

# REZONING REPORT

► **FILE #:** 11-B-20-RZ

**AGENDA ITEM #:** 13

**AGENDA DATE:** 11/12/2020

► **APPLICANT:** CLAYTON SHEARER

OWNER(S): Fiat Specialists, Inc.

TAX ID NUMBER: 94 G H 011, 010, 015, 014, & 016

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 2244 & 0 Western Ave., & 0, 1600 & 1606 Proctor St.

► **LOCATION:** South side of Western Ave., north & west sides of Proctor St.

► **APPX. SIZE OF TRACT:** 0.735 acres

SECTOR PLAN: Central City

GROWTH POLICY PLAN: Within City limits

ACCESSIBILITY: Access could be from Western Avenue or from Proctor Street, which branches off to wrap around the properties. Western Avenue is a major arterial with a pavement width of approximately 45 feet within a 73-ft right-of-way. The branch of Proctor Street running north-south is a major collector with a pavement width of approximately 35 ft inside a right-of-way that varies widely in width. The branch of Proctor Street running east-west is a local road with a pavement width of approximately 25 ft inside a 47-ft right-of-way. An alley that runs midblock between the properties is undeveloped.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

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

► **ZONING REQUESTED:** C-G (General Commercial)

► **EXISTING LAND USE:** Single family residential, vacant land, and commercial

► **DENSITY PROPOSED:** N/A

EXTENSION OF ZONE: No

HISTORY OF ZONING: A request to rezone one of the parcels from I-3 (General Industrial) to C-G (General Commercial) was denied by the Planning Commission in September 1993. An appeal in October 1993 failed in City Council due to a lack of motion.

SURROUNDING LAND USE AND ZONING: North: Public/quasi-public land - C-N (Neighborhood Commercial District)

South: Office - I-G (General Industrial District) - I-G (General Industrial District)

East: Agricultural/forestry/vacant - I-G (General Industrial District)

West: Agricultural/forestry/vacant and single family residential - I-G (General Industrial District)

NEIGHBORHOOD CONTEXT: The block containing these parcels forms a pocket of single family houses in the middle of industrial uses to the south and east and commercial uses to the north.

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**STAFF RECOMMENDATION:**

- ▶ **Approve C-G-2 (General Commercial) zoning because it is consistent with the Central City Sector Plan's General Commercial land use designation and would not cause any adverse impacts for the adjacent properties (the applicant requested C-G).**

**COMMENTS:**

These five properties are clustered between Western Avenue and Proctor Streets just west of the Knox News Sentinel building. The applicant does not intend to combine and redevelop these as one lot, but plans to put the various parcels to different uses ranging from commercial to single family residential. The Industrial zone does not allow single family commercial uses or the types of commercial uses the applicant plans for this property.

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. Road improvements providing better connectivity, traffic flow, and access were recently completed in this area. Keith Avenue and Sterchi Street were extended and reconfigured to connect to Western Avenue, which provides greater connectivity from the residential neighborhood along those streets to this portion of Western Avenue. Additionally, Western Avenue was recently widened as a project for TDOT. The project began at Texas Avenue and ended at Major Avenue, tapering down from Major Avenue to just past Proctor Street, where it resumes its narrower width. The turn lane and extra width are conducive to traffic entering and exiting the Western Avenue properties included in this application.

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

1. The C-G General Commercial Zoning District is intended to provide for a heterogeneous mix of retail, personal service, office, and residential uses within and along Knoxville's commercial nodes and corridors. The C-G District is intended to promote mixed-use development in a pedestrian-oriented environment that recalls the City's traditional business districts, and offers flexibility in the creation of integrated commercial, office and residential spaces. The C- G District is divided into three levels of intensity related to the overall form and design of the development; however, uses are the same across all levels. This zone is intended primarily for indoor commercial uses with limited exceptions per special use approval.
2. 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. There are several uses in the C-G zone that would not be compatible with the historic neighborhood adjacent to this property.
3. The applicant did not specify a preference between the different C-G zones. Staff is recommending C-G-2. The main differences between the C-G zoning levels are the building height allowed in each level and the design standards, which apply to new construction in C-G-2 and C-G-3, but not in C-G-1 (City of Knoxville Zoning Ordinance Section 5.4, Table 5.2).

