

FORM-BASED ZONING REPORT

► FILE #: 3-A-23-OB AGENDA ITEM #: 19

AGENDA DATE: 3/9/2023

► APPLICANT: BRIAN FORD / MADE SENSE, LLC

OWNER(S): Brian Ford; Made Sense, LLC

TAX ID NUMBER: 108 E B 023, 024 <u>View map on KGIS</u>

JURISDICTION: City Council District 1

STREET ADDRESS: 2224 W. Blount Ave. (2216 W. Blount Ave.)

► LOCATION: East side of W. Blount Ave., south of Hawthorne Ave.

► APPX. SIZE OF TRACT: 0.73 acres

SECTOR PLAN: South City

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

ACCESSIBILITY: Access is via W. Blount Avenue, a major collector with a 31-ft pavement

width within a right-of-way that varies in width from approximately 37 ft to 41

ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Goose Creek

► ZONING: SW-1 (South Waterfront)

EXISTING LAND USE: Commercial, office

PROPOSED USE: Construction of a new surface parking lot to serve parcel 108EB024 to

the north (2216 W. Blount Ave.)

DENSITY PROPOSED: n/a

HISTORY OF ZONING: Rezoned from I-3 (General Industrial) to O-1 (Office, Medical and Related

Services) in 1981 (Case 11-K-81-RZ); Rezoned to SW-1 with the creation of

the Southwest Waterfront code (Case 10-Y-06-RZ)

SURROUNDING LAND North: Single family residential - SW-1 (Old Sevier and Scottish Pike)

USE AND ZONING: South: Single family residential - SW-1 (Old Sevier and Scottish Pike)

East: Single family residential - SW-1 (Old Sevier and Scottish Pike)

West: Industrial - SW-1 (Old Sevier and Scottish Pike)

NEIGHBORHOOD CONTEXT This property sits one block to the east of the Tennessee River and is across

from an industrial site. The area is a mix of industrial, institutional, and single

family residential land uses.

STAFF RECOMMENDATION:

Approve the Level III Alternative Compliance Review, subject to three conditions.

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

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3. Meeting all applicable requirements of the City of Knoxville Fire Marshall.

With the conditions noted, this plan meets the requirements for approval of a Level III Alternative Compliance Review.

COMMENTS:

This is a request for a Level III Alternative Compliance Review for the properties at 2216 and 2224 W. Blount Avenue in the SW-1 (Old Sevier and Scottish Pike) District. The site is located west of Chapman Highway just to the east of the Tennessee River. Fort Dickerson Park is one block to the southeast.

The offices of Elastic Pictures and Auralation Studios occupy the building at 2216 W. Blount Avenue. The existing structure was recently renovated. Street views show this occurred sometime between March 2019 and May 2021. The applicant is proposing a new surface parking lot on the adjacent parcel at 2224 W. Blount Avenue.

Level III Alternative Compliance Reviews require a description and documentation from the City's Zoning Administrator. The City has submitted a report documenting the request and providing additional background information on the site and the request.

STANDARDS FOR EVALUATING A LEVEL III ALTERNATIVE COMPLIANCE REVIEW (ARTICLE 7.02.G.8)

