

REZONING REPORT

▶ **FILE #:** 9-F-24-RZ

AGENDA ITEM #: 39

AGENDA DATE: 9/12/2024

▶ **APPLICANT:** **JOE E. PETRE**
OWNER(S): Knoxville TVA Employees Credit Union

TAX ID NUMBER: 94 P D 011,01101 [View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 525 PORTLAND ST (0 BOOTH ST)

▶ **LOCATION:** **North side of Brock Ave, east of side Booth St**

▶ **APPX. SIZE OF TRACT:** **3.22 acres**

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access via Brook Avenue, a local street with a pavement width that varies between 18 ft to 21 ft within a 37 ft right-of-way. Access is also via a cul-de-sac at the northern terminus of Portland Street, a local street with varied pavement width and right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board
Sewer Source: Knoxville Utilities Board

FIRE DISTRICT: Knoxville Fire Department

WATERSHED: Third Creek

▶ **PRESENT ZONING:** **I-G (General Industrial)**

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

▶ **EXISTING LAND USE:** **Private Recreation, Office**

▶ EXTENSION OF ZONE: Yes, this would be an extension from across the street to the west and south sides.

HISTORY OF ZONING: In 1991, the parcels were rezoned from I-2 (Restricted Manufacturing & Warehousing) to O-1 (Office Medical & Related Services District).

SURROUNDING LAND USE AND ZONING:

North: Public parks (John Tarleton Park), public/quasi public land (UT Facilities Services) - INST (Institutional), I-G (General Industrial)

South: Single family residential, agriculture/forestry/vacant land - I-MU (Industrial Mixed-Use)

East: Single family residential, public/quasi public land (church) - I-G (General Industrial)

West: Single family residential, agriculture/forestry/vacant land, office, wholesale - I-MU (Industrial Mixed-Use)

NEIGHBORHOOD CONTEXT: The subject parcels are located in the Marble City neighborhood east of John Tarleton Park. The area has a mix of uses including residential, commercial, office, wholesale, public parks, industrial, and public/quasi public land.

STAFF RECOMMENDATION:

- ▶ **Approve the I-MU (Industrial Mixed-Use) district because it would be consistent with the sector plan and surrounding development.**

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, 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. There has been some recent developments in the vicinity including a new townhouse development and an under-construction multifamily housing southeast of the property. The I-MU district would be an extension of the district from across the street on the west and south sides.
2. The I-G zoning is not reflective of the subject property's current land use, which has been used as an office building for a financial institution for at least the last 10 years. The southern parcel accommodates a historic, two-storied brick building built in the 1930s for the former Perkins Elementary School. The I-MU district would be more appropriate for this property that intends to promote the reuse of older, character giving structures.

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 in the I-MU District, both above the ground floor in mixed-use developments, and in multi-family dwellings.
2. The area has a mix of uses including office, commercial, residential, and industrial, and the property meets the intent of the I-MU district.
3. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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 proposed downzoning is not expected to have any significant adverse impact on the surrounding area. Uses allowed by the I-MU district would be more compatible with the surrounding houses than what current the I-G district allows.

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 property has the MU-SD, MU-CC19 (Marble City Mixed Use Special District) land use classification as defined in the Center City Sector Plan and the One Year Plan, which does not support the current I-G district. The proposed amendment would eliminate the discrepancy between the zoning district and the land use classification.
2. Approval of the less intensive I-MU district is consistent with the General Plan's Development Policy 11.3 that discourages environmental nuisances including noxious industrial uses in the vicinity of residential development.

