

REZONING REPORT

▶ **FILE #:** 9-G-23-RZ

AGENDA ITEM #: 8

AGENDA DATE: 9/14/2023

▶ **APPLICANT:** SMEE + BUSBY ARCHITECTS, P.C.

OWNER(S): Buzz Goss Marble Alley Development LLC

TAX ID NUMBER: 95 I A 016, 017, 018, 019, 020

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 121 UNION AVE (0 STATE ST)

▶ **LOCATION:** Northeast quadrant of the intersection of Union Ave and State St

▶ **APPX. SIZE OF TRACT:** 1.12 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via local streets Union Avenue and State Street. Union Avenue has a pavement width that varies from 18 ft to 25 ft within a 40-ft right-of-way, while State Street has an approximate pavement width of 40 ft within a 56-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **PRESENT ZONING:** DK-G (Downtown Knoxville District, Grid Subdistrict)

▶ **ZONING REQUESTED:** DK-B (Downtown Knoxville District, Boulevards Subdistrict)

▶ **EXISTING LAND USE:** Transportation/Communications/Utilities (parking lot)

▶ **EXTENSION OF ZONE:** No, this is not an extension.

HISTORY OF ZONING: In 2007, the D-1 (former Downtown Design Overlay) District was adopted over a large area downtown (Case # 2-P-07-RZ).

SURROUNDING LAND USE AND ZONING: North: Multifamily residential - DK-G (Downtown Knoxville, Grid Subdistrict)

South: Transportation/communications/utilities (parking garage) - DK-G (Downtown Knoxville, Grid Subdistrict)

East: Transportation/communications/utilities (KUB substation) - DK-G (Downtown Knoxville, Grid Subdistrict)

West: Transportation/communications/utilities (parking lot) - DK-G (Downtown Knoxville, Grid Subdistrict)

NEIGHBORHOOD CONTEXT: The property is located in downtown Knoxville on the west side of James White Parkway. The area is characterized by the traditional 300 ft by 300 ft grid pattern typical of Knoxville's downtown, which includes a mix of uses including office, commercial, multifamily residential, and parking lots.

STAFF RECOMMENDATION:

▶ **Deny the DK-B (Downtown Knoxville District, Boulevards) Subdistrict because the property is not**

consistent with the district's intent.

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, 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 proposed rezoning to the DK-G district is complementary to the increase in recent downtown residential and commercial developments.
2. There is an increased need for small-scale housing. The proposed development would help to meet this need.

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

1. The proposed DK-B district is intended to accommodate those areas of Downtown Knoxville that have developed in a manner characterized by wide, planted boulevards, and a green, open landscape consisting of lawns, plazas and structures at variable setbacks.
2. The location and character of the subject property do not meet the zone's stated intent. State Street and Union Avenue have features and enclosures other than planted boulevards like Henley Street and Summit Hill Drive. They are not characterized by open landscape consisting of lawns or plazas, unlike the portion of Main Street that has adjacent DK-B zoned parcels.
3. The proposed rezoning would not be an extension of the district. The nearest properties with DK-B zoning are along Summit Hill Drive and Henley Street.

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 subject property currently features a surface parking lot. Redevelopment of this lot under the DK-B district standards would allow development that would be compatible with the area despite the different zoning designation from surrounding properties.
2. The dimensional and design standards of the DK-B and DK-G districts have some minor differences pertaining to the build-to-zone and transparency requirements. Adverse impacts stemming from these differences would not be expected.
3. One of the main differences between the requested DK-B and current DK-G districts is that the DK-B district would allow ground-floor residential development while the DK-G district would not. The addition of additional residential units would be a benefit to downtown and would not be expected to cause adverse impacts for the surrounding area.
4. The sector plan designation would remain MU-RC (Mixed Use Regional Center), which is the designation for all the surrounding properties.