- 1) THE DEVELOPMENT WILL BE CONSISTENT WITH APPLICABLE ADOPTED PLAN.
- A. The South City Sector Plan has this property designated as MU-SD, SC-1 (South Waterfront District) which allows consideration of various South Waterfront (SW) form based zoning districts.
- B. The Knoxville South Waterfront Vision Plan, adopted with the South City Sector Plan, makes the following assessments about the South Waterfront area in which this property is located:
 - 1. "The highest and best use potential for the South Waterfront is not a single use. Rather, the most promising opportunity is to capitalize on the market synergy resulting from coexistence of diverse, complimentary uses to create an exciting mixed-use environment" (p. 44).
 - a. The plan calls for a mix of uses in this area, including office space.
 - 2. The Vision Plan shows this parcel in an area designated as "Down River." (pp. 45-46) and states, "A realigned Blount Avenue follows the path of the river more closely, and here larger scale development is oriented around a new cove and marina" (p. 48).
 - a. The marina is no longer being considered for this part of the river, so this part of the plan is somewhat out of date regarding the future uses to be considered in this area.
 - 3. The plan describes W. Blount Avenue as a two-lane road with no curbs or sidewalks, calling it "essentially rural in character" (p. 50). The plan goes on to say that "the design team does not feel that an expansive, tree-lined median is necessary... Rather, new plantings in a dedicated tree zone, the addition of a parking lane to calm traffic and new streetlights maintain the street right-of-way without acquiring private property on either side of the street" (p. 50).
 - a. This proposal includes street trees and trees within the parking area in accordance with the SW-1 code requirements, which also meets the intent of the Knoxville South Waterfront Vision Plan.
- 2) THE DEVELOPMENT WILL NOT HAVE A SUBSTANTIAL OR UNDUE ADVERSE EFFECT UPON THE NEIGHBORHOOD, THE CHARACTER OF THE AREA, TRAFFIC CONDITIONS, PARKING, PUBLIC INFRASTRUCTURE, AND OTHER MATTERS AFFECTING THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.
- A. The use is existing and therefore approval of this request is not anticipated to have a negative impact on the area.
- B. Planning agrees with the City of Knoxville Plans Review and Inspections Department that the proposed changes to the site, including the reconfiguration of site parking, would improve safety conditions.
- 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 use is existing and therefore approval of this request is not anticipated to have a negative impact on the neighborhood. Since the plan increases safety, it would benefit the area in general.
- 4) THE DEVELOPMENT WILL BE CONSTRUCTED AND OPERATED TO BE COMPATIBLE WITH THE DISTRICT AND OTHER APPLICABLE ZONING ORDINANCE REQUIREMENTS.
- A. The SW-1 District is the only one that specifies land uses. The table in Section 7.1.3.B.6 has a line item for "Building Function" that specifies the land uses allowed in the zone. It lists "household living" (i.e., residential

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uses), places of worship, and schools as permitted uses and day cares as a use on review (now referred to as a special use). Since a parking lot is not one of the permitted uses, the proposal requires a Level III Alternative Compliance Review per Article 7.02.G.1.

- B. The preexisting commercial use and proposed expansion to construct a surface parking lot for that commercial use qualifies the application as a Level III Alternative Compliance Review.
- C. Article 11.6.A of the City of Knoxville Zoning Ordinance (Design of Off-Street Parking Facilities) prohibits back-out parking, so this proposal brings the parking for this building into compliance with the parking regulations.

5) THE DEVELOPMENT WILL BE CONSISTENT WITH THE INTENT OF THE APPLICABLE FORM DISTRICT AND PLAN

- A. The Vision and Intent statement of the SW-1 (Old Sevier and Scottish Pike) District is as follows: "The Old Sevier and Scottish Pike areas are envisioned to conserve the "small town, neighborhood" atmosphere. New developments in these areas are encouraged to preserve and extend the existing neighborhood character and to maintain a complementary scale and density."
- B. The proposed use does not fit the character of the intent statement. However, Planning is in agreement with the City's Plans Review and Inspections Department that the proposed surface parking lot alleviates existing safety concerns regarding traffic and that the site could be readily redeveloped in the future with structures and uses that are more in line with the vision and intent of the SW-1 District.
- C. This section of W. Blount Avenue falls between the Scottish Pike and Sevier Avenue neighborhoods and is more industrial in nature than the Vision statement suggests, though there are single family homes abutting these industrial uses. The existing office use provides a transition from the industrial uses along the river to the single-family detached houses behind the site.
- 6) THE PROPOSED DEVELOPMENT CAN BE ADEQUATELY SERVED BY PUBLIC FACILITIES. A. The site is served by sewer and water.
- 7) THE PROPOSED DEVELOPMENT WILL NOT RESULT IN THE DESTRUCTION, LOSS, OR DAMAGE OF ANY SIGNIFICANT NATURAL, SCENIC, OR HISTORICAL DISTRICT, SITE, OR FEATURE.