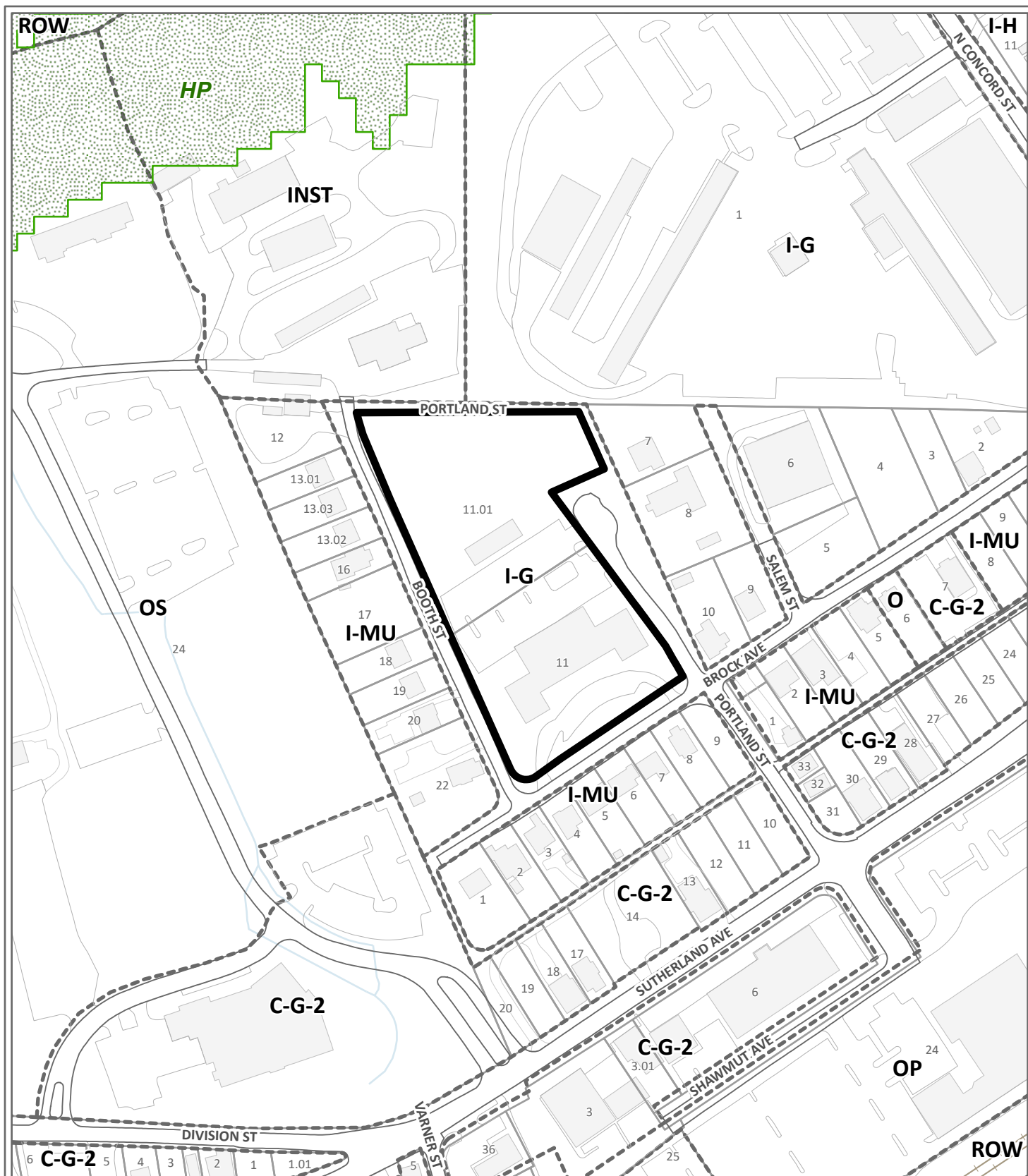
ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

1. This is an urbanized area with adequate utility infrastructure. The property has nearby sidewalk connections to transit route along Sutherland Avenue which now has a higher frequency service (15-minute).
2. If a residential development were pursued, it would be supported by the property's proximity to UT, Tennessee College of Applied Technology, Elevate School, and many nearby parks.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 10/1/2024 and 10/15/2024. 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-F-24-RZ

Petitioner: Joe E. Petre



From: I-G (General Industrial)

To: I-MU (Industrial Mixed-Use)