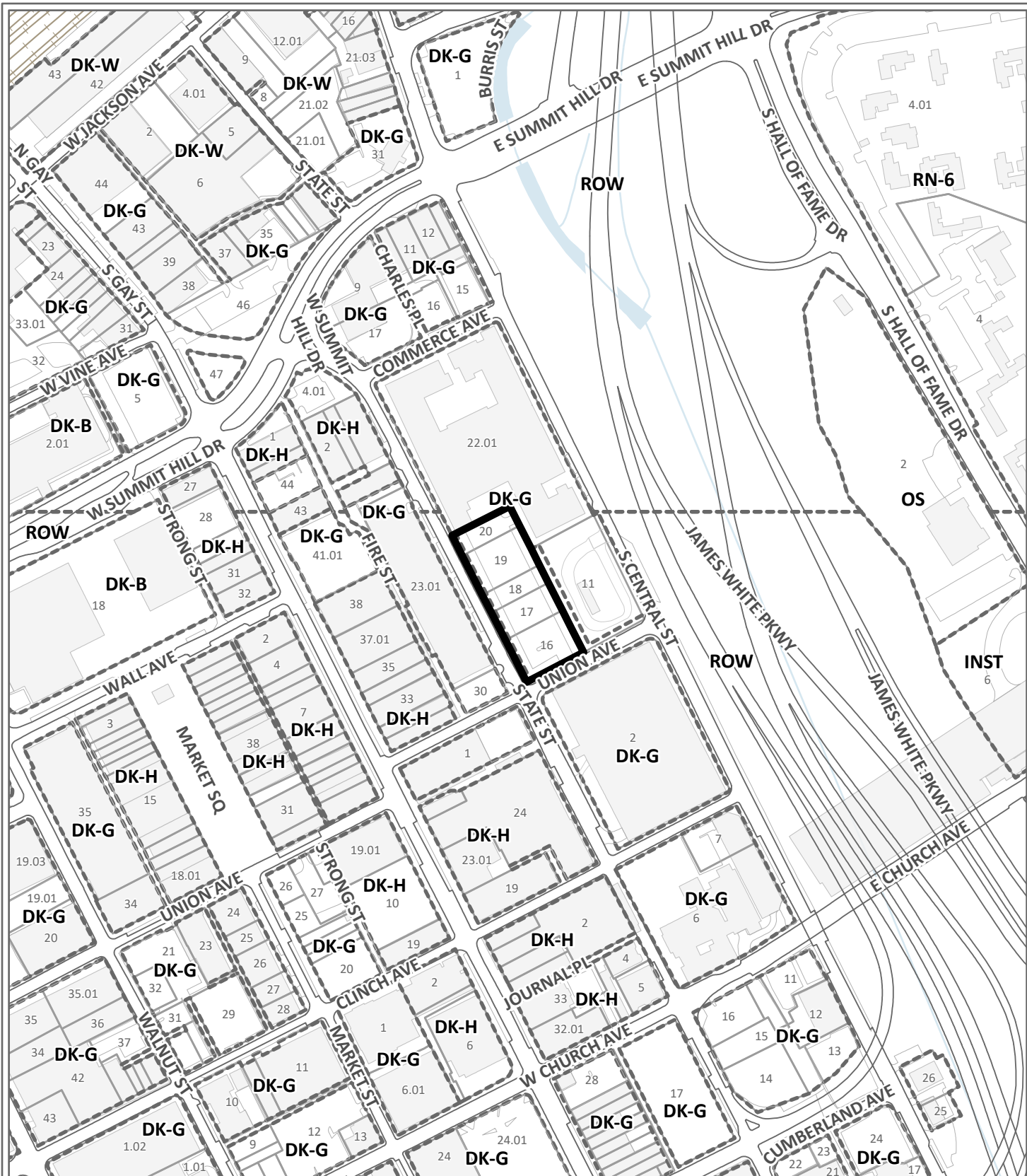
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The proposed rezoning is consistent with the General Plan's development policy 8.1 that encourages growth in the existing urban area through infill housing opportunities.
2. The DK-B district is consistent with the One Year Plan and Central City Sector Plan's MU-RC land use classification.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 10/17/2023 and 10/31/2023. 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.



REZONING

9-G-23-RZ

Petitioner: Smee + Busby Architects, P.C.



From: DK-G (Downtown Knoxville)

To: DK-B (Downtown Knoxville)

Map No: 95
Jurisdiction: City

Original Print Date: 8/18/2023
 Knoxville - Knoxville County Planning Commission * City / County Building * Knoxville, TN 37902

