

**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
 PLAN AMENDMENT REPORT**

▶ **FILE #:** 7-B-14-SP (REVISED) **AGENDA ITEM #:** 33
 POSTPONEMENT(S): 7/10/14 **AGENDA DATE:** 8/14/2014
 ▶ **APPLICANT:** HAND PARTNERSHIP, L.P.
 OWNER(S): Hand Partnership, L.P.

TAX ID NUMBER: 81 G B 010-016, 01001
 JURISDICTION: Council District 5
 STREET ADDRESS: 250 Atlantic Ave
 ▶ **LOCATION:** South side Atlantic Ave., north side Radford Pl., west side Metler St.
 ▶ **APPX. SIZE OF TRACT:** 1.6 acres
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ACCESSIBILITY: Access is via Atlantic Ave., a major collector street with 25' of pavement width within 40' of right-of-way, Metler St., a local street with 21' of pavement width within 45' of right-of-way, or Radford Pl., a local street with 23' of pavement width within 40' of right-of-way.
 UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
 WATERSHED: Second Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** LDR (Low Density Residential) / R-2 (General Residential) / IH-1 (Infill Housing Overlay)
 ▶ **PROPOSED PLAN DESIGNATION:** LI (Light Industrial)
 ▶ **EXISTING LAND USE:** Two dwellings and vacant land
 ▶ **PROPOSED USE:** Business expansion
 EXTENSION OF PLAN DESIGNATION: Yes, extension of LI plan designation from the south and east
 HISTORY OF REQUESTS: None noted
 SURROUNDING LAND USE AND PLAN DESIGNATION: North: Atlantic Ave. - Houses / LDR
 South: Radford Pl. - Eagle Distributing facilities / LI
 East: Metler St. - House and warehouse / LDR, LI
 West: Houses / LDR
 NEIGHBORHOOD CONTEXT This section of Atlantic Ave. is primarily developed with residential uses under R-2 zoning. Several large light and general industrial uses are located to the south, zoned I-3 and I-4.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION #7-B-14-SP, amending the Central City Sector Plan to LI (Light Industrial) for a portion of the site and recommend that Knoxville City Council also adopt the sector plan amendment.**

(See attached resolution, Exhibit A.)

See attached 'MPC staff recommendation' map for recommended area for plan amendment. Light industrial uses are appropriate south of the alley. If light industrial uses extend north to Atlantic Ave., as requested, it would allow incompatible light industrial uses to be placed directly across the street from and adjacent to residential uses, interrupting the residential development pattern established along this section of Atlantic Ave. If the Planning Commission is inclined to recommend rezoning of the entire site, as requested, the LI plan designation would have to be approved for the entire site and staff would recommend I-1 zoning, rather than the requested I-3.

COMMENTS:

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No known improvements have been recently made to any of the access streets to the site, but they are adequate to serve a small expansion of light industrial uses. Public water and sewer utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current plan proposes LDR uses for the site, which is not consistent with the current R-2/IH-1 zoning in place. R-2 zoning allows multi-dwelling attached residential development, which constitutes MDR (Medium Density Residential) development. However, the residential development in the area appears to be primarily detached dwellings on individual lots, consistent with the current LDR designation. Since the alley is located to the rear of the residential properties on Atlantic Ave., it would be appropriate for the proposed light industrial uses to back up to the houses on the other side of the alley. The houses located along Atlantic Ave. are oriented toward Atlantic Ave., not the alley, so the recommended plan amendment would not result in incompatible uses facing each other. This is the same zoning and development pattern that is in place to the east on similar properties.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

With the established light industrial development pattern to the south and east, the recommended extension of LI uses is appropriate.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

No new information has become available to reveal the need for a plan amendment, but the recommended plan amendment is consistent with the future land use and zoning pattern to the east.