A. The site has already been developed; the structure at 2216 W. Blount Avenue is to remain in use and the structure at 2224 W. Blount Avenue has been demolished in anticipation of the proposed parking lot. Because the site was cleared and graded with the existing and previous buildings, there will be no loss or damage to natural or scenic features.

- B. The site is not in a historic zone and no historic features will be lost.
- 8) COMPLIANCE WITH ALL APPLICABLE SUBDIVISION REGULATIONS.

A. The applicant is not proposing to subdivide the property.

9) COMPLIANCE WITH THE MAJOR ROAD PLAN.

A. W. Blount Avenue is classified as a major collector, so it has more traffic than a local road. As such, the proposal to remove the parking that backs out onto W. Blount Avenue is an important safety consideration.

10) COMPLIANCE WITH THE ONE YEAR PLAN.

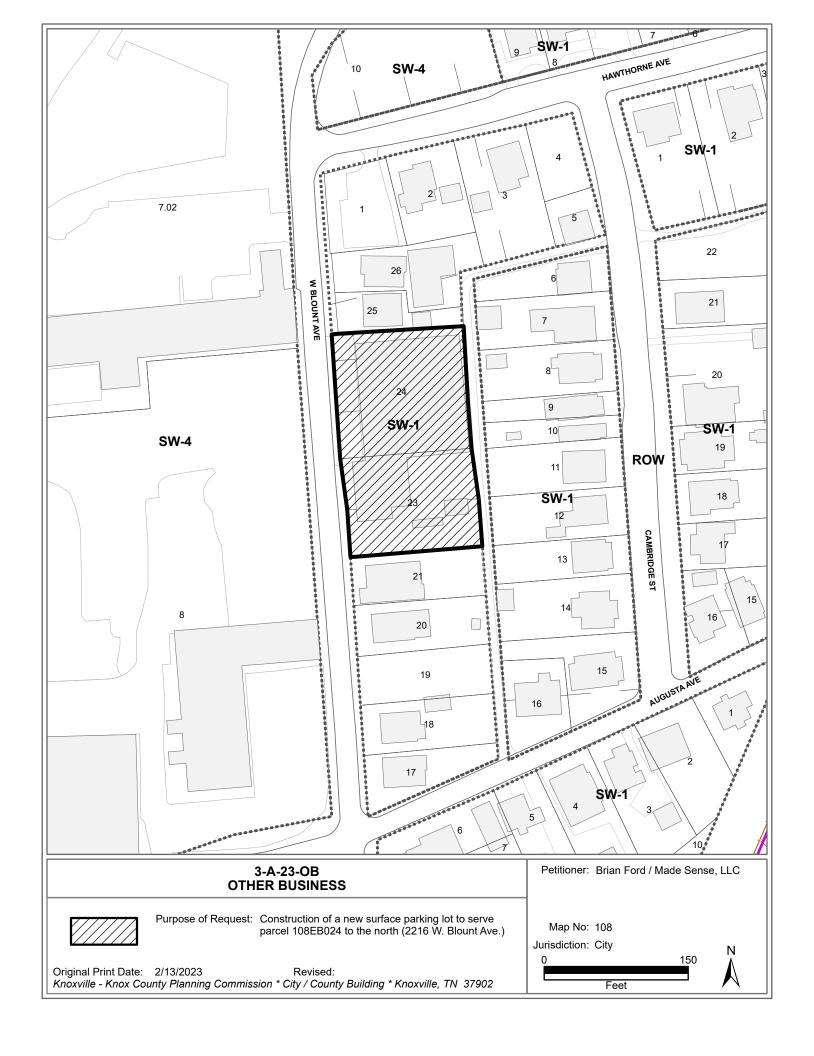
A. The One Year Plan has this property designated as SWMUD-1 (South Waterfront Mixed Use District), which allows for diverse uses and a range of development intensities and forms.