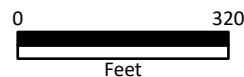
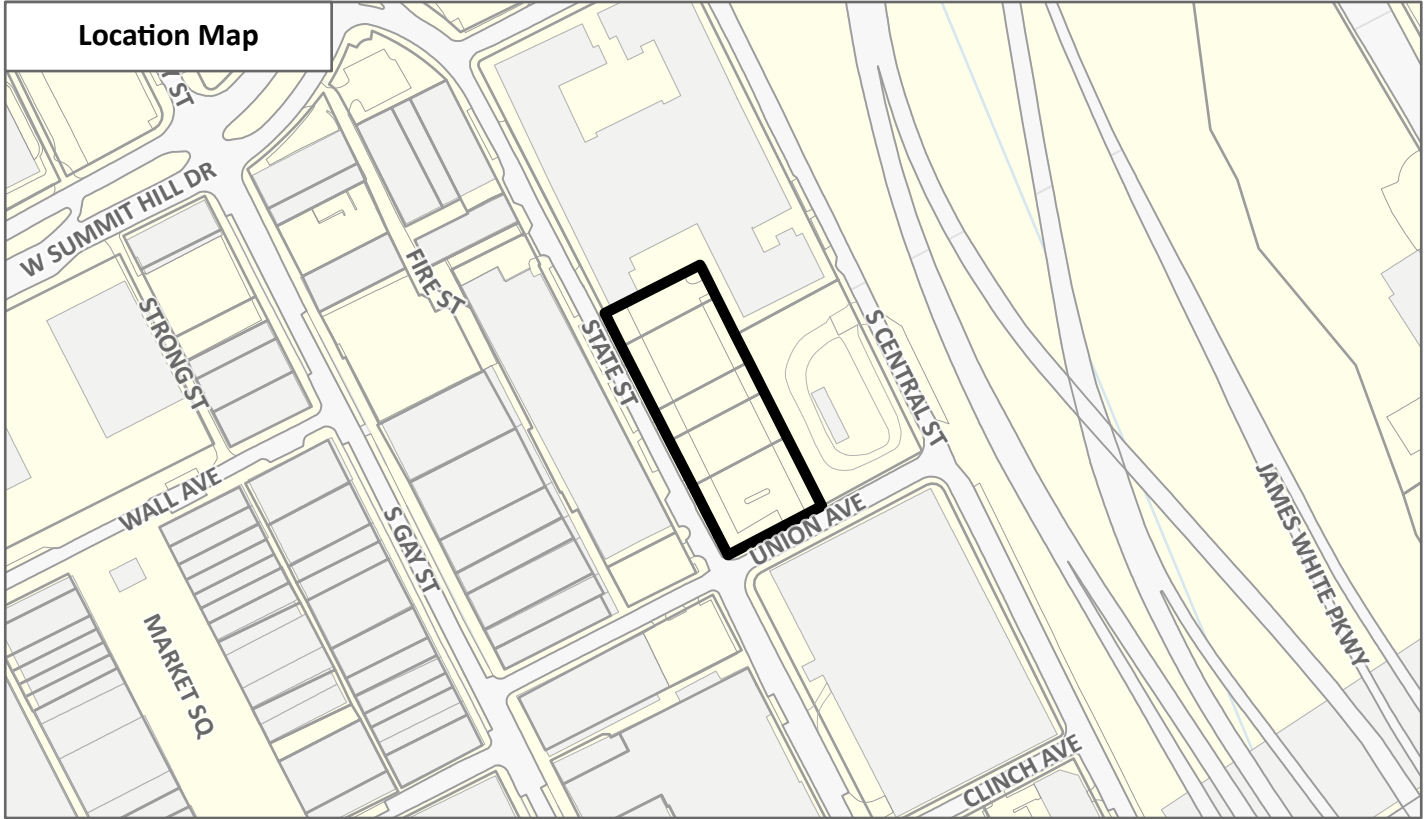
