

CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



File Number: 5-C-21-SU **Related File Number:**
Application Filed: 3/29/2021 **Date of Revision:**
Applicant: JOHN L. SANDERS, FAIA

PROPERTY INFORMATION

General Location: At the intersection of Deaderick Ave. & Carrick St. in the Mechanicsville Historic District
Other Parcel Info.:
Tax ID Number: 94 K E 001 **Jurisdiction:** City
Size of Tract: 698 square feet
Accessibility: There are no vehicular access points onto this property, as the building comprises the entire lot. The property has frontage along Deaderick Avenue, a local road with a 27-ft pavement width inside a 34-ft right-of-way, and Carrick Street, a local road with a 26-ft pavement width inside a 44-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residential dwellings
Surrounding Land Use:
Proposed Use: Neighborhood Non-residential Reuse **Density:**
Sector Plan: Central City **Sector Plan Designation:** TDR (Traditional Neighborhood Residential)
Growth Policy Plan: N/A
Neighborhood Context: This property is located at the southeastern end of the Mechanicsville Historic District. It is a transitional property between a node of commercial, office, and multifamily uses along Carrick Street to the southeast and the single family dwellings to the north and west.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 248 Deaderick Ave.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-2 (Single-Family Residential Neighborhood) / H (Historic Overlay)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Property was rezoned from R-2 (General Residential) to R-1A (Low Density Residential) as part of a general rezoning for the overall neighborhood (Case 8-B-85-RZ) and the Mechanicsville Historic Overlay District was adopted in 1991 (Case 8-S-91-RZ).

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Michelle Portier

Staff Recomm. (Abbr.): Approve the request for a non-residential reuse at this location, subject to 2 conditions.

Staff Recomm. (Full): 1. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the City of Knoxville Department of Engineering.

With the conditions noted, this plan meets the requirements for approval of a non-residential reuse and the other criteria for approval of a use on review.

Comments: This is a request for a non-residential reuse of a structure in the RN-2 (Single Family Residential) Zoning District. It is on the National Historic Register and is in the Mechanicsville Historic Zoning Overlay District. The structure was built circa 1902. It is a 720 square foot commercial building constructed of red brick and affectionally nicknamed "The Wedge" due to its iconic triangular shape. The building has three levels in the interior, but only two stories are visible from the outside (see photos submitted with application).

As a previously existing commercial structure, it meets the City's Zoning Ordinance definition of neighborhood non-residential reuse, defined as, "A nonresidential use, subject to special approval, within a residential neighborhood that is nonresidential in its original construction and/or use." Special use approval will allow the applicant to renovate the structure so it can be more of an asset to the community and become productive once again.

The applicant has stated he is considering any of the following uses:

- 1. Art gallery
- 2. Art and fitness studio
- 3. Office
- 4. Personal service establishment
- 5. Eating and drinking establishment
- 6. Retail goods establishment

The size of the building will self-regulate the types of businesses that could effectively locate here. There is no on-site parking, but there is street parking available along Deaderick Avenue, Carrick Street, and Hannah Avenue.

STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2)

The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the One Year Plan, and by the following general standards:

- 1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.
A. The TDR (Traditional Neighborhood Residential) land use classification of the Central City Sector Plan and the City's One Year Plan supports the RN-2 (Single Family Residential Neighborhood) Zoning District, which allows non-residential reuse of a commercial structure as a special use. The TDR land use class does not prohibit commercial uses.
- 2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.

A. The City of Knoxville Zoning Ordinance describes the R-2 Single Family Residential Zoning District as intended to provide for a range of general industrial uses that may produce limited outside impacts, rendering them incompatible with retail, service, or residential uses. Such uses include limited manufacturing, fabricating, processing, wholesale distributing, and warehousing facilities that do not require frequent visits from customers or clients.

B. Despite the above description, the zoning ordinance allows consideration of non-residential reuse as a special use within the RN-2 zoning district. The proposal is in compliance with the criteria for neighborhood nonresidential reuse per section 9.3.V of the City's Zoning Ordinance:

Once approval of a neighborhood non-residential reuse is granted, the structure may be reused for any of the uses in item 2 below. Any change of an approved use to another use allowed within item 2 requires a new special use approval.

1. Neighborhood nonresidential reuse establishments are only allowed within existing structures that are nonresidential in their construction and/or use as of the effective date of this Code.

2. The following nonresidential uses are permitted within a neighborhood commercial establishment:

- a. Art gallery;
- b. Art and fitness studio;
- c. Office;
- d. Personal service establishment;
- e. Eating and drinking establishment; live entertainment—secondary use prohibited;
- f. Retail goods establishment;
- g. Social service center.

3. No off-street parking is required. However, any off-street parking currently provided must be maintained.

4. Drive-through facilities are prohibited.

5. Outside storage or display is prohibited. All business, servicing, processing, and storage uses must be located within the structure.

C. The applicant's stated desired uses were taken directly from the list in number 2 above and are therefore in compliance with the zoning ordinance.

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 applicant's stated desired uses are of a nature that would be complementary to the neighborhood and would be likely to draw clientele directly from the surrounding neighborhood.

B. The building was built circa 1902, which is similar to construction dates of the surrounding historic houses. Emerald Academy (1918) is across the street and is of a similar style with similar materials. "The Wedge" building is interwoven into the fabric of the neighborhood as the timeframe and construction styles of surrounding houses, the school, and this building are complementary to each other.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.

A. The size of the establishment and the types of uses permitted by the neighborhood-non-residential reuse provision will limit the types of uses to those that would be unlikely to cause these types of adverse impacts.

B. Both the site plans and the business itself would be required to comply with the Article 10 of the City of Knoxville Zoning Ordinance, which regulates the aforementioned impacts. Section 10.2 regulates lighting, while noise, dust and pollution, odors, fire hazards, and other similar concerns are regulated in Section 10.5.

5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

A. Due to the small size of the structure, it would be unlikely to draw substantial additional traffic through residential streets. It is located two blocks east of Western Avenue, a major arterial via Carrick Street, and two blocks east of College Street, a minor collector, via Deaderick Avenue.

B. Peak times of the business types listed by the applicant would have different peak times than Emerald Academy School, so it would not add significant traffic during school drop-off and pick-up times.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed uses within the development.

Action: Approved with Conditions

Meeting Date: 5/13/2021

Details of Action:

Summary of Action: Approve the request for a non-residential reuse at this location, subject to 2 conditions.

Date of Approval: 5/13/2021

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action:

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: