

The South Waterfront Advisory & Advocacy Group has reviewed the recent resubmission of the project proposed for the Kerbela site. This is perhaps the most important site in the South Waterfront and certainly the most prominent. We had hoped to support a revised proposal, but for the reasons stated below we must ask you to deny this application.

Planning Commission postponed the project in your May meeting to allow for further revisions based on communication with community stakeholders. The new submission (dated 5/26/26) was offered for ARC review without any follow up communication with the SWAAG or, to our knowledge, any other community organizations.

The ARC report suggests that CRE has addressed our concerns. As we wrote in comments to them, this is not the case. Although the revised plan has a few minor positive changes, the major issues identified by SWAAG and discussed at the May Planning Commission meeting were either not addressed or dismissed.

You are charged with ensuring this application meets the intent of the South Waterfront code and Vision Plan - the creation of a mixed-use, human-scaled, gridded, urban form (rather than suburban super-blocks) that supports an engaging pedestrian experience and integrates into the connective tissue of the community. The City should have made that intent clear to CRE in their pre-submittal conversations about this site. In addition, the ARC report to you details where the proposal doesn't meet the strict letter of the code. It lists the revisions to the plan. What it omits is an assessment of how this proposal fails to meet the INTENT of the code.

The revised design still contains seven large deviations from the code, as listed by the ARC. If this had been a regular Level II review, there is no way BZA and/or Council would have approved those variances. In order to benefit from a Level III review that does not require those variances, a proposal must clearly and convincingly show that it meets the intent of the code. This proposal fails to meet that standard. We focus our comments on elements that most impact non-compliance – integration into the community, urban form, pedestrian friendliness, and mixed use.

Integration into the community. The current proposal isolates itself from the community rather than integrates itself into the community. The code's prohibition of gated communities is to prevent this kind of development. "Private developments such as 'gated communities' are prohibited in the Knoxville South Waterfront. They inhibit access to public spaces and create physical and social enclaves" (City of Knoxville Zoning Code 7.1.4.A.2). The proposed development may not technically be a gated community, but it functions as one. One side (Dawson) presents nothing but blank walls to the street, the front (Mimosa) is set far back from

the street behind a surface parking lot and presents approximately 40% blank wall. CRE HAS included a public path along the bluff at the north side of the development – separated from the development by a fence. There’s no way for the community to interact with this development.

Urban form. The code clearly intends for the South Waterfront to be developed with a gridded, urban form. That is the reason it prohibits lot sizes above 3 acres and block sizes above 1400’. This lot is 6 acres with a perimeter approaching 3000’. It’s a superblock. Meeting the intent of the code in such a case requires pedestrian access through (not around) the development. This is why One Riverwalk has a public plaza between its two buildings. It’s a concept that has long been understood in urban settings. For example, in the early 70s TVA created two towers with a plaza open to the public between them, not one giant building on their superblock.

The ARC report states CRE has evaluated a north south path through the development. The “evaluation” consists of the assertion by CRE that a north-south public access through the site is “not a practical or architectural solution.” They then offer up the east-west path along the top of the bluff as public access through the site – without noting that path will be separated from the development by a fence.

CRE’s contention that site constraints prevent the creation of north south public access appears to use the slope calculation from Mimosa to Sevier. But SWAAG has never asked for construction of a new access from Sevier to the top of the bluff – the “ghost” stairs provide that access. We have been clear about asking for pedestrian access through the site from Mimosa to the proposed public path. In fact, a north south path from Mimosa to that path would face less of a challenge based on slope than the proposed east west path coming up from Dawson.

CRE’s contention that a north south path is not practical is belied both by history and by the plan itself. Previous structures with less technology have navigated this site. Most of the “ghost stairs” originally led to houses. Additionally, the westernmost staircase was public access and led to Sherrod Road, which originally extended from Mimosa north toward the top of the bluff. Council closed this public access in 1993 for the expansion of the Kerbela parking lot.

Historic Public
Right-of-Way

Sherrod Rd

Historic Single
Family Homes



1959 Aerial View

Driveways



Also, CRE's renderings for the site make it clear that they propose resident access where a public north south path would be located. Yellow on the diagram below is where a north south pedestrian connection would go. CRE proposes to use this area for a private plaza. If access is practical for residents, it's practical for the public.



We have previously suggested several alternatives for creating north south access through the development. Competent urban designers could probably come up with others. **The north south access is something that CRE elects not to do, not something that they are unable to do.** But providing that access is critical to satisfying the intent of the code.

Pedestrian friendliness. The comments about urban form also apply to pedestrian friendliness. An additional concern is blank walls at ground level. Nothing is less friendly to a pedestrian than a blank wall, except perhaps a surface parking lot. We reiterate our concern that the Dawson Street side of this development is nothing but blank wall. Again, we have previously offered suggestions for addressing this problem.

Mixed Use. The recommendation to design the ground floor to accommodate future retail as was done at One Riverwalk is not incorporated into this resubmission. We must plan for the future and create building stock that accommodates the highest and best use of our urban sites even if the current market cannot support a retail use at this time. Taller ceiling and exterior ADA access to multiple locations on the ground floor should be provided at a minimum.

We support South Waterfront development, including of this site. But we insist it be done well; i.e. in keeping with the spirit and intent of the code. What happens on this very prominent site may well set a precedent for future development in the waterfront.

Therefore, because of the lack of further communication with the community and the refusal to adapt the building design in any way to make it compatible with the urban context required by the SW form-based code, we reluctantly ask you to deny approval of this application.

This proposal does not have the best interest of this community at heart and CRE's "product" appears to be incompatible with the intent of our adopted plan and code. The right developer with the right project will be able to develop this site in a way that integrates into and enhances the community for its customers and the public.

We are appending our comments from May for reference.

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Rachel Craig, Island Home Park resident, former Planning Commissioner, member of the South Waterfront Oversight Committee 2005-2007

Debbie Mallard, CityView resident, Southside Waterfront Neighborhood Association President, current representative to the South Knoxville Neighborhood and Business Coalition (SKNBC)

Tommy Smith, Island Home Park resident and former First District City Council Member

Susanne Tarovella, Old Sevier resident, architect and business owner, Chair of the Design Review Board

Janice Tocher, South Woodlawn resident, former Planning Commissioner, business owner, Co-Chair SKNBC

MAY SWAAG Comments to PC

As members of the south Knoxville community and the South Waterfront Advisory and Advocacy Group (SWAAG) we request that you postpone this item to allow the community more time to work with the developers on community concerns.

The South Waterfront form-based zoning code and associated Vision Plan (VP) are the results of a collaboration between the City and the community. This robust public process included the work of the South Waterfront Oversight Committee, which comprised members from the community, business, south waterfront land owners, academia, and other stakeholders.

It's important to the community that the design priorities defined by the code and VP are upheld on all projects but especially on sites as prominent as this one. This may be the single most important site in the South Waterfront. A project of this size in such an important location serves as precedent for the future development of other nearby sites, and it serves as infrastructure for the use of the site over the next generation. It is important to build not only for what we see today, but also the community we want for the future.

The developers, CR-Endeavors, have shown willingness to work with the community. They conducted two well-attended open houses. Following those meetings, SWAAG and the developers, along with representatives from the City of Knoxville, attended a working meeting to address concerns raised.

After that meeting, the developers submitted a revised proposal, which is the one you are asked to approve. We acknowledge and are grateful to CR-Endeavors for incorporating changes in response to some of our concerns, particularly with respect to massing. But substantial items have still not been addressed.

In addition, the City report on this project includes the statement that "The development team has also committed to enhancing public access and connectivity, including a pedestrian linkage to Kern's Food Hall." While we would welcome such connectivity, it will require commitment from and coordination with the City. It is not included in the present proposal, and there is no guarantee it will be built. Therefore, it should not be considered in your review of this application.

This proposal deviates from the South Waterfront form-based code in multiple large ways. That is the reason that it is before you for a Level III Alternative Compliance review. Level III projects, while not required to conform with a strict interpretation of the code, are still expected to "comply with the intent of the applicable Form District and Plan" (Knoxville Zoning code 7.0.2.G.1). The plan referred to here is the South Waterfront Vision Plan.

Further, the South Waterfront zoning ordinance, in listing criteria the Planning Commission is to use to evaluate the plan (Knoxville Zoning Ordinance 7.0.2.G.8), begins with “consistency with the applicable adopted plan;” i.e., the Vision Plan.

The main objectives of the Vision Plan, as embodied in the code, are a mixed-use, human-scaled, gridded, urban form rather than suburban super-blocks, pedestrian friendliness, and being part of the connective tissue of the community. The proposal before you fails to achieve those objectives. We have identified three priorities that need to be addressed, as well as some suggestions for moving closer to those goals.

Priority 1: Create navigability to and through the site for the public. This is implicit in many of the requirements of the form-based code and aligns with the guiding principles of the Vision Plan.