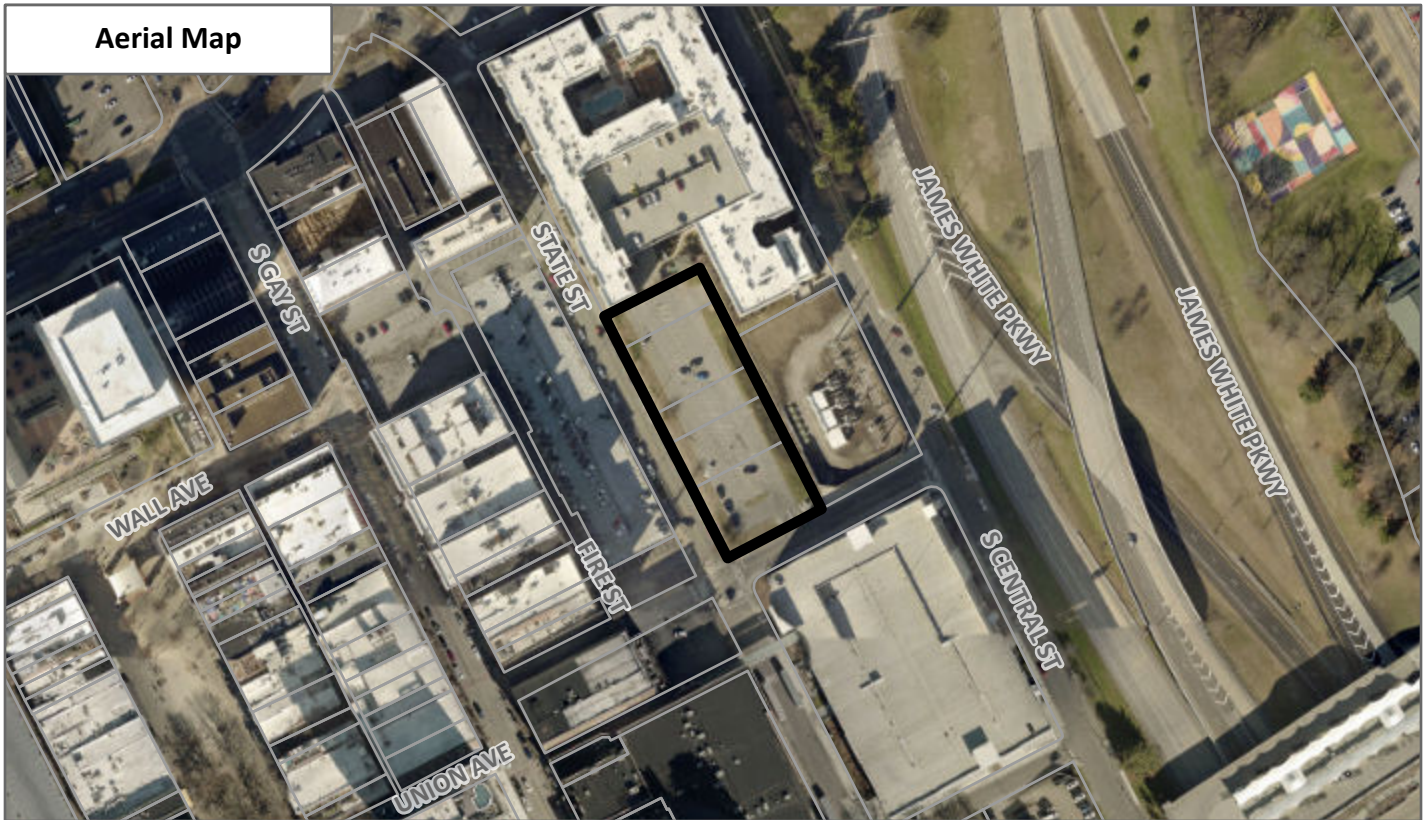