11) COMPLIANCE WITH THE STORMWATER AND STREET ORDINANCE.

A. This proposal is in compliance with this ordinance.

Knoxville-Knox County 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.

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Zoning Administrator Report for Level III: Alternative Compliance Review

2224. W. Blount Avenue

Peter Ahrens, Director City of Knoxville, Plans Review and Building Inspections

I. <u>Background</u>

The parcel at 2224 W. Blount Avenue is located in the South Waterfront Form Based Code and SW-1 district (*Old Sevier and Scottish Pike*). The vision and intent for this district is to, 'conserve the "small town, neighborhood" atmosphere. New developments in these areas are encouraged to preserve and extend the existing neighborhood character and to maintain a complementary scale and density. Large-scale assemblage of residential properties or any commercial uses are prohibited. Suggested building types include detached houses, cottages, duplex houses, attached townhouses and rowhouses.' A demolition permit was issued by the city in August of 2022, and the former structure located on the parcel was razed. It is currently undeveloped.

The adjacent parcel at 2216 W. Blount Avenue is also located in the SW-1 district. The offices of Elastic Pictures and Auralation Studios occupy this property and are considered preexisting nonconforming commercial uses according to the vision and intent of this district.

The property owner for 2216 W. Blount Avenue acquired the adjacent parcel at 2224 W. Blount Avenue and submitted an application to construct a surface parking lot on it. This parking will serve employees and patrons of the existing commercial uses at 2216 W. Blount Avenue.

II. Process

In the Form Based Code Districts, Article 7.0.2.G.1 states that, 'requests by applicants for reconstruction or expansion of nonconforming structures in which nonconforming uses operate are to be processed under the Alternative Compliance Review.'

The preexisting commercial use and proposed expansion to construct a surface parking lot for the existing commercial use qualifies the application as a Level III Alternative Compliance Review.

III. Administrative Review Committee

The application was provided to members of the Administrative Review Committee on January 12, 2023. The following comments were identified and provided to the applicant on January 19, 2023:

- Article 7.1.4.D.1.a states parking shall be placed behind the buildings, but parking on the side of buildings is acceptable provided that the parking is screened from view from any adjoining right-of-way.
- Article 7.1.4.D.1.b states a visual buffer of landscaping shall be provided towards adjacent properties. Any parking lot adjoining a public street shall be screened from view to a height of 3 feet by walls, berms or landscaping or a combination of these 3. If landscaping is used, the planting bed shall be a minimum of 10 feet wide. Landscaping needs to be identified on a landscape plan.
- Article 7.1.3.B.7.e requires one tree (with a 2-inch minimum caliper) for every 5 surface parking spaces.
- A minimum of 65% of uncovered surface parking shall be permeable while meeting overall stormwater requirements. Please add a line item under the Pervious Surface

Area that specifically calls out the surface parking square footage and percent that is permeable.

- Specify driveway width for northern lot, maximum allowable width is 26 ft.
- Specify curb cut width for both lots, maximum allowed is 60 ft.
- Northern lot should include the proposed stairs south of the building.
- One-way driveways are limited to a maximum of 15 ft., this applies to the entrance and exit. The drive aisles at the parking spaces must be 18 ft. as shown.
- The parallel parking stall at the alley must have a combined paved width (parking stall and alley) of 24 ft. (per 11.6.A.2 of the zoning code), please provide the appropriate dimension.
- The southern lot must have two bicycle spaces.

The applicant provided revised plan to the Administrative Review Committee on January 24, 2023 where all comments identified by the committee were addressed and met.

IV. Administrator Action

In Article 7.0.2.G.6.c, 'the Administrator must prepare a report that reviews the application in light of comments provided by the Administrative Review Committee, and in light of the applicable Form District and Plan. The report recommendations, and any related application materials must be forwarded to the Metropolitan Planning Commission.'