The existing Kerbela site is almost twice the size allowed by code. This is an existing condition and is not the fault of the seller or the developer; however, we expect appropriate provisions to be incorporated into the design of the almost 6-acre site that meet the spirit of the code and VP. That means creating public access through the site consistent with the code requirement for block sizes of no more than 1400'. The lot size and block size requirements are intended to implement the VP objective of a human-scale, gridded urban plan. What is proposed here is a superblock instead. That is not pedestrian friendly and it isolates itself from the community rather than integrating itself into the community.

In contrast, look at One Riverwalk across Blount Avenue from this proposed project. It meets the intent of the code. It fits into the urban grid by providing a public plaza between its two buildings, allowing pedestrian traffic between Blount Avenue and the Riverwalk. Although outside the South Waterfront, One Tree Pass at Summit Hill and Gay is also a model of this kind of development. It creates an engaging urban pedestrian experience by including a pedestrian connection through the development between W. Vine Ave. and W. Summit Hill Dr.

Proposed Solution: Allow public access to and through the site from the proposed public east-west walking path along the bluff above Sevier Avenue to the proposed plaza (from the western edge of the private pool area to the far west end of the building where the currently proposed "public plaza" is indicated). This would expand public access to views and gathering areas.

Also allow public access through the one-story lobby area. Consider fully separating each apartment volume and incorporating an exterior public access pedestrian path between the buildings. Alternatively, consider dividing the enclosed, conditioned space within the lobby area so that a public access indoor pedestrian street, atrium, arcade, or galleria is created between the buildings. In any case, provide a welcoming and engaging pedestrian connection from Sevier Avenue via the “ghost stairs” to the public path to Mimosa Avenue through the Kerbela site.

Priority 2: Create a safe, engaging urban pedestrian experience.

The code implements the VP objectives of pedestrian friendliness by requiring small setbacks from the street, sidewalks, 70% transparency on the ground floor, and surface parking lots to the side or rear of the building. This proposal has a very large setback from Sevier Avenue, which is understandable given the topography. But it also has a very large setback from Mimosa, where the building entrance is located. It includes a surface lot between the building and Mimosa, and lacks enough transparency at ground level, with too many blank walls, as is noted in the City report. This is particularly problematic along Dawson Street.

The South Waterfront was intended to be mixed-use. We would like to see that mixed use implemented like something like ground floor commercial that engages with pedestrians. We understand that traditional ground floor commercial space may not be economically viable for this location at this time; however, it is important to the community to create infrastructure that supports growth in the future while keeping our streetscapes safe and engaging for the average pedestrian. We have significant concerns that the corners of Dawson and Sevier and Dawson and Mimosa will be dark, uninspired, and potentially unsafe pedestrian corridors if they are allowed to only include faceless garage facades without better lit and more engaging uses.

Proposed Solution: At these corners and along Dawson, create a combination of small-scale ground floor retail (coffee shop, pharmacy, etc.), apartment-support program (bike shop, tool rental, etc.) well-lit landscaped areas and/or art installations, mini-plazas for use by the public, or other public amenities. This could also help facilitate future development of the land between Sevier and Council Place. As an example, consider the slender, small commercial on the side of the Market Square Parking Garage at the corner of Walnut and Union. That enlivens that corner in a way that a few more parking spaces and a blank wall couldn't accomplish.

Also, consider making landscape nodes along the proposed public pedestrian trail along the top of the bluff that provide room for pop-up market tents, food vendor carts, etc.

In any case, provide ceiling heights, ADA entrances, and facade glass on all ground floor facades such that they are compatible with future commercial use.

Priority 3: Traffic management. It is our understanding that a traffic study would be required by any development proposing to introduce 200+ new residential units on a single site. Given that the proposed main entrance is off of Mimosa, which has a direct connection with a major thoroughfare (Chapman Hwy) and that other access points of the site abut a single family residential neighborhood and a popular church with parking capacity issues, the traffic study will be an essential component to inform how to manage cars on and near this site.

As a final point, the proposal fails to contain a cross-section for Dawson Street. The code specifies that Dawson Street should have the same cross-section as Mimosa.

We appreciate the work that has been done to revise the project to date, and we look forward to seeing future revisions that meet the intent of the code and VP. We intend to support this development when it becomes clear that the design is integrated with the community rather than isolating itself from its community.

Once again, we ask you for a postponement so that we can continue to work with CR-Endeavors on a plan that aligns with the objectives of the Vision Plan and the intent of the form-based code.