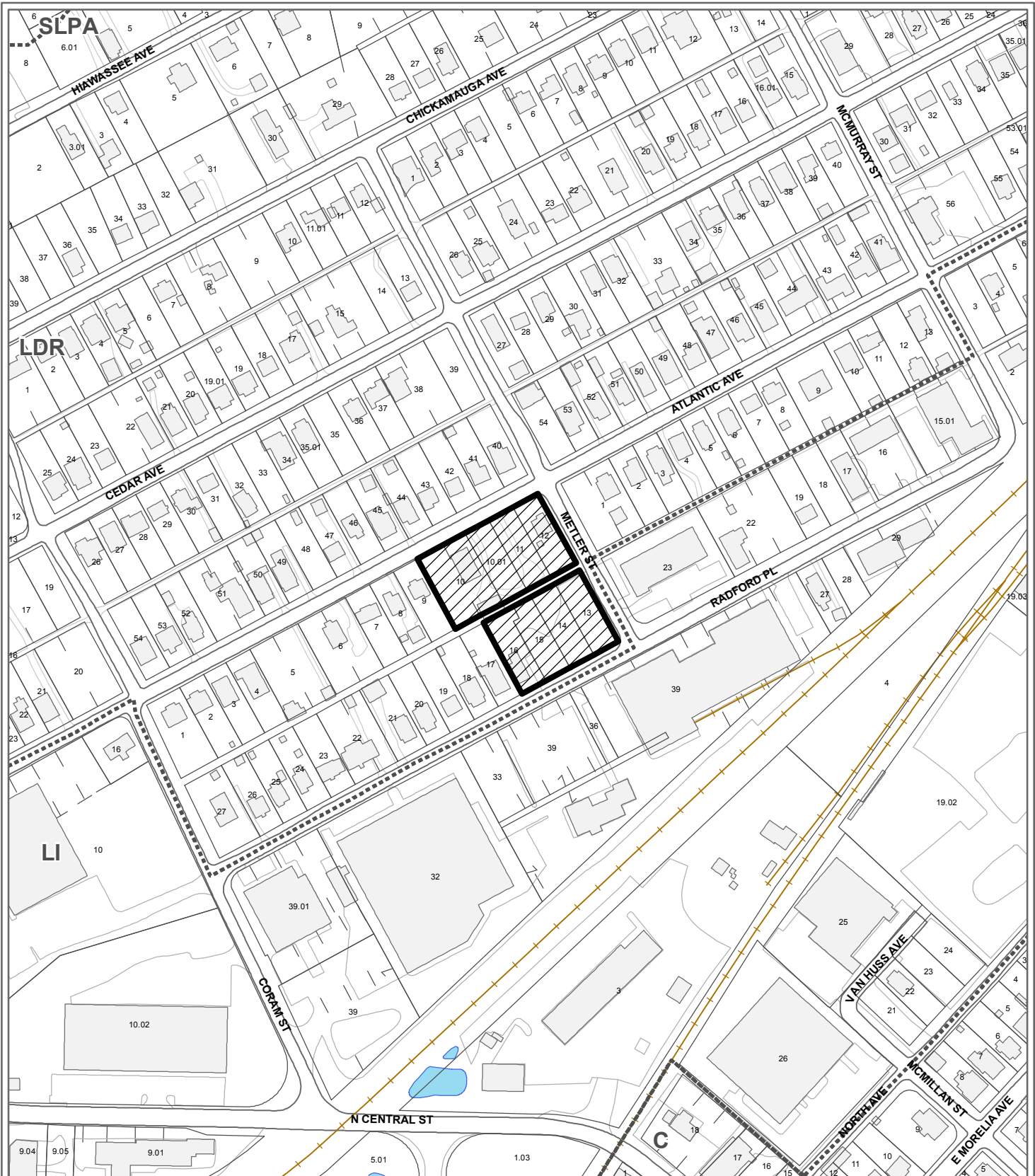
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 9/16/2014 and 9/30/2014. If denied, MPC'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 an MPC decision in the City.



**7-B-14-SP
CENTRAL CITY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)

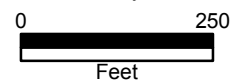
To: LI (Light Industrial)



Petitioner: Hand Partnership, L.P.

