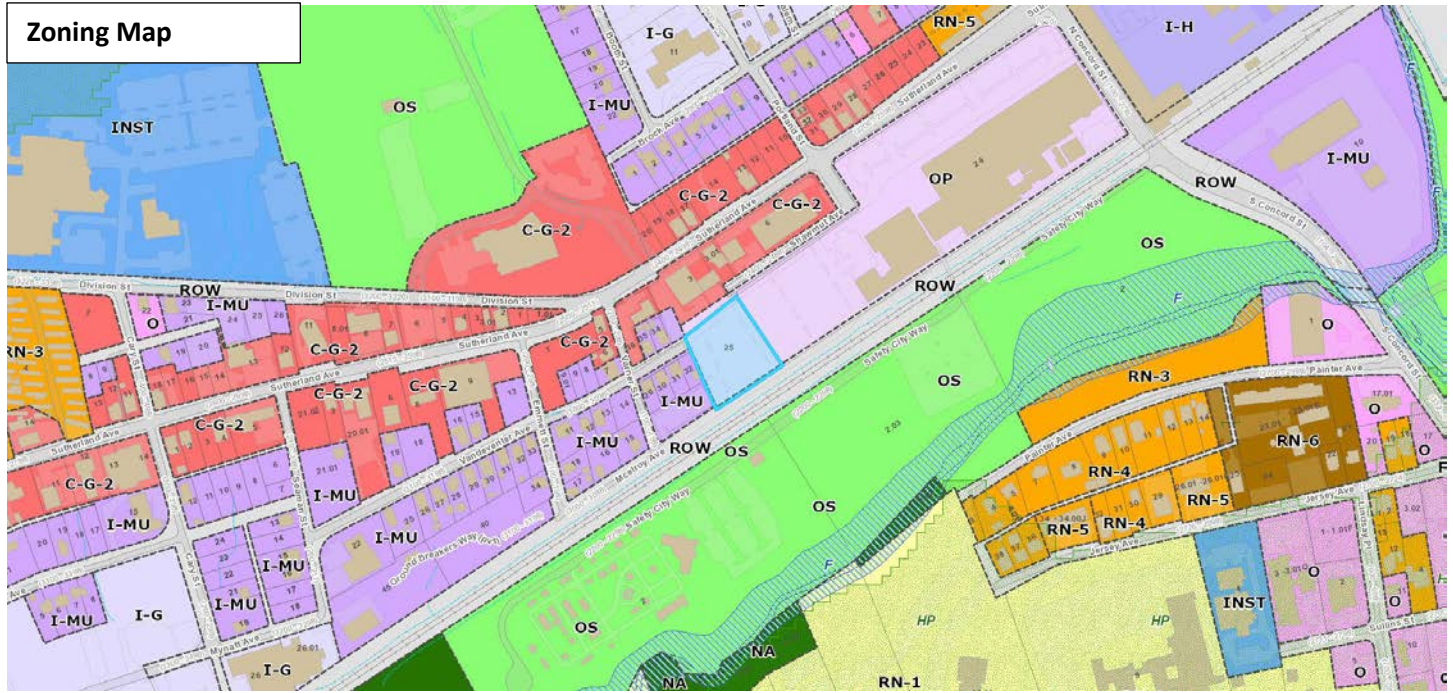


Exhibit A. 6-K-22-RZ Contextual Images





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

Daniel Levy		Architect
Applicant Name		Affiliation
April 25th, 2022	June 9th, 2022	<div style="border: 1px solid black; padding: 10px; display: inline-block;"> File Number(s) <h2 style="margin: 0;">6-K-22-RZ</h2> </div>
Date Filed	Meeting Date (if applicable)	

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

Daniel Levy		DKLEVY	
Name		Company	
3523 Maloney Road	Knoxville	TN	37920
Address	City	State	ZIP
865-474-9264	dlevy@dklevy.com		
Phone	Email		

CURRENT PROPERTY INFO

Cherokee Mills GP	PO BOX 10868 KNOXVILLE TN 37939		
Property Owner Name (if different)	Property Owner Address	Property Owner Phone	
0 Mcelroy Ave	part of 108BA025		
Property Address	KUB	Parcel ID	
KUB	XXX		N
Sewer Provider	Water Provider	Septic (Y/N)	

STAFF USE ONLY

East and south of Vandeventer Ave, east side of Varner Street,		1.5 ac
General Location		Tract Size
<input checked="" type="checkbox"/> City <input type="checkbox"/> County	6th	OP
District	Zoning District	Existing Land Use
Central City	MU-SD MU-CC19	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

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) _____

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name _____

- Combine Parcels
 Divide Parcel

Unit / Phase Number _____

Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Pending Plat File Number

Zoning Change

IM-U

Proposed Zoning

Plan Amendment Change

Proposed Plan Designation(s)

To be determined

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
0324	\$600.00	\$600.00 payment AK
Fee 2		
Fee 3		

AUTHORIZATION

Applicant Signature

Daniel Levy

Please Print

4/25/2022
Date

Phone Number

865-474-9264

Email

DLevy@DLEVY.COM

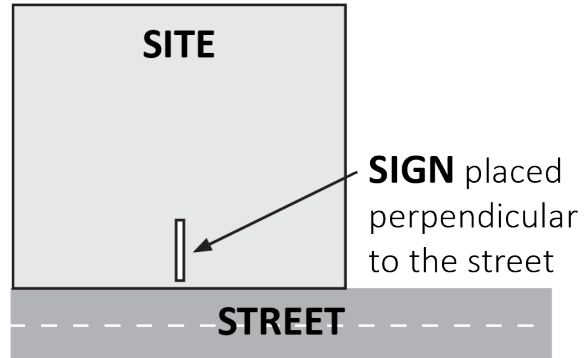
Property Owner Signature

Please Print

Peter Hall Cherokee Mills GP

4-25-22
Date

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