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. The proposed C-G zoning would form a pocket of C-G commercial zoning between the less intense C-N zoning to the north across Western Avenue and the more intense I-G zoning to the south and east. The properties on this same block to the west are not a part of this request and would remain zoned I-G. Since it is surrounded on three sides (east, west, south) by more intense zoning, and by other commercial zoning to the north, no adverse impacts are expected from a C-G zone at this location. The lot size of the three properties on Proctor Street would limit the size of a building that could be built on those lots, which would likely limit the uses for which the parcels could be utilized.
2. Western Avenue has developed as a commercial corridor to the east of this area, though there is a pocket of residential and open space zoning in the more immediate vicinity.
3. Western Avenue is a state route and would require TDOT approval for access points on the two parcels fronting Western Avenue.
4. This parcel is located in Flood Zone X, but is not in a floodplain or floodway.

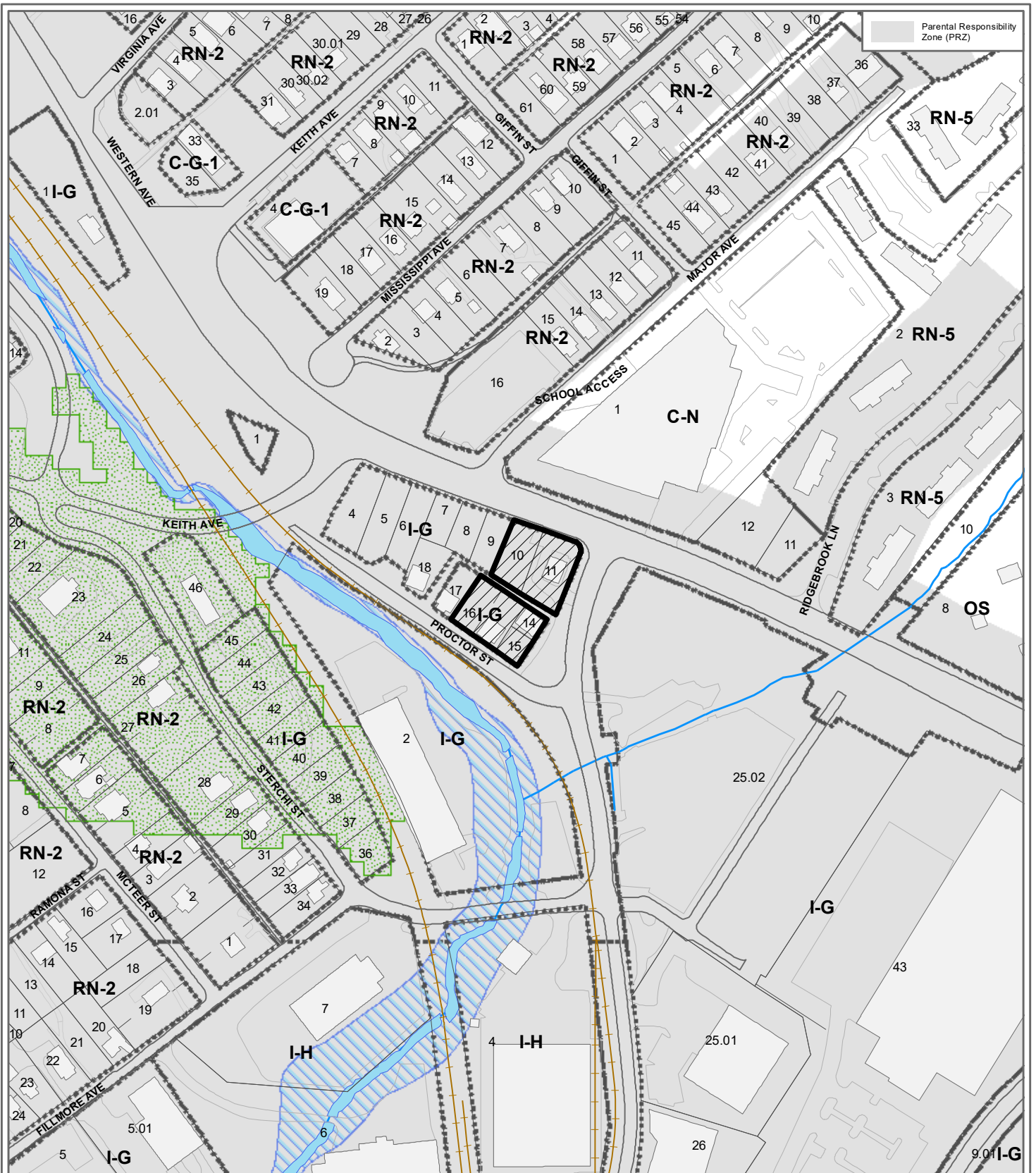
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. C-G zoning is consistent with the current Central City Sector Plan's General Commercial land use designation.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