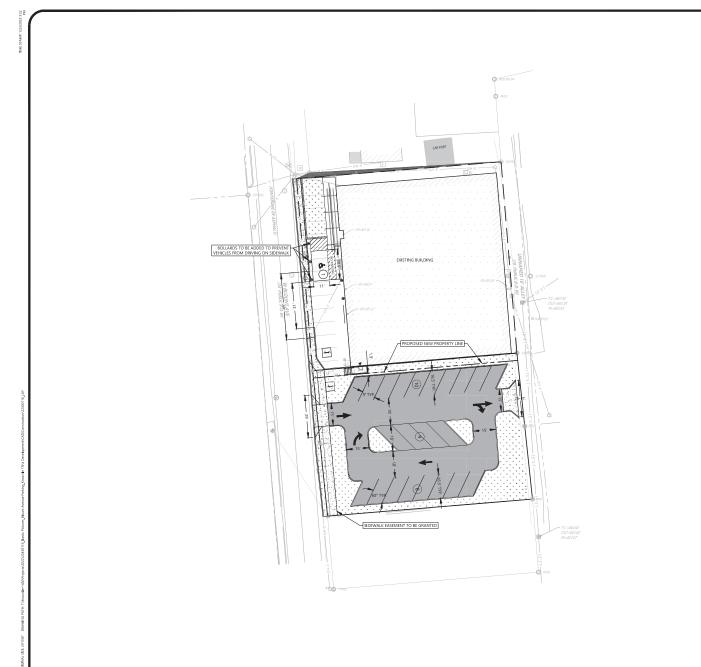
The applicant complied with the Administrative Review Committee comments. The expansion of the preexisting nonconforming use onto the neighboring parcel is an expansion of the use. The applicant is removing the existing parking at 2216 W. Blount Avenue that backs out onto Blount Avenue and proposing for it to be placed on 2224 W. Blount Avenue. This eliminates an existing traffic safety hazard found in Article 11.6.A where commercial uses, 'must be designed so that no vehicle is required to back into a public street to obtain ingress and egress onto a site.'

It is the Administrators recommendation that although the use for the parcel does not conform to the vision and intent of SW-1 district, the proposed surface parking lot does alleviate existing traffic safety concerns and could be readily redeveloped in the future with structures and uses that are more in line with the vision and intent of the SW-1 district.

Respectfully,

Peter M. Ahrens

Director of Plans Review and Inspections - Building Official



SITE DATA

COUNCIL DISTRICT: COUNCIL MEMBER: PARCEL ID.: SITE ADDRESS: 1 TOMMY SMITH 108-E B 023.00 & 024.00 2224 W. BLOUNT AVE KNOXVILLE, TN, 37920 0.742 AC. (32,316 FT²) SW-1 PARKING LOT IMPROVEMENT

SITE ACREAGE: EXISTING ZONING: PROPOSED USE:

SURFACE AREA BEYOND PARKING LOT BUILDING: SIDEWALK:

0.312 AC. (13,597 FT²) 0.030 AC. (1,242 FT²)

NEW PARKING LOT SURFACE AREA CONCRETE PAVEMENT: PERVIOUS PAVEMENT: LANDSCAPE AREA: PARKING LOT PERMEABLE AREA: PARKING LOT PERMEABLE AREA REQ:

PARKING SUMMARY PARKING REQUIRED: (PARKING REQUIREMENTS)

42 SPACES MAXIMUM

PARKING PROVIDED: GARAGE: SURFACE: TOTAL: 00 SPACES 23 SPACES 23 SPACES PROVIDED

OWNER: ADDRESS:

ELASTIC PICTURES 2216 W. BLOUNT AVENUE KNOXVILLE, TN, 37920 (865) 236-1080 BRIAN FORD brian@elasticpictures.com PHONE NO.: CONTACT NAME: CONTACT E-MAIL ADDRESS:

TYLER RUTHERFORD 6515 NIGHTINGALE LANE KNOXVILLE, TN 37909 (865) 393-1434 TYLER RUTHERFORD trutherford@smeinc.com PROJECT REPRESENTATIVE: ADDRESS: PHONE NO.: CONTACT NAME: CONTACT E-MAIL ADDRESS:

RECORDED DOCUMENTS: DEED REFERENCE(S): INST, NO.:20161004022158/2022 PLAT REFERENCE(S): M.B. 4, PG 56 (INST, NO.: 189012.