Map No: 81

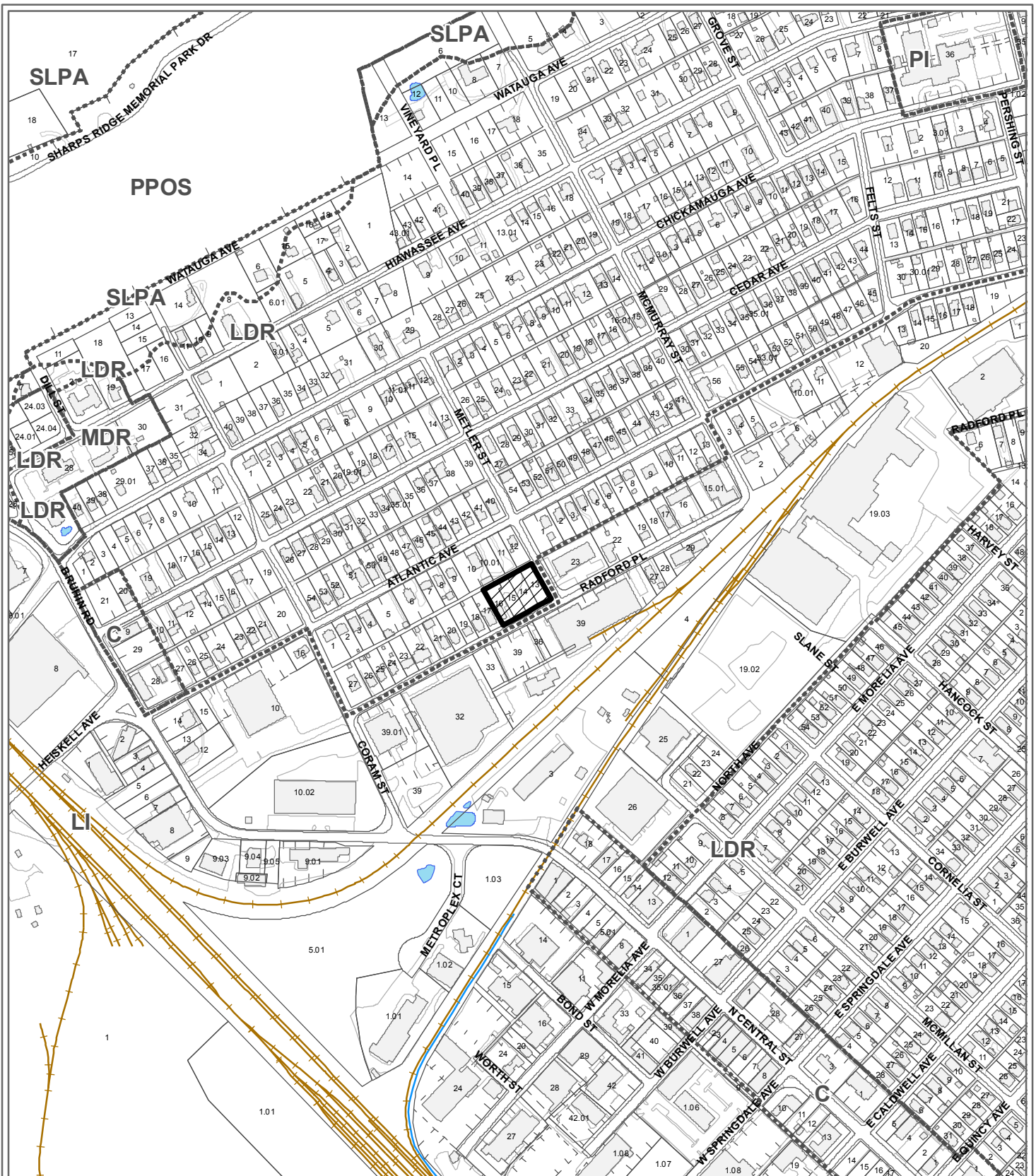
Jurisdiction: City



Original Print Date: 6/23/2014

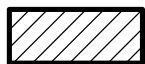
Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**7-B-14-SP - MPC STAFF RECOMMENDATION
CENTRAL CITY SECTOR PLAN AMENDMENT**

Petitioner: Hand Partnership, L.P.



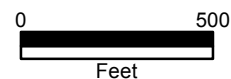
From: LDR (Low Density Residential)

To: LI (Light Industrial)

Map No: 81

Jurisdiction: City

Original Print Date: 8/5/2014 Revised: 8/5/2014
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE CENTRAL CITY SECTOR PLAN**

WHEREAS, the Knoxville-Knox County Metropolitan Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and

WHEREAS, the Metropolitan Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Metropolitan Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the Central City Sector Plan, consistent with the requirements of the General Plan; and

WHEREAS, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and

WHEREAS, Hand Partnership, L.P., has submitted an application to amend the Sector Plan from LDR (Low Density Residential) to LI (Light Industrial), for property described in the application; and

WHEREAS, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Central City Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and

WHEREAS, the Metropolitan Planning Commission, at its regularly scheduled public hearing on August 14, 2014, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.

NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the Central City Sector Plan, with its accompanying staff report and map, file #7-B-14-SP.

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that Knoxville City Council likewise consider this revised amendment to the General Plan 2033.

Date

Chairman

Secretary



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Fwd: 250 Atlantic Ave.

1 message

Michael Brusseau <mike.brusseau@knoxmpc.org>

Mon, Jun 30, 2014 at 3:02 PM

To: Buz Johnson <buz.johnson@knoxmpc.org>, Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>, Dan Kelly <dan.kelly@knoxmpc.org>, "Arthur Seymour, Jr." <ajseymour@fmsllp.com>, Mark Donaldson <mark.donaldson@knoxmpc.org>

Re: Item 24

----- Forwarded message -----

From: **Vickie Clabough** <Vickie.Clabough@knoxcounty.org>

Date: Mon, Jun 30, 2014 at 2:21 PM

Subject: re: 250 Atlantic Ave.

To: "mike.brusseau@knoxmpc.org" <mike.brusseau@knoxmpc.org>

I am writing in regards to this property. Rumor has it that the new owner wants it rezoned as Industrial. If I recall the lot behind it was never approved to be a parking lot. My mother (Doroth Kee) resides at 245 Atlantic Ave & I reside at 254 Cedar Ave. This is a concern of ours. We purchased a building a few years ago & had to go before codes to be allowed to put that building in place. At that time they had to tell us where we could set it. We was also informed that we live in a Historical Neighborhood.

I would like to think this was considered before anything was allowed to be done on this property. I feel at this point we have enough noise,dirt & traffic with Budweiser & Southern Foundry and don't need anymore. Our property value will also be affected.

Thank You,
Vickie Clabough

--

Michael A. Brusseau, AICP, Senior Planner
Knoxville-Knox County Metropolitan Planning Commission
City-County Building, Suite 403
400 Main St.
Knoxville, TN 37902
Phone: (865) 215-2500
Fax: (865) 215-2068
www.knoxmpc.org

**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
 PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 7-B-14-RZ **AGENDA ITEM #:** 33
 7-A-14-PA (REVISED) **AGENDA DATE:** 8/14/2014

POSTPONEMENT(S): 7/10/14

▶ **APPLICANT:** HAND PARTNERSHIP, L.P.
 OWNER(S): Hand Partnership, L.P.

TAX ID NUMBER: 81 G B 010-016, 01001

JURISDICTION: Council District 5

STREET ADDRESS: 250 Atlantic Ave

▶ **LOCATION:** South side Atlantic Ave., north side Radford Pl., west side Metler St.

▶ **TRACT INFORMATION:** 1.6 acres.

SECTOR PLAN: Central City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Atlantic Ave., a major collector street with 25' of pavement width within 40' of right-of-way, Metler St., a local street with 21' of pavement width within 45' of right-of-way, or Radford Pl., a local street with 23' of pavement width within 40' of right-of-way.

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

WATERSHED: Second Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / R-2 (General Residential) / IH-1 (Infill Housing Overlay)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** LI (Light Industrial) / I-3 (General Industrial)

▶ **EXISTING LAND USE:** Two dwellings and vacant land

▶ **PROPOSED USE:** Business expansion

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of LI plan designation and I-3 zoning from the south and east

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
 North: Atlantic Ave. - Houses / LDR / R-2 (General Residential)/IH-1 (Infill Housing Overlay)
 South: Radford Pl. - Eagle Distributing facilities / LI / I-3 (General Industrial)/IH-1
 East: Metler St. - House and warehouse / LDR, LI / I-3/IH-1 and R-2/IH-1
 West: Houses / LDR / R-2/IH-1

NEIGHBORHOOD CONTEXT: This section of Atlantic Ave. is primarily developed with residential uses under R-2 zoning. Several large light and general industrial uses are located to the south, zoned I-3 and I-4.

STAFF RECOMMENDATION:

- **RECOMMEND that City Council APPROVE LI (Light Industrial) One Year Plan designation for parcels 081GB013-016 only. (See attached MPC staff recommendation map.)**

Light industrial uses are appropriate south of the alley. If light industrial uses extend north to Atlantic Ave., as requested, it would allow incompatible light industrial uses to be placed directly across the street from and adjacent to residential uses, interrupting the residential development pattern established along this section of Atlantic Ave. If the Planning Commission is inclined to recommend rezoning of the entire site, as requested, the LI plan designation would have to be approved for the entire site and staff would recommend I-1 zoning, rather than the requested I-3.

- **RECOMMEND that City Council APPROVE I-3 (General Industrial) / IH-1 (Infill Housing Overlay) zoning for parcels 081GB013-016 only. (See attached MPC staff recommendation map.)**

The recommended I-3/IH-1 zoning to the alley gives the applicant additional space for expansion and is similar to the established zoning pattern to the east. Allowing the unlike uses to extend to Atlantic Ave., as requested, would create a situation where incompatible uses would be facing each other on either side of the street.

COMMENTS:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these.)

- A. **AN ERROR IN THE PLAN** - The current plan proposes LDR uses for the site, which is not consistent with the current R-2/IH-1 zoning in place. R-2 zoning allows multi-dwelling attached residential development, which constitutes MDR (Medium Density Residential) development. However, the residential development in the area appears to be primarily detached dwellings on individual lots, consistent with the current LDR designation. Since the alley is located to the rear of the residential properties on Atlantic Ave., it would be appropriate for the proposed light industrial uses to back up to the houses on the other side of the alley. The houses located along Atlantic Ave. are oriented toward Atlantic Ave., not the alley, so the recommended plan amendment would not result in incompatible uses facing each other. This is the same zoning and development pattern that is in place to the east on similar properties.
- B. **A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA** - No known improvements have been recently made to any of the access streets to the site, but they are adequate to serve a small expansion of light industrial uses. Public water and sewer utilities are available to serve the site.
- C. **A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN** - With the established light industrial development pattern to the south and east, the recommended extension of LI uses is appropriate.
- D. **NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT** - No new information has become available to reveal the need for a plan amendment, but the recommended plan amendment is consistent with the future land use and zoning pattern to the east.

If the Planning Commission is inclined to recommend a rezoning of all the parcels, including the ones fronting on Atlantic Ave., as requested by the applicant, staff would recommend I-1 zoning for the entire subject property. I-1 (Planned Industrial) zoning requires use on review approval by MPC prior to development. This would give the opportunity for staff to review a plan to present to MPC for possible approval. Staff could recommend components of the plan, such as buffering and architectural style, which could help to minimize the impact on adjacent residential properties. However, general planning principles would dictate that the unlike uses should not be located facing each other. If the applicant were able to obtain additional properties on the south side of the alley, west of the site, staff would likely support I-3 zoning for that area.

REZONING REQUIREMENTS FROM ZONING ORDINANCES (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. Staff is recommending the I-3/IH-1 zoning only to the alley, consistent with the zoning and development pattern to the east. This prevents unlike uses from facing each other.
2. I-3/IH-1 zoning, limited to south of the alley only, would be compatible with the surrounding zoning and

development pattern.

3. The recommended area for rezoning is approximately 0.7 acres, compared to about 1.6 acres for the entire subject property. The entire block between Coram St., the alley, Metler St. and Radford Pl. contains about 3 acres of land, which is appropriate for I-3 zoning.

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

1. The requested I-3 zoning is an industrial district established to provide areas in which the principal use of land is for manufacturing, assembling, fabricating and warehousing. These uses do not depend primarily on frequent personal visits by customers or clients, but usually require good accessibility to major rail, air or street transportation routes. Such uses have some adverse effects on surrounding properties and are not properly associated with, nor compatible with, residential, institutional and retail/commercial uses.
2. Based on the above description, I-3 is an appropriate zone for the portion of the site south of the alley.
3. The existing IH-1 (Infill Housing Overlay) will be maintained as a zoning overlay on the property. The regulations in the IH-1 overlay district only apply to residential development, so they will have no impact on the subject property.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. I-3/IH-1 zoning, as recommended, is compatible with the surrounding land uses and zoning pattern. If extended out to Atlantic Ave., an inappropriate zoning pattern would be established, allowing incompatible uses facing each other.
2. As recommended, the zoning change will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.
3. The existing streets are adequate to handle any additional traffic generated by allowing light industrial uses on the site.

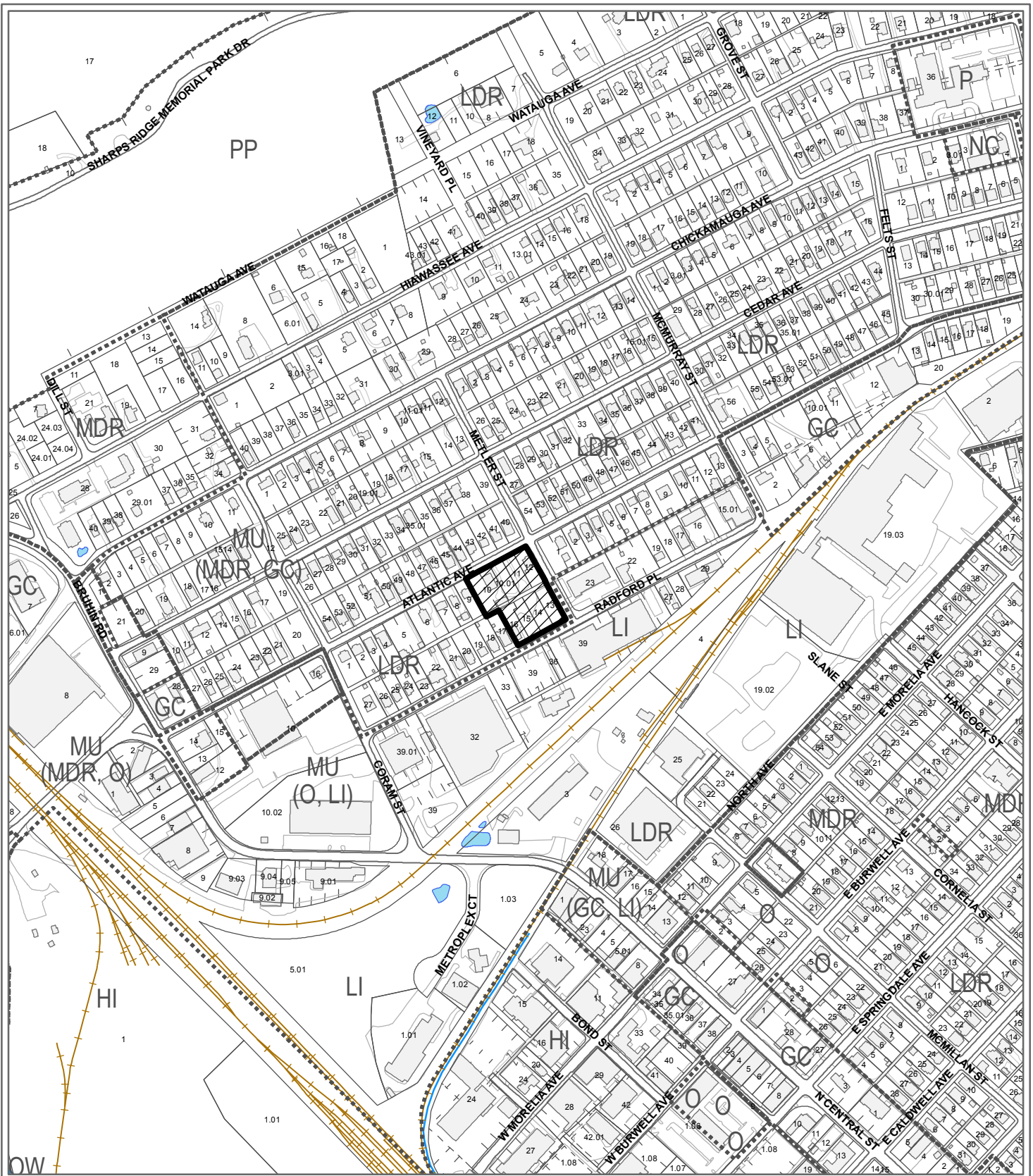
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. With the recommended amendment to the Central City Sector Plan to LI on the accompanying application (7-B-14-SP), the I-3/IH-1 zoning would be consistent with the plan.
2. With the recommended amendment of the City of Knoxville One Year Plan to LI, the proposed I-3 zoning would be consistent with the plan.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. I-3 zoning, as recommended, does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 9/16/2014 and 9/30/2014. If denied, MPC'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 an MPC decision in the City.



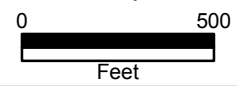
**7-A-14-PA / 7-B-14-RZ
PLAN AMENDMENT**

Petitioner: Hand Partnership, L.P.

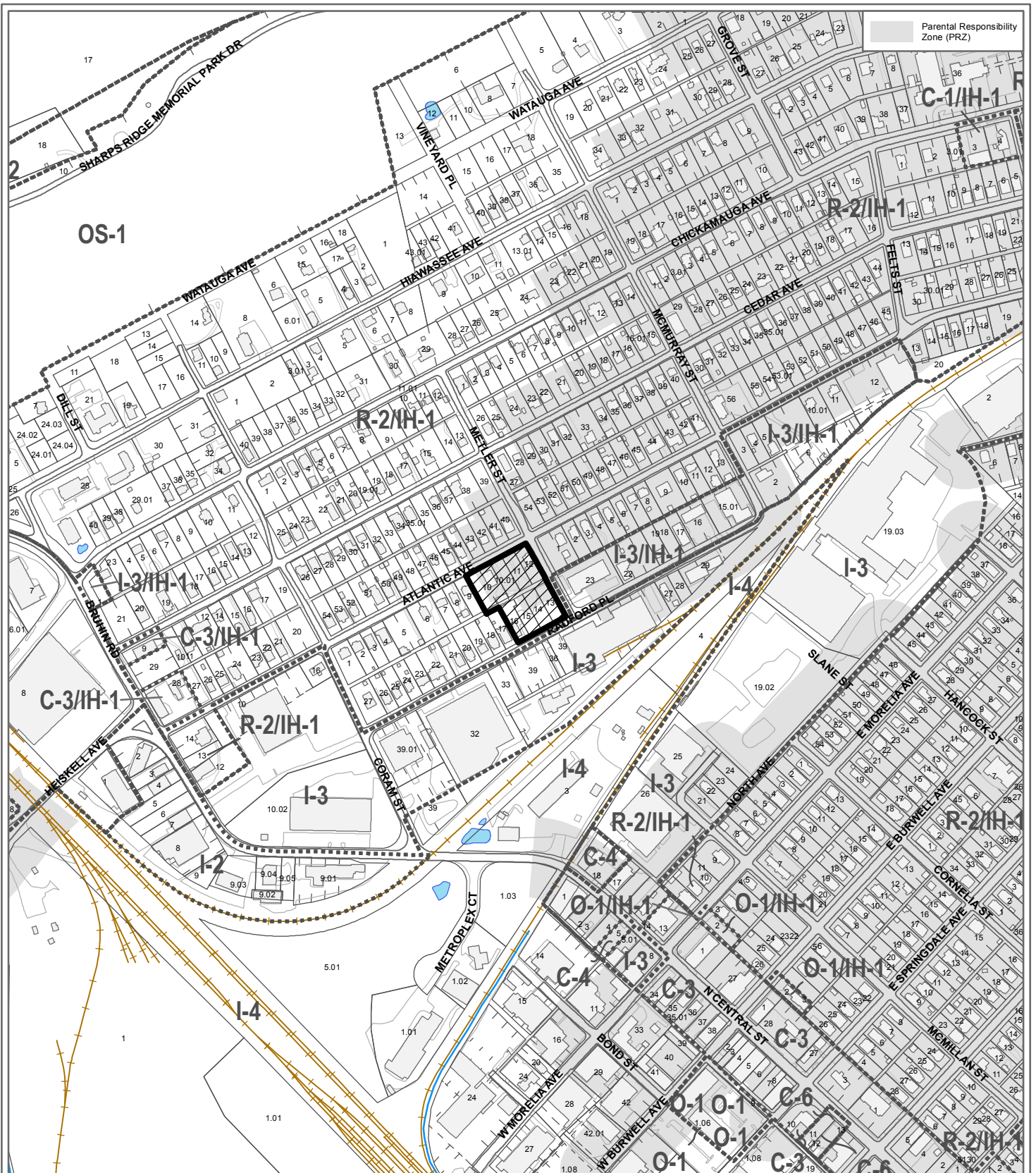


From: LDR (Low Density Residential)
To: LI (Light Industrial)

Map No: 81
Jurisdiction: City



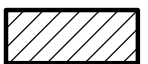
Original Print Date: 6/23/2014 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



Parental Responsibility Zone (PRZ)

**7-B-14-RZ
REZONING**

From: R-2 (General Residential) / IH-1 (Infill Housing Overlay)
To: I-3 (General Industrial) / IH-1 (Infill Housing Overlay)



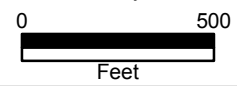
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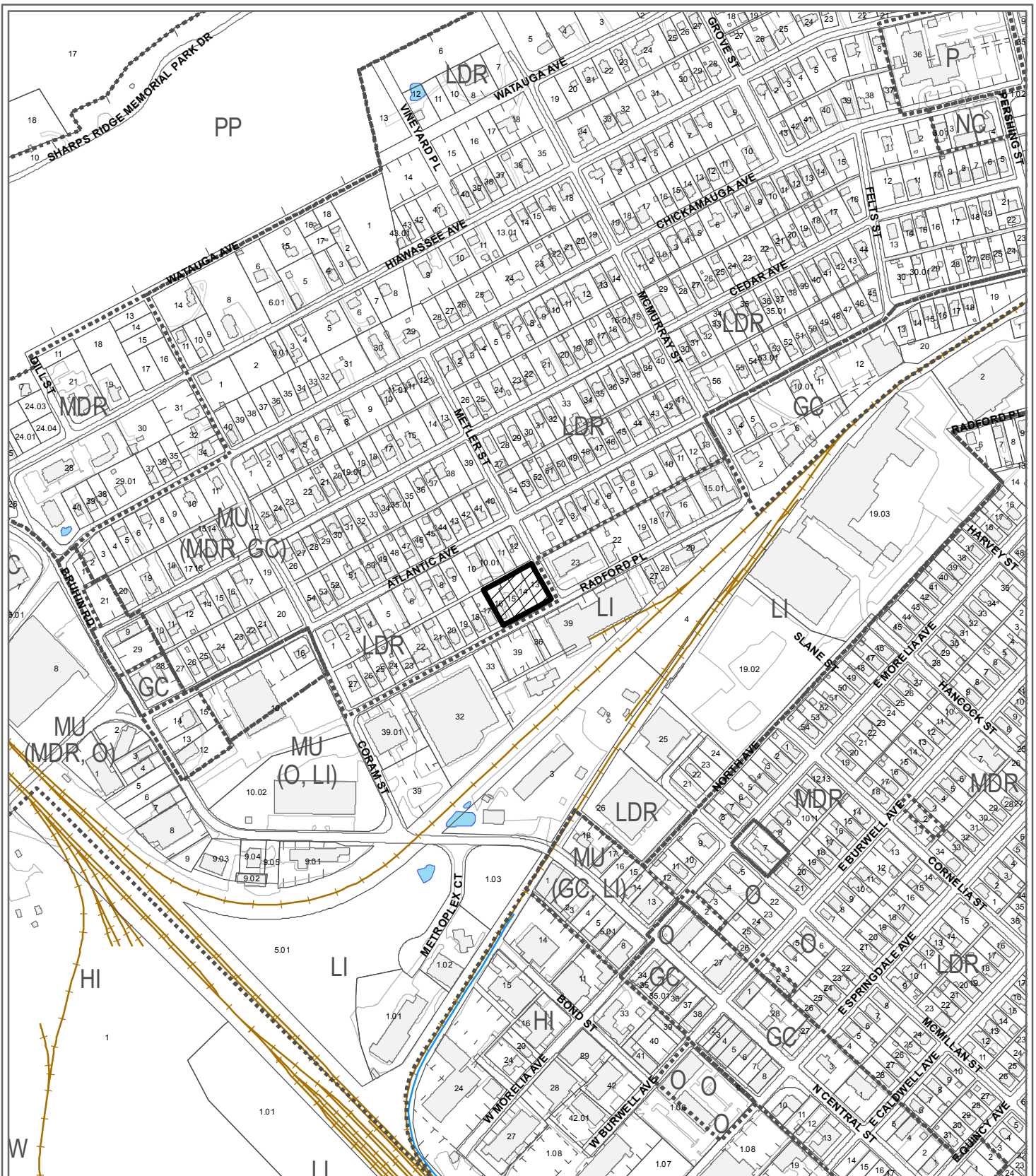
Revised:

Petitioner: Hand Partnership, L.P.

Map No: 81

Jurisdiction: City





**7-A-14-PA / 7-B-14-RZ - MPC STAFF RECOMMENDATION
PLAN AMENDMENT**

Petitioner: Hand Partnership, L.P.

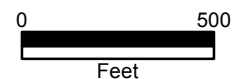


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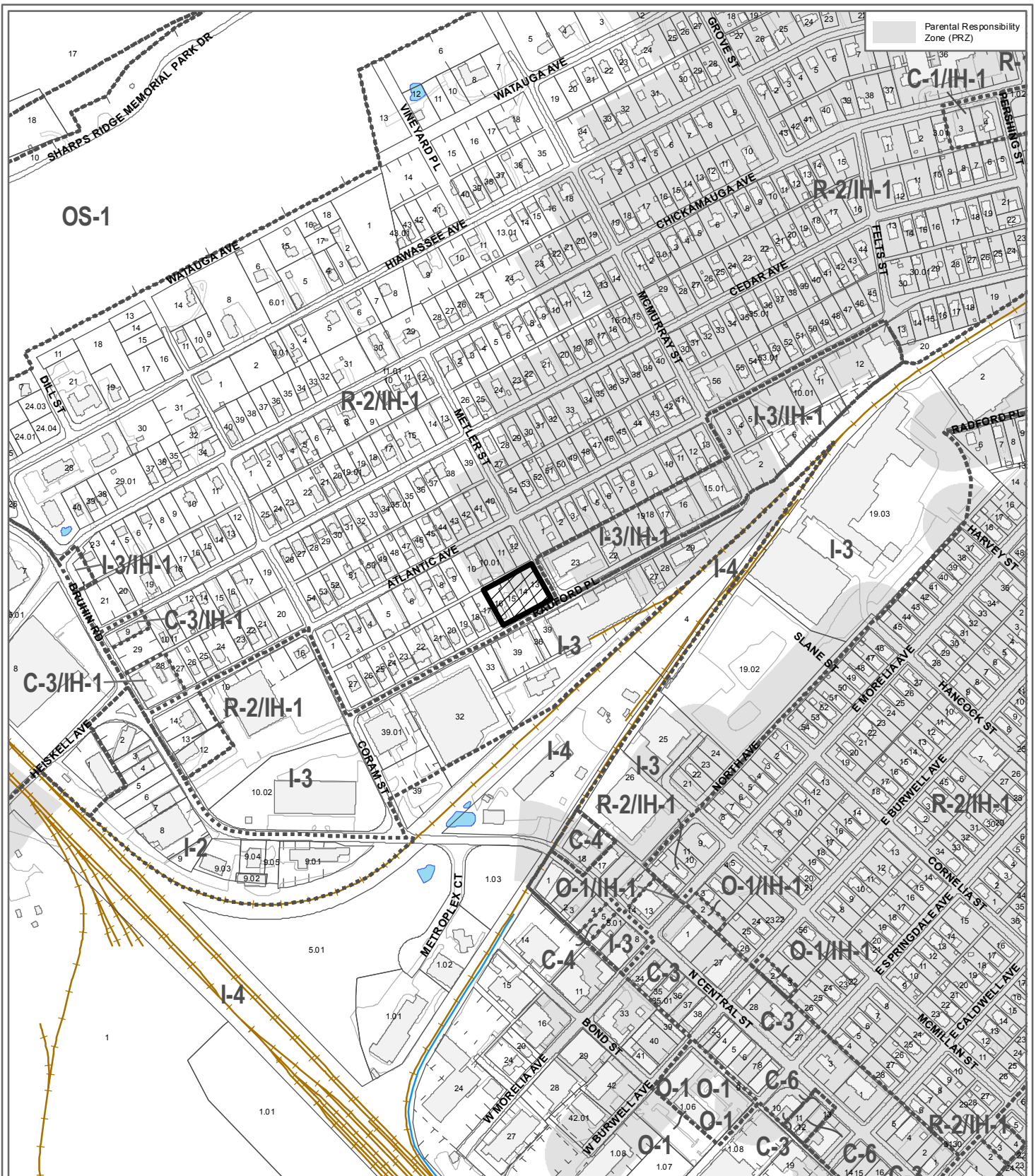
To: LI (Light Industrial)

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Jurisdiction: City



Original Print Date: 8/5/2014 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**7-B-14-RZ - MPC STAFF RECOMMENDATION
REZONING**

From: R-2 (General Residential) / IH-1 (Infill Housing Overlay)

To: I-3 (General Industrial) / IH-1 (Infill Housing Overlay)



Original Print Date: 8/5/2014 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Hand Partnership, L.P.