Exhibit A. Contextual Images

Location Map



Aerial Map

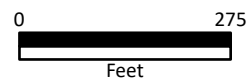


CONTEXTUAL MAPS 1

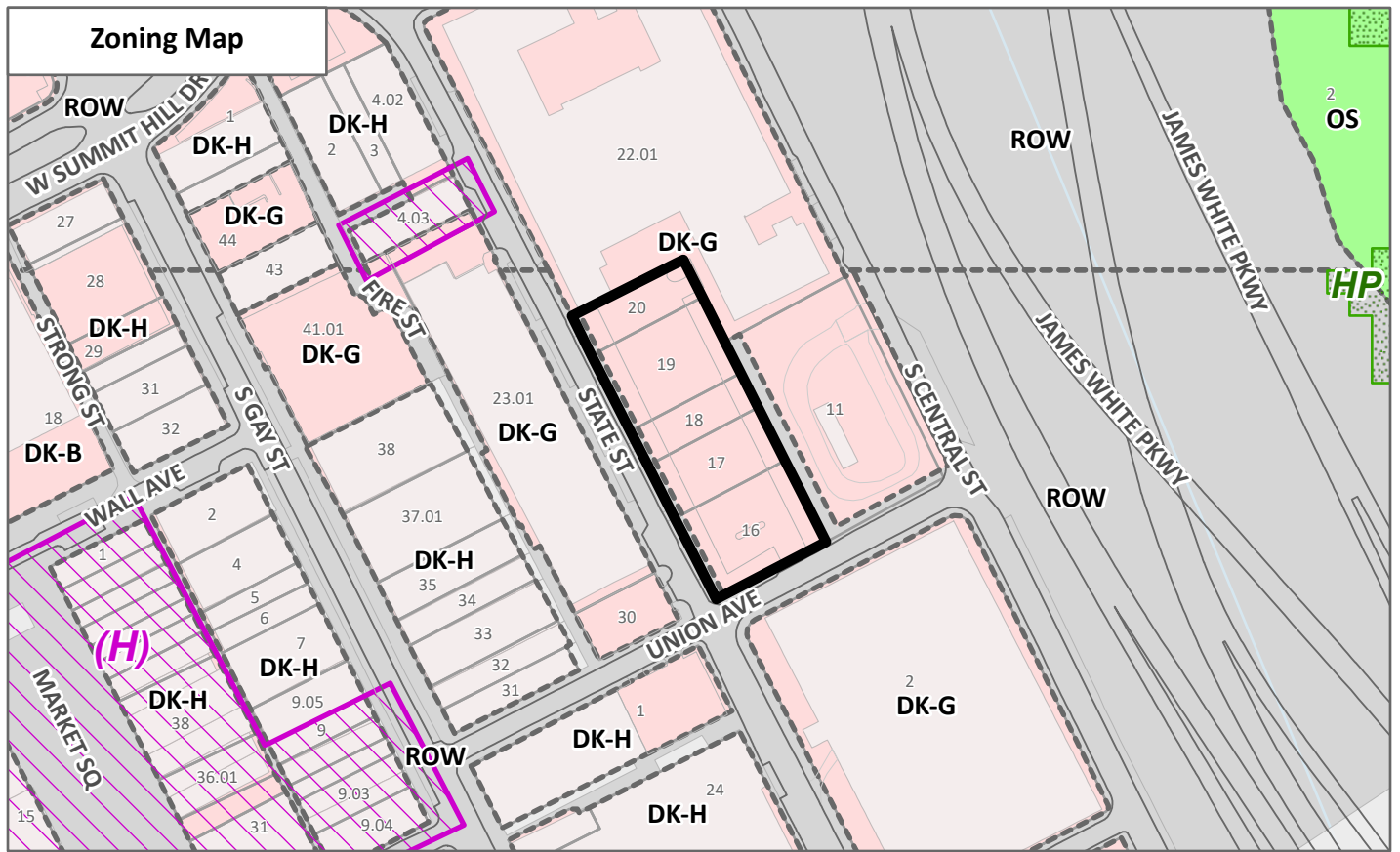
9-G-23-RZ



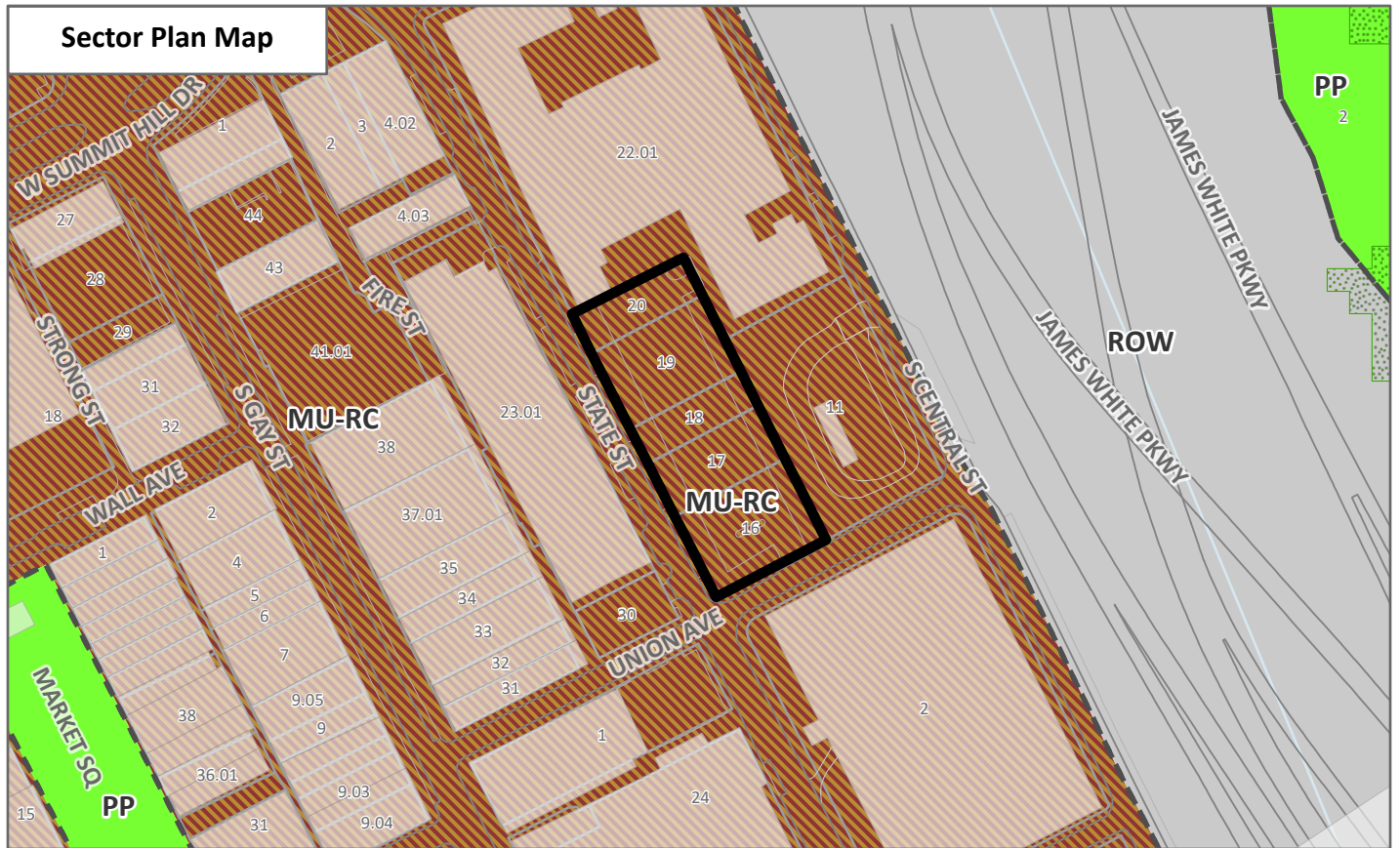
Case boundary



Zoning Map



Sector Plan Map

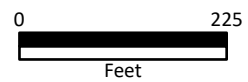