FEMA PANEL:
THE SUBJECT PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD ZONE
ACCORDING TO COMMUNITY PANEL NO. 47093C0283G, 08/05/2013, COMMUNITY NAMECITY OF KNOXVILLE.

PROPOSED FEATURES LEGEND

BUILDING	
CONCRETE SIDEWALK	1,212,211
CONCRETE WALL	
PERVIOUS SURFACE	
LANDSCAPING	
PAINTED STRIPE	
CONCRETE CURB	
CENTERLINE	
SILT FENCE	SF
TREE PROTECTION	т Р

NOTES:

1. SEE SHEET C2.0 FOR GENERAL AND SITE LAYOUT NOTES.



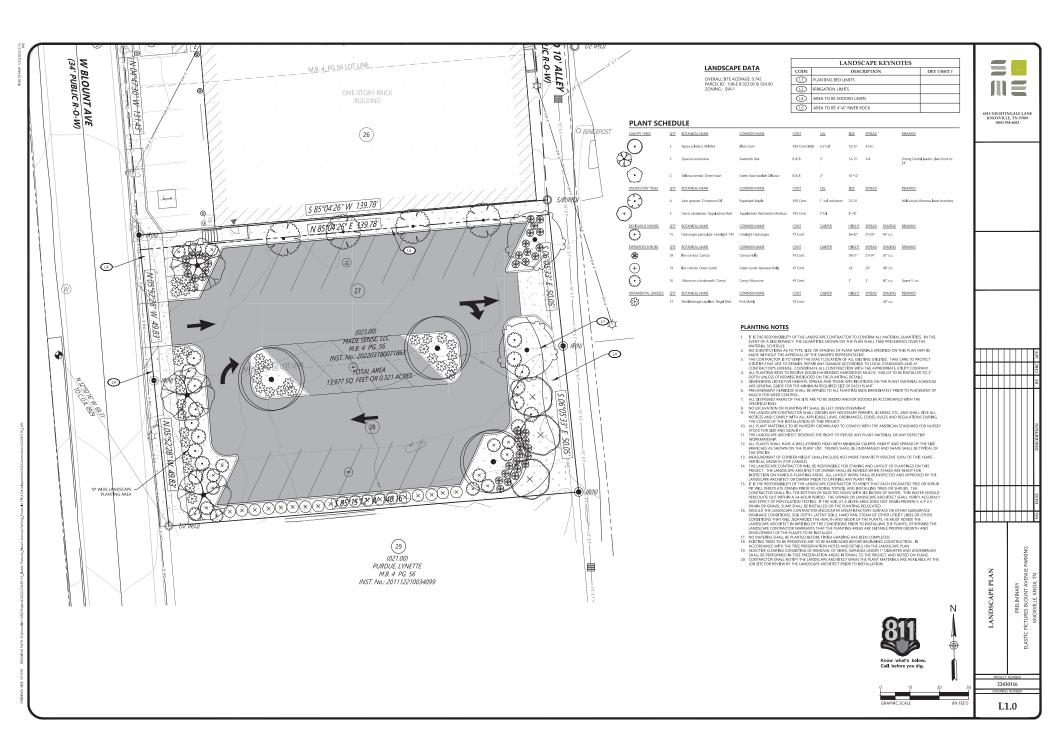
SITE LAYOUT PLAN

NO.