Map No: 94

Jurisdiction: City

Original Print Date: 8/8/2024

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

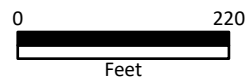
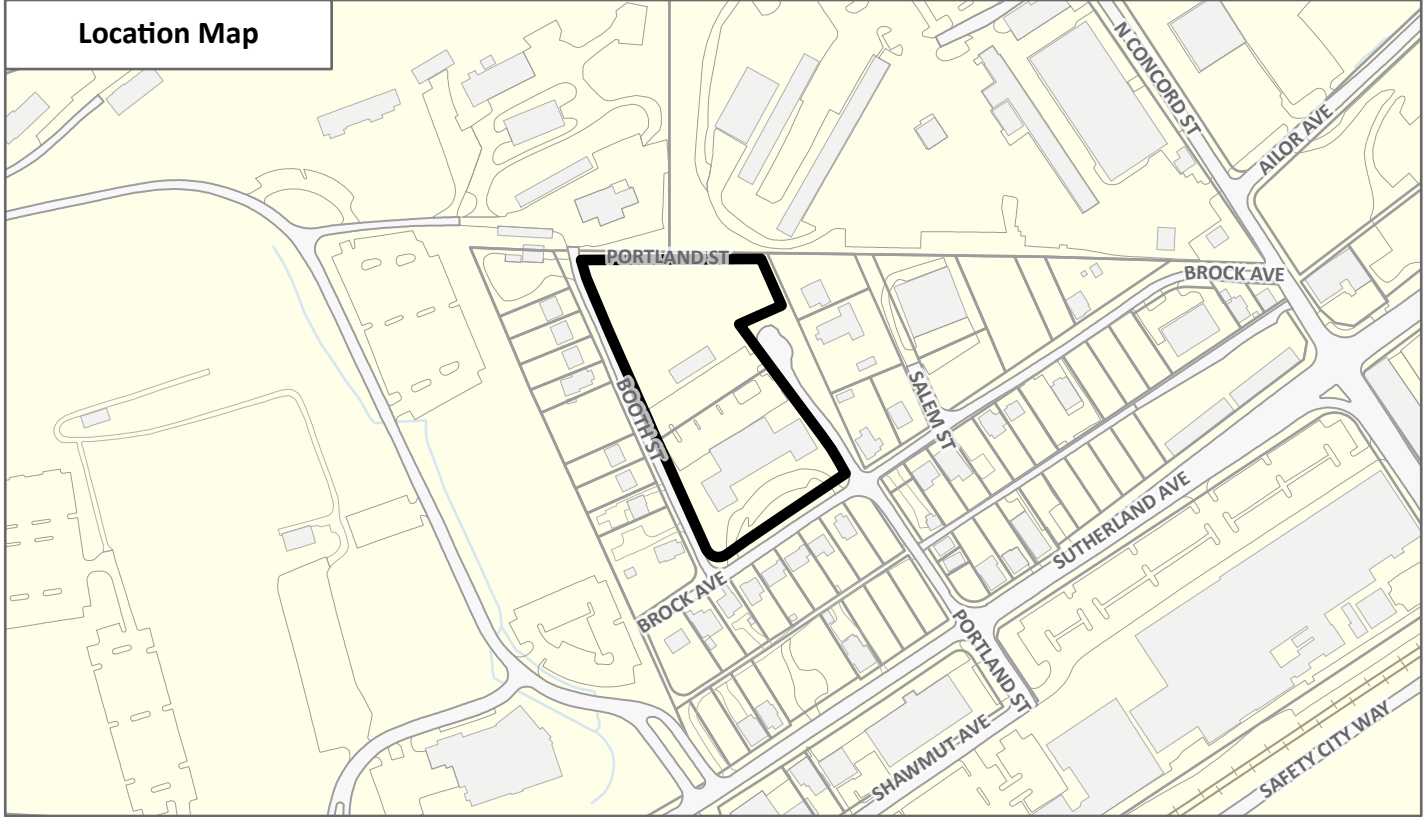
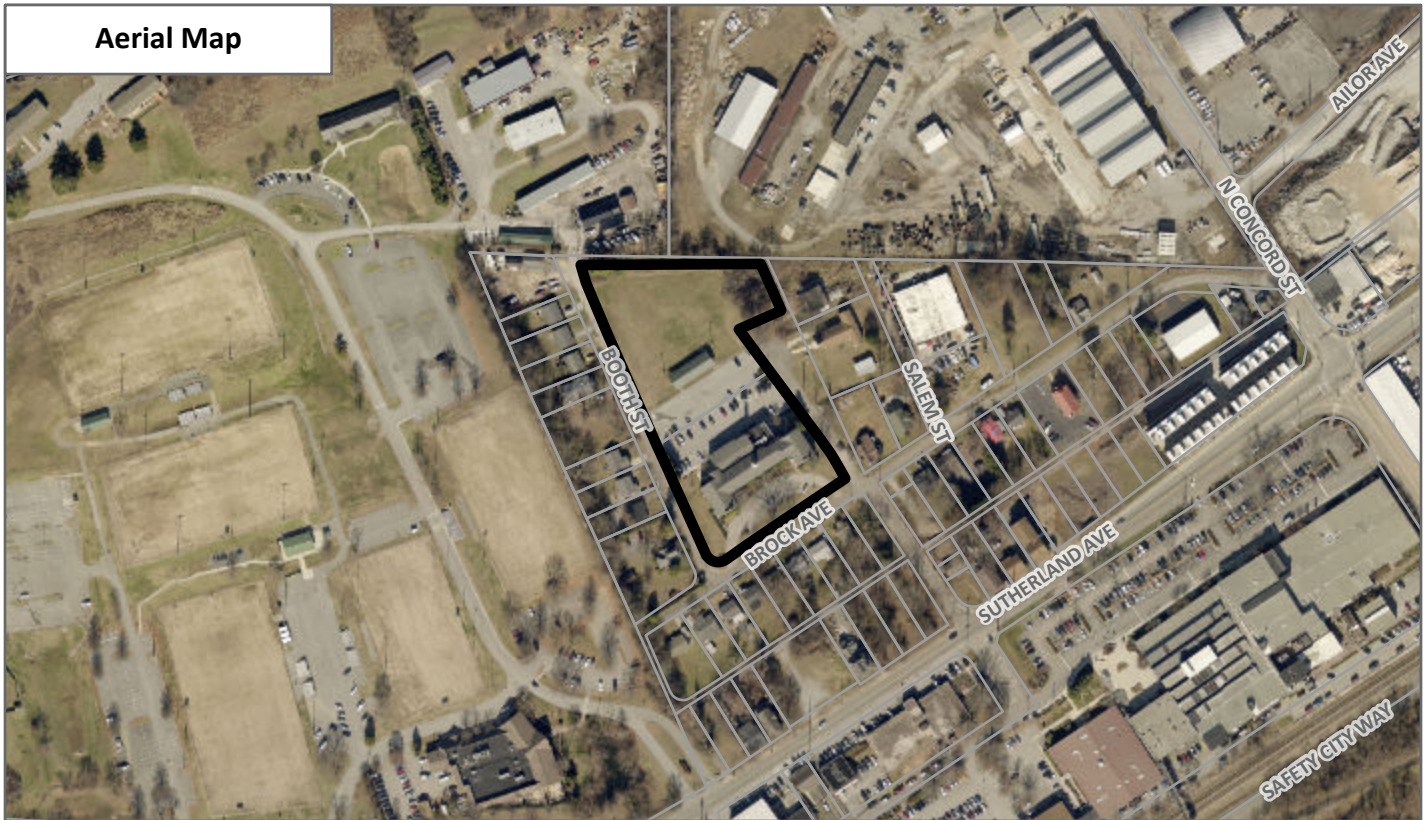