CONTEXTUAL MAPS 2

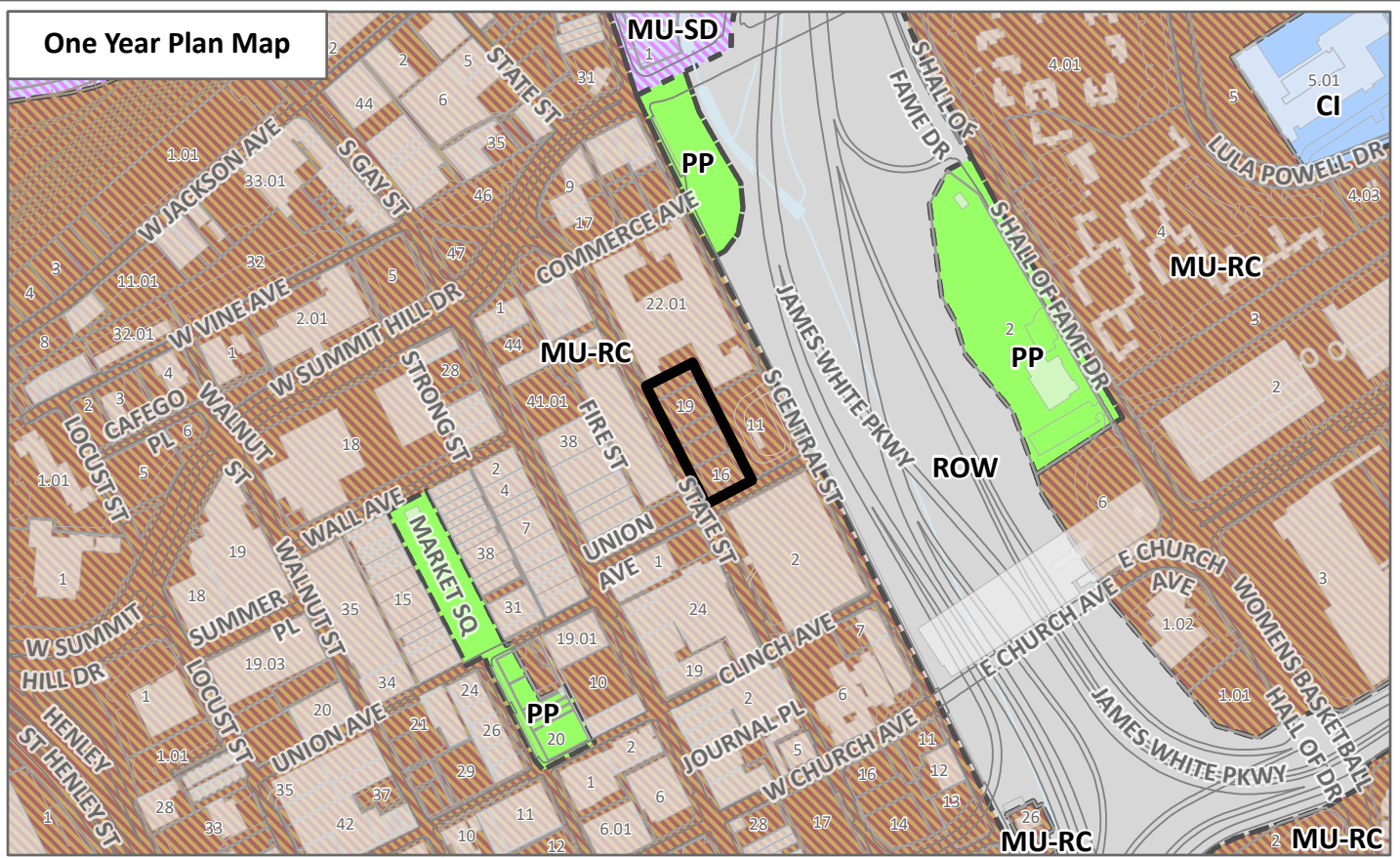
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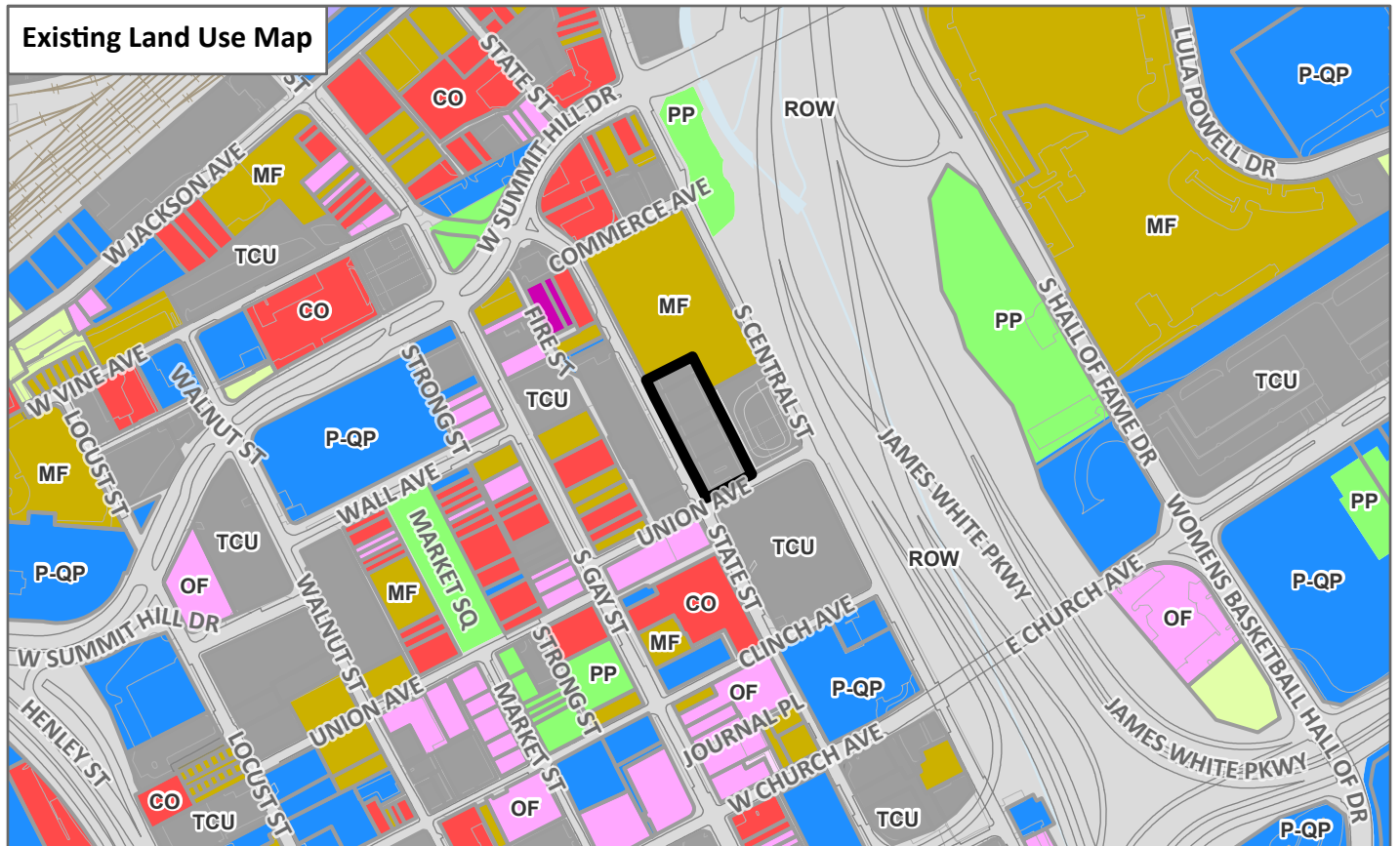
Case boundary



One Year Plan Map



Existing Land Use Map

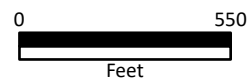


CONTEXTUAL MAPS 3

9-G-23-RZ



Case boundary





Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

Smee + Busby Architects, P.C.

Applicant Name Affiliation

7/26/2023

9/14/2023

9-G-23-RZ

Date Filed Meeting Date (if applicable) File Number(s)

CORRESPONDENCE

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

Scott Busby Smee + Busby Architects, P.C.