22430116

6515 NIGHTINGALE LANE KNOXVILLE, TN 37909 (865) 934-6023

C5.0

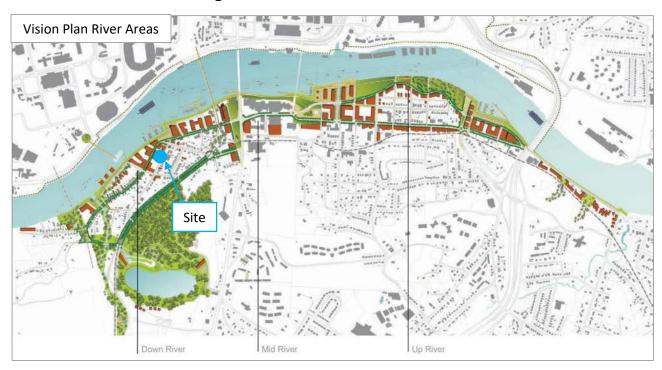


3-A-23-OB EXHIBIT A. Contextual Images





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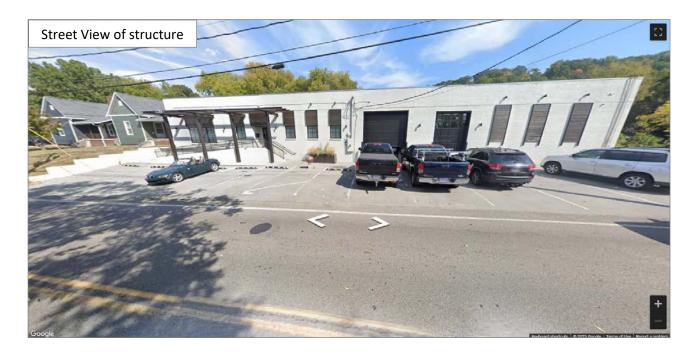




The site is located in the South Waterfront area between the Scottish Pike and Old Sevier neighborhoods.

3-A-23-OB EXHIBIT A. Contextual Images





3-A-23-OB EXHIBIT A. Contextual Images





Form-based Zone District

DEVELOPN Name of Applicant: Brian Ford	IENT PLAN REVIEW
Fee Amount: \$500	
PRE-APPLICATION CONFERENCE	Date Completed: 1/4/2023
PROPERTY INFORMATION Street Address: 2224 West Blount Ave General Location: South of 2216 W Blount Ave (Elastic Pictures) on east side of W Blount Ave Existing Land Use: Vacant Lot Tax Identification Number(s): 108EB023 and 108EB024 City Block Number(s): 25151 Form-based Zone District: SW-1	PROPERTY OWNER/OPTION HOLDER PLEASE PRINT Name: Brian Ford Company: Made Sense, LLC Address: 1805 Highlands Cove Ln City: Knoxville State: TN Zip: 37922 Telephone: 865-236-1080 Fax:
Traffic Zone:	PROJECT SURVEYOR/ENGINEER/ARCHITECT PLEASE PRINT Name: Clive Sorhaindo, PE Company: S&ME, Inc. Address: 6515 Nightingale Lane City: Knoxville State: T N Zip: 37909

Telephone: <u>865-415-3450</u>

E-mail: csorhaindo@smeinc.com

Fax: ___

PROJECT INFORMATION

Project Name: Elastic Pictures Parking Lot		
Tract Size: 13,800 SF		
Proposed Dwelling Units: N/A		
Non-Residential Development Square Feet: N/A		

Tract Size: 13,800 SF			
Proposed Dwelling Units: N/A			
Non-Residential Development Square Feet: N/A			
Proposed Off-Street Parking Spaces: 22			
ACCOMPANYING MATERIALS			
☑ Site Plan			
☐ Elevations			
☑ Off-Street Parking Plan			
☑ Landscape Plan			
☐ Property Development Check List			

APPLICATION CORRESPONDENCE

All correspondence relating to this application (including plat corrections) should be directed to:

PLEASE PRINT Company: S&ME, Inc. Address: 6515 Nightingale Lane City: Knoxville State: T N Zip: 37909 Telephone: 865-970-0003 Fax: __ E-mail: trutherford@smeinc.com