Exhibit A. Contextual Images

Location Map



Aerial Map

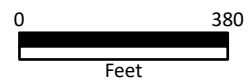


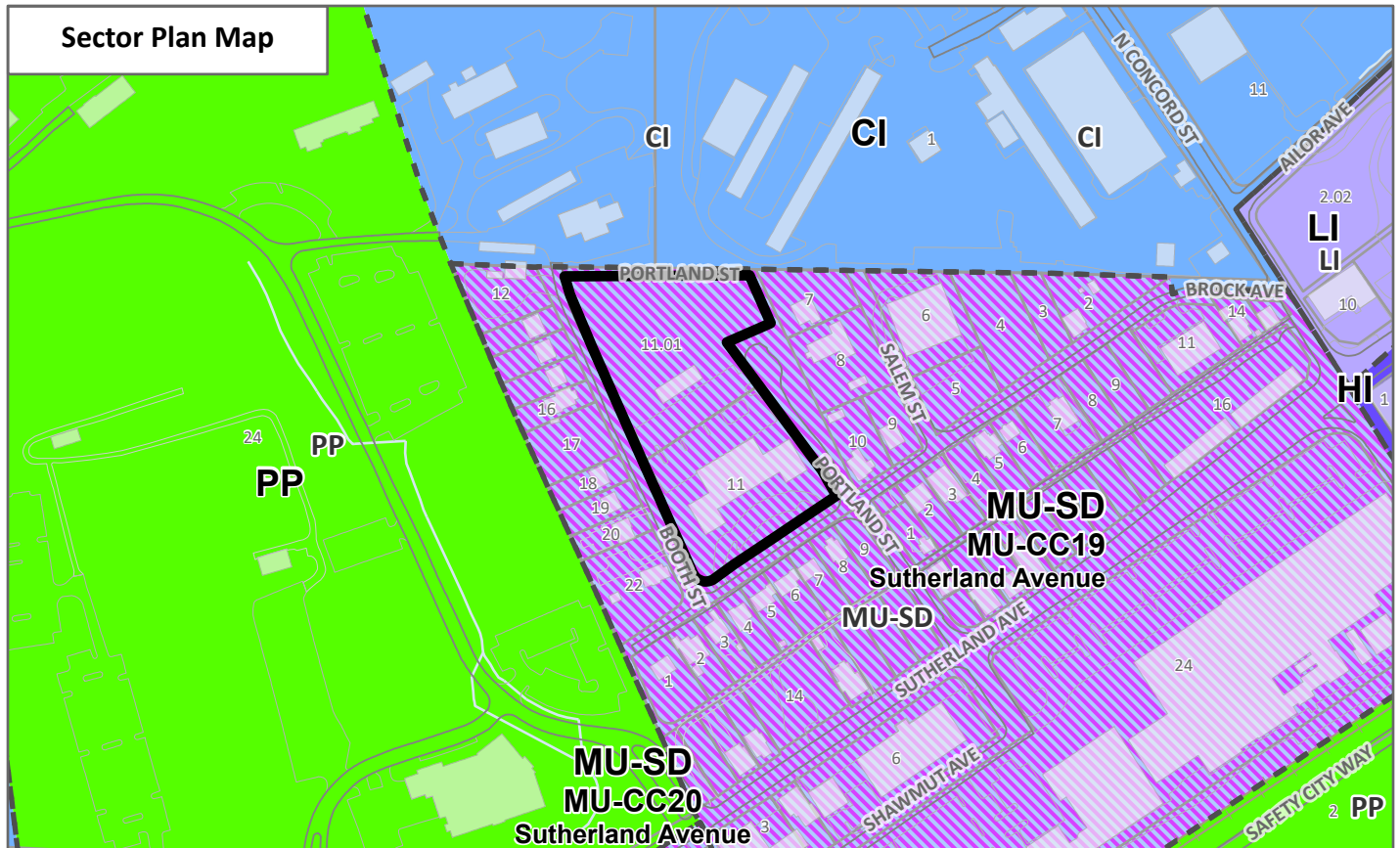
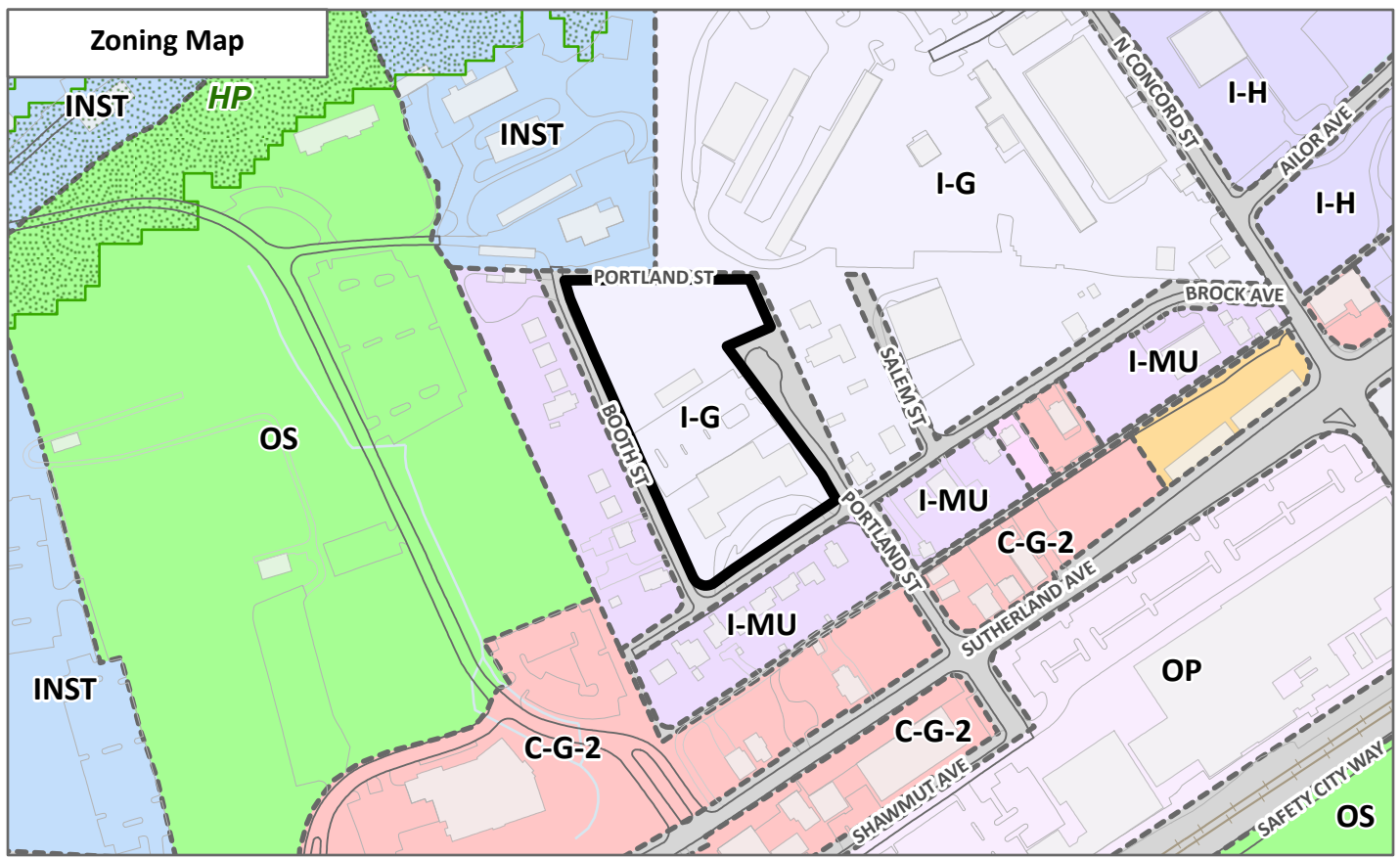
CONTEXTUAL MAPS 1