Name / Company

2554 Sutherland Ave Knoxville TN 37902

Address

865-521-7550 / sbusby@smeebusby.com

Phone / Email

CURRENT PROPERTY INFO

Buzz Goss Marble Alley Development LL 110 W Summit Hill Dr Knoxville TN 37902 865-274-9108

Owner Name (if different) Owner Address Owner Phone / Email

121 UNION AVE / 0 STATE ST

Property Address

95 I A 016, 017, 018, 019, 020

1.12 acres

Parcel ID Part of Parcel (Y/N)? Tract Size

Knoxville Utilities Board

Knoxville Utilities Board

Sewer Provider Water Provider Septic (Y/N)

STAFF USE ONLY

Northeast quadrant of the intersection of Union Ave and State St

General Location

City **Council District 6** **DK-G (Downtown Knoxville District, Grid Subdistrict)** **Transportation/Communications/Utilities**

County District Zoning District Existing Land Use

Central City

MU-RC (Mixed Use Regional Center)

N/A (Within City Limits)

Planning Sector Sector Plan Land Use Classification Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) _____	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Additional Information	Total Number of Lots Created
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change DK-B (Downtown Knoxville District, Boulevards Subdistrict)	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)
Proposed Density (units/acre) Previous Zoning Requests	
Additional Information	

STAFF USE ONLY

PLAT TYPE

Staff Review Planning Commission

ATTACHMENTS

Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- COA Checklist (Hillside Protection)
- Design Plan Certification (Final Plat)
- Site Plan (Development Request)
- Traffic Impact Study
- Use on Review / Special Use (Concept Plan)

Fee 1	Total
\$650.00	
Fee 2	
Fee 3	

AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Applicant Signature	Smee + Busby Architects, P.C.	7/26/2023
	Please Print	Date

Phone / Email	Buzz Goss Marble Alley Development LLC	7/26/2023
Property Owner Signature	Please Print	Date

(1) Download and fill out this form at your convenience.
(2) Sign the application digitally (or print, sign, and scan).

(3) Either print the completed form and bring it to the
Knoxville-Knox County Planning offices
OR email it to applications@knoxplanning.org

Reset Form



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

Smee + Busby Architects, P.C.

Architect

Applicant Name

Affiliation

7/24/2023

9/14/23

Date Filed

Meeting Date (if applicable)

File Number(s)

9-G-23-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

Scott Busby

Smee + Busby Architects, P.C.

Name

Company

2554 Sutherland Avenue

Knoxville

TN

37919

Address

City

State

ZIP

(865) 521-7550

sbusby@smeebusby.com

gcavalier@smeebusby.com

Phone

Email

CURRENT PROPERTY INFO

Marble Alley Development - Buzz Goss 110 W Summit Hill Dr SW Knoxville, TN (865) 274-9108

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

121 Union Avenue Knoxville, TN 37902

095IA016 - 020

Property Address

Parcel ID

KUB

KUB

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

City County

District

Zoning District

Existing Land Use

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

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Combine Parcels
 Divide Parcel

 Unit / Phase Number
 Total Number of Lots Created

Other (specify) _____

Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

- Zoning Change
 DK-B
 Proposed Zoning
 Plan Amendment Change

 Proposed Plan Designation(s)

Proposed Density (units/acre) Previous Rezoning Requests

Other (specify) _____

Pending Plat File Number

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
0801	\$650.00	
Fee 2		\$650.00
Fee 3		

AUTHORIZATION

- I declare under penalty of perjury the foregoing is true and correct:
1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent


 Applicant Signature

Smee + Busby Architects, P.C.

Please Print

7/24/23

Date

(865) 521-7550

Phone Number

sbusby@smeebusby.com

Email

SG, 07/26/2023


 Property Owner Signature

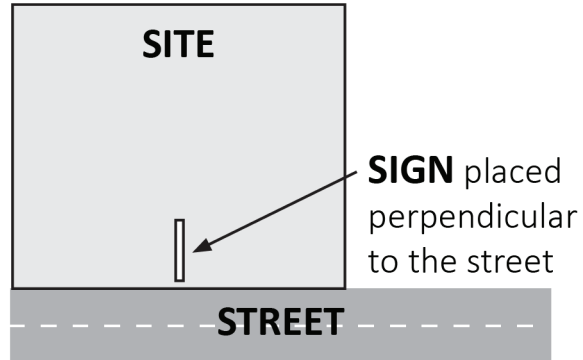
Please Print

Date Paid

Buzz Goss for Marble Alley Development LLC

~~24 Jul 23~~

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:

_____ 09/01/2023 _____ and _____ 09/15/2023 _____
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Smee + Busby Architects, P.C.

Date: 07/26/2023

File Number: 9-G-23-RZ

- Sign posted by Staff
- Sign posted by Applicant