Map No: 81

Jurisdiction: City



THIS INSTRUMENT PREPARED BY AND
AFTER RECORDING RETURN TO:
Tallent Title Group, Inc.
2937 Tazewell Pike
Knoxville, TN 37918
File No. & Name: 14-4306 Hand Partnership, LP

7-B-14-EE
7-A-14-DA
7-B-14-SP

WARRANTY DEED

THIS INDENTURE, made this 17th day of June, 2014 between

Jane L. Pickens, unmarried

parties of the first part, and

**Hand Partnership, LP, Michael D. Craig, Trustee of the
Lucy Jo McCutcheon Hand Management Trust, General Partner**

parties of the second part,

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, to them paid by the said parties of the second part, the receipt of which is hereby acknowledged, has bargained, sold and conveyed and does hereby bargain, sell, and convey unto the said parties of the second part, the following described premises, to-wit:

SITUATED in Seventh (7th) District of Knox County, Tennessee, within the 18th Ward of The City of Knoxville, Tennessee, being Lot 20, and a part of Lot 19, Block J, Linwood Second Addition, as shown on the map of the same of record in Map Book 7, Page 102, Register's Office, Knox County, Tennessee, and being more fully described as follows:

BEGINNING at a point in the north line of West Radford Street (formerly Preston Avenue) at the common corner between Lots 19 and 20; said point being distance 150 feet westerly from the northwest corner of Metler Street and West Radford St.; thence from said beginning point with the north line of West Radford Street in a westerly direction, 50 feet to the corner of Lot 21; thence with the dividing line between Lots 20 and 21 in a northerly direction 150 feet to the south line of an alley; thence with the line of said alley in an easterly direction, 61 feet; thence in a southerly direction, 30 feet, thence in a westerly direction, 11 feet to the dividing line between Lots 19 and 20; thence with said dividing line in a southerly direction, 120 feet to the place of BEGINNING; according to the survey of W.E. Lack, Engineer, Knoxville, Tennessee, dated December 29, 1954. Improved and known as 253 Radford Place, Knoxville, Tennessee.

Easement for Joint Driveway recorded March 18, 1955, in Note Book 43, Page 118, Register's Office, Knox County, Tennessee.

BEING the same property conveyed to Jane L. Pickens, a single person from W. J. Driver, by Chas M. Johnson, Attorney in Fact, as Administrator of Veterans' Affairs by Warranty Deed dated 12/13/1967, recorded in Deed Book 1369, Page 869, Register's Office, Knox County, Tennessee.

THIS CONVEYANCE is made subject to any and all applicable restrictions, easements, and building setback lines, as shown in the Register's Office for Knox County, Tennessee.

THE above description is the same as the previous deed of record, no boundary survey having been made at the time of this conveyance.

THE PREPARER OF THIS DEED MAKES NO REPRESENTATION AS TO THE STATUS OF THE TITLE TO THE PROPERTY DESCRIBED HEREIN.

WITH THE HEREDITAMENTS AND APPURTENANCES THERETO APPERTAINING, hereby releasing all claim to homestead and dower therein:

TO HAVE AND TO HOLD the said premises to the said parties of the second part, their heirs and assigns, forever.

And the parties of the first part, for themselves and for their heirs, executors, and assigns, do hereby covenant with the said parties of the second part, their heirs, executors, and assigns, that the parties of the first part are lawfully seized in fee simple of the premises above conveyed, and that they have full power, authority, and right to convey the same; that said premises are free from all encumbrances, and that they will forever warrant and defend the said premises and the title thereto against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand and seal the day and year first above written.

Jane L. Pickens

**STATE OF TENNESSEE
COUNTY OF KNOX**

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State, the within named, **Jane L. Pickens, unmarried**, the bargainor(s), with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he/she/they executed the within instrument for the purposes therein contained.

Witness my and official seal at office, this 17th day of June, 2014

My Commission Expires: _____

Notary Public

PROPERTY OWNER and RESPONSIBLE TAXPAYER:

**Hand Partnership, LP, Michael D. Craig, Trustee of the
Lucy Jo McCutcheon Hand Management Trust, General Partner**

CLT NO # 081GB-016

I hereby swear or affirm that the actual consideration of this transfer is **\$40,000.00**.

Affiant: _____

Subscribed and sworn before me this the 17th day of June, 2014.

Notary Public

My Commission Expires: _____



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Fwd: 250 Atlantic Ave.

1 message

Michael Brusseau <mike.brusseau@knoxmpc.org>

Mon, Jun 30, 2014 at 3:02 PM

To: Buz Johnson <buz.johnson@knoxmpc.org>, Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>, Dan Kelly <dan.kelly@knoxmpc.org>, "Arthur Seymour, Jr." <ajseymour@fmsllp.com>, Mark Donaldson <mark.donaldson@knoxmpc.org>

Re: Item 24

----- Forwarded message -----

From: **Vickie Clabough** <Vickie.Clabough@knoxcounty.org>

Date: Mon, Jun 30, 2014 at 2:21 PM

Subject: re: 250 Atlantic Ave.

To: "mike.brusseau@knoxmpc.org" <mike.brusseau@knoxmpc.org>

I am writing in regards to this property. Rumor has it that the new owner wants it rezoned as Industrial. If I recall the lot behind it was never approved to be a parking lot. My mother (Doroth Kee) resides at 245 Atlantic Ave & I reside at 254 Cedar Ave. This is a concern of ours. We purchased a building a few years ago & had to go before codes to be allowed to put that building in place. At that time they had to tell us where we could set it. We was also informed that we live in a Historical Neighborhood.

I would like to think this was considered before anything was allowed to be done on this property. I feel at this point we have enough noise,dirt & traffic with Budweiser & Southern Foundry and don't need anymore. Our property value will also be affected.

Thank You,
Vickie Clabough

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Michael A. Brusseau, AICP, Senior Planner
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