9-F-24-RZ



Case boundary





CONTEXTUAL MAPS 2 9-F-24-RZ

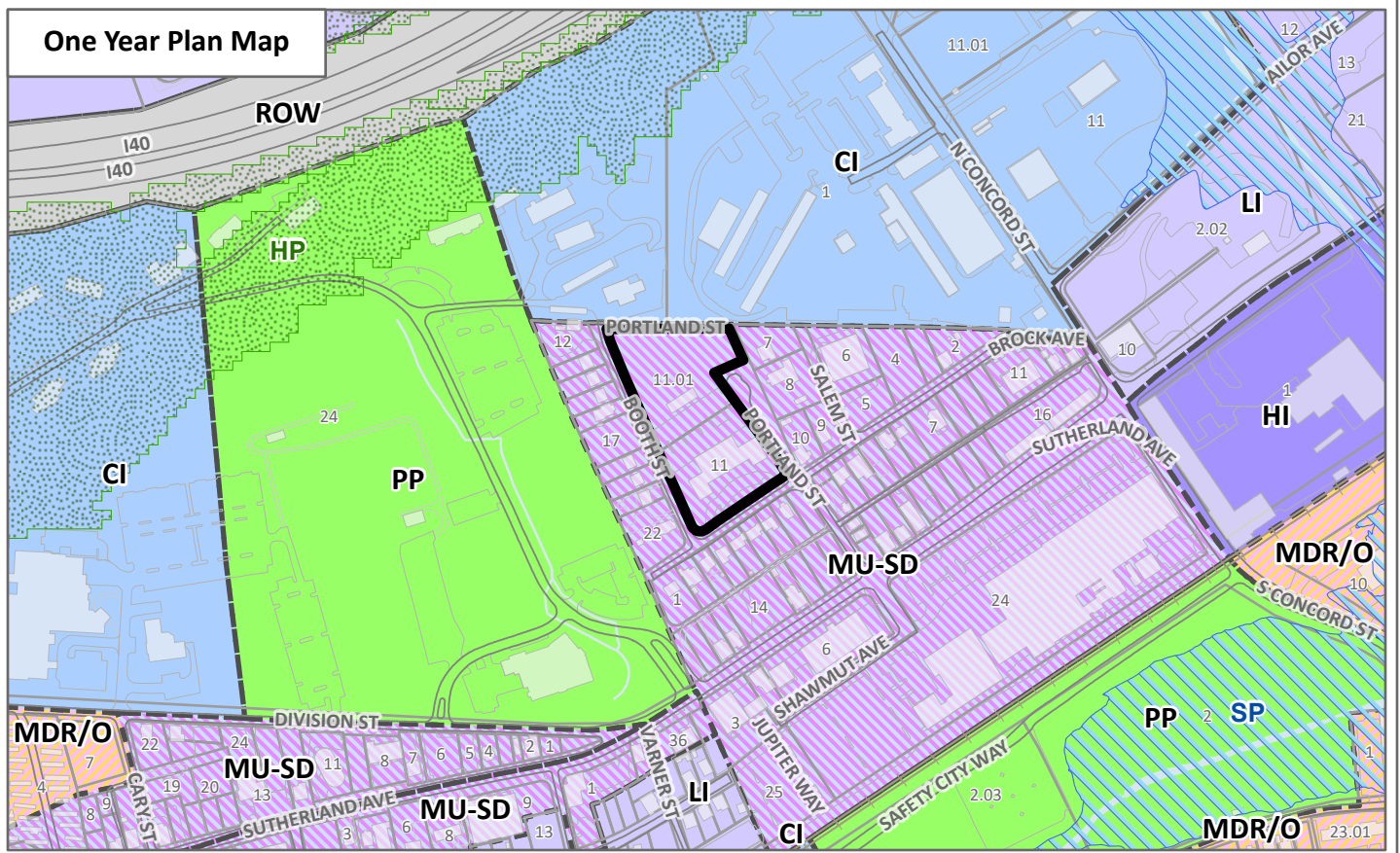
Case boundary

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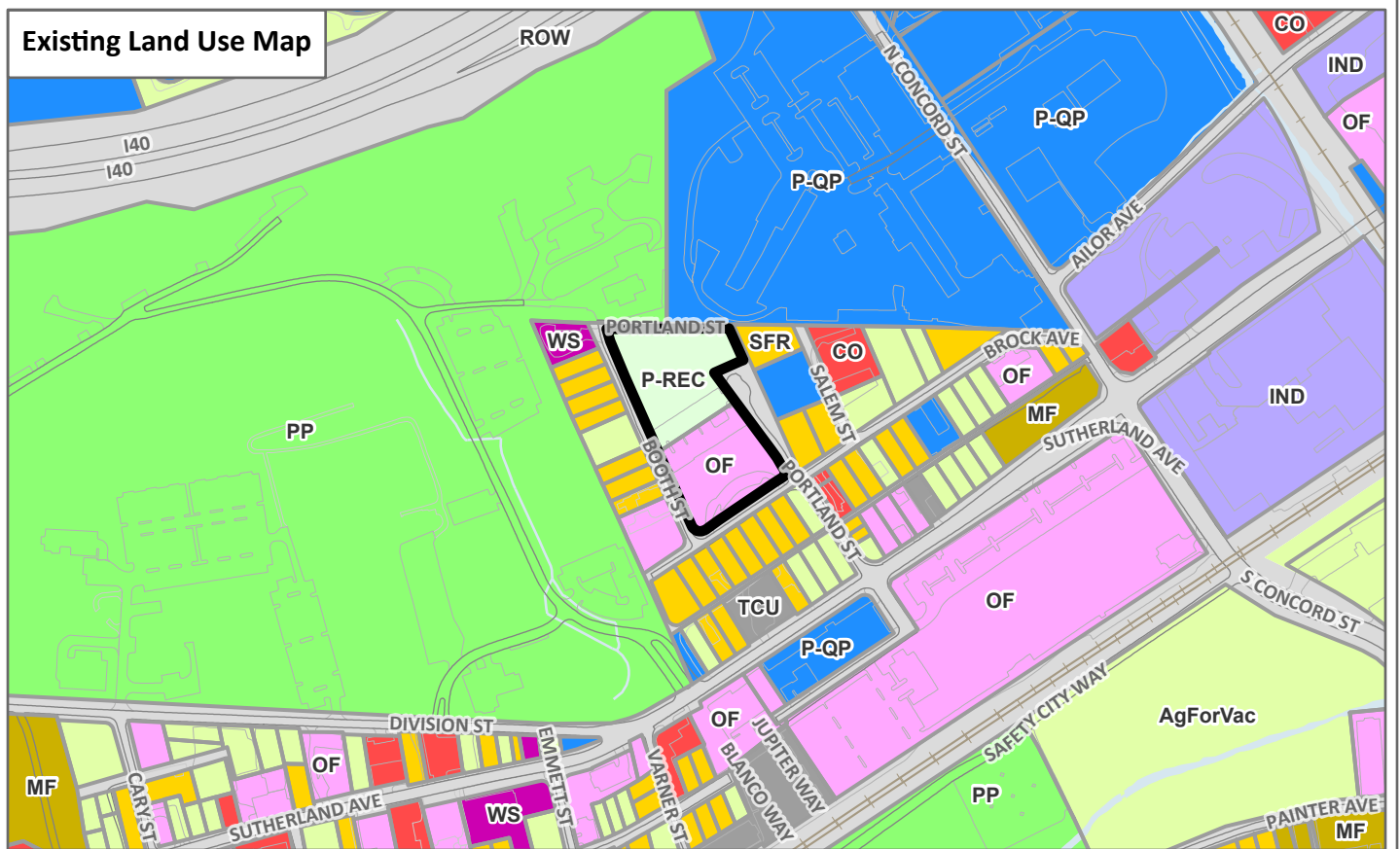
Feet

N

One Year Plan Map



Existing Land Use Map

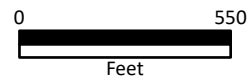


CONTEXTUAL MAPS 3

9-F-24-RZ



Case boundary





Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Rezoning
- Plan Amendment
- Sector Plan
- City OYP / County Comp Plan

Joe E. Petre

Applicant Name

Affiliation

7/18/2024

Date Filed

9/12/2024

Meeting Date (if applicable)

9-F-24-RZ

File Number(s)

CORRESPONDENCE

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

Joe Petre Lawler-Wood, LLC

Name / Company

900 S. Gay St. St. Suite 1600 Knoxville TN 37902

Address

865-599-1696 / jpetre@lawlerwood.com

Phone / Email

CURRENT PROPERTY INFO

Knoxville TVA Employees Credit Union

Owner Name (if different)

1409 Centerpoint Blvd Knoxville TN 37932

Owner Address

865-544-5463

Owner Phone / Email

525 PORTLAND ST / 0 BOOTH ST

Property Address

94 P D 011,01101

Parcel ID

Part of Parcel (Y/N)?

3.22 acres

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

COMMUNITY ENGAGEMENT

*Sign and return the **Public Notice and Community Engagement** form with this application.*

*Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). **We require applicants to acknowledge their role in this process.***

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 _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change I-MU (Industrial Mixed-Use)	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment Proposed Plan Designation(s)	

Proposed Density (units/acre) Previous Rezoning Requests

Additional Information _____

STAFF USE ONLY

PLAT TYPE

Staff Review Planning Commission

ATTACHMENTS

Property Owners / Option Holders Variance Request
 Amendment Request (Comprehensive Plan)

ADDITIONAL REQUIREMENTS

Use on Review / Special Use (Concept Plan)
 Traffic Impact Study
 COA Checklist (Hillside Protection)

Fee 1	Total
\$1,000.00	
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	Joe E. Petre Please Print	7/18/2024 Date
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Phone / Email

Property Owner Signature	Knoxville TVA Employees Credit Union Please Print	7/18/2024 Date
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Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - SP
 - PA
- Rezoning

Joe E. Petre

Applicant Name

Affiliation

7/18/2024

9/12/2024

File Number(s)

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

Joe E. Petre

Lawler-Wood, LLC

Name

Company

900 S. Gay St, Suite 1600

Knoxville

TN

37902

Address

City

State

ZIP

865-599-1696

jpetre@lawlerwood.com

Phone

Email

CURRENT PROPERTY INFO

Knoxville TVA Employees Credit Union

1409 Centerpoint Blvd, Knoxville, TN 37932

865-544-5463

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

525 Portland Street & 0 Booth Street

094PD011 & 094PD011.01

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

City County

District

Zoning District

Existing Land Use

Planning Sector

Land Use / Place Type
CITY COUNTY

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

To I-MU from I-G

Proposed Zoning

Plan Amendment Change

Proposed Plan Designation(s)

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
 Amendment Request (*Comprehensive Plan*)

ADDITIONAL REQUIREMENTS

- Use on Review / Special Use (*Concept Plan*)
 Traffic Impact Study
 COA Checklist (*Hillside Protection*)

Fee 1	Total
Fee 2	
Fee 3	

AUTHORIZATION

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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

Joe E. Petre

7/15/24

Please Print

Date

865-599-1696

jpetre@lawlerwood.com

Phone Number

Email

Knoxville TVA Employees Credit Union

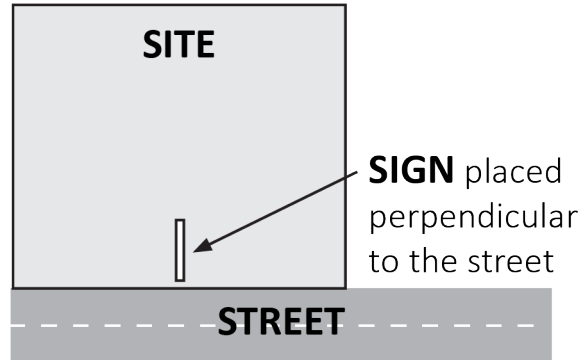
By: 
Property Owner Signature

Rebecca E. Kollenberg

Please Print

Date Paid

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