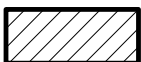
If approved, this item will be forwarded to Knoxville City Council for action on 12/15/2020 and 1/12/2021. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



# **11-B-20-RZ REZONING**

From: I-G (General Industrial)

To: C-G (General Commercial)

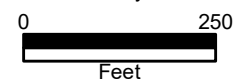


Original Print Date: 10/20/2020      Revised:  
Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Shearer, Clayton

Map No: 94

Jurisdiction: City





**11-B-20-RZ**

**EXHIBIT A. Contextual Images**

*Google Street View of the two properties fronting Western Avenue at the Proctor Street intersection*



*Google Street View of the properties fronting Proctor Street*



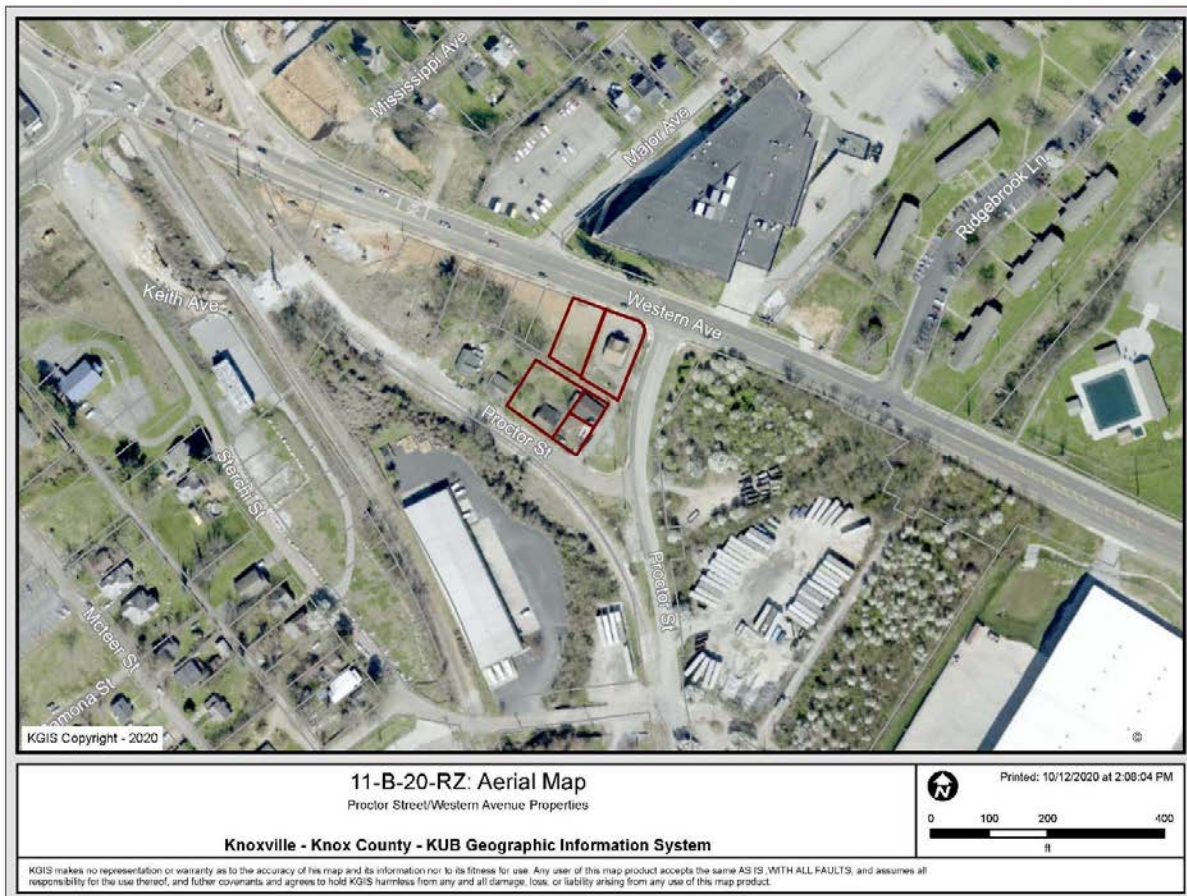
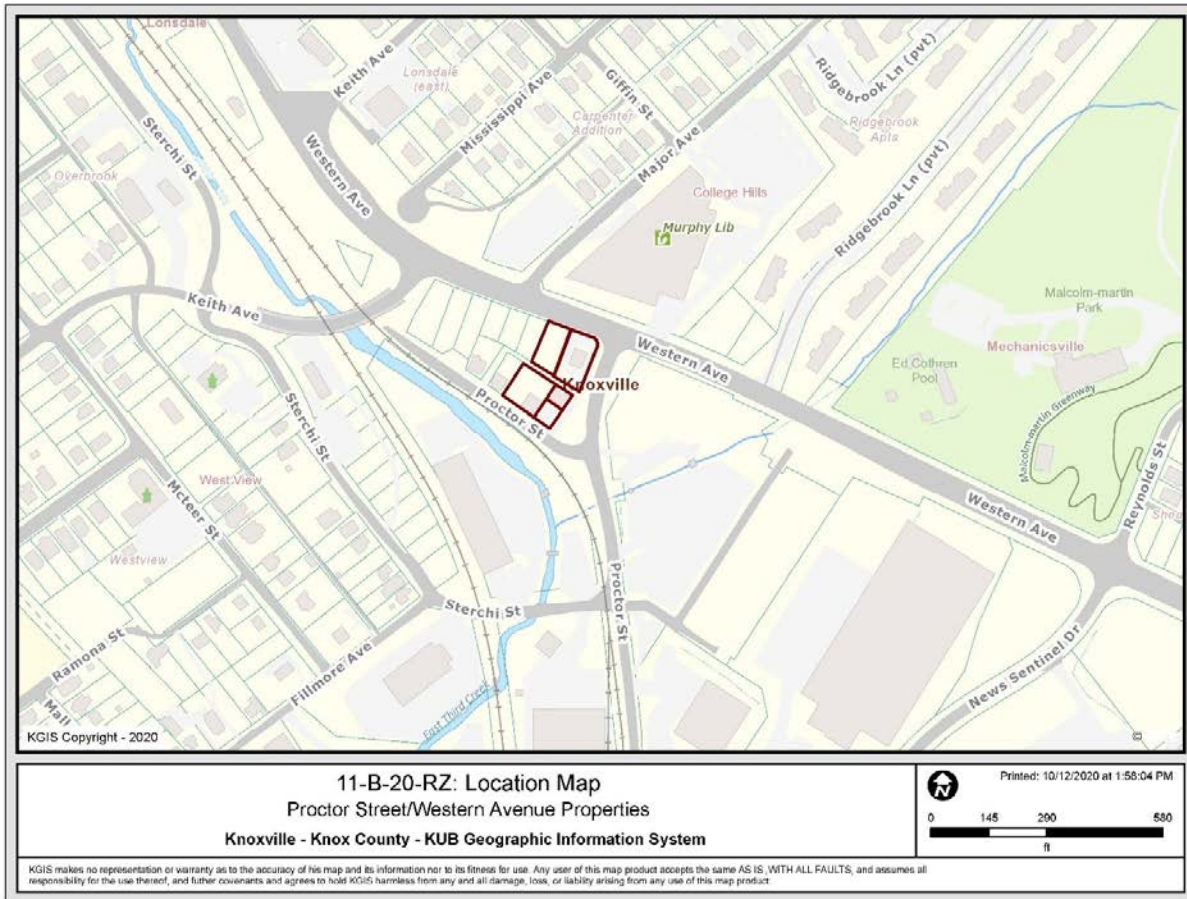
*Eagle view of surrounding properties*





# 11-B-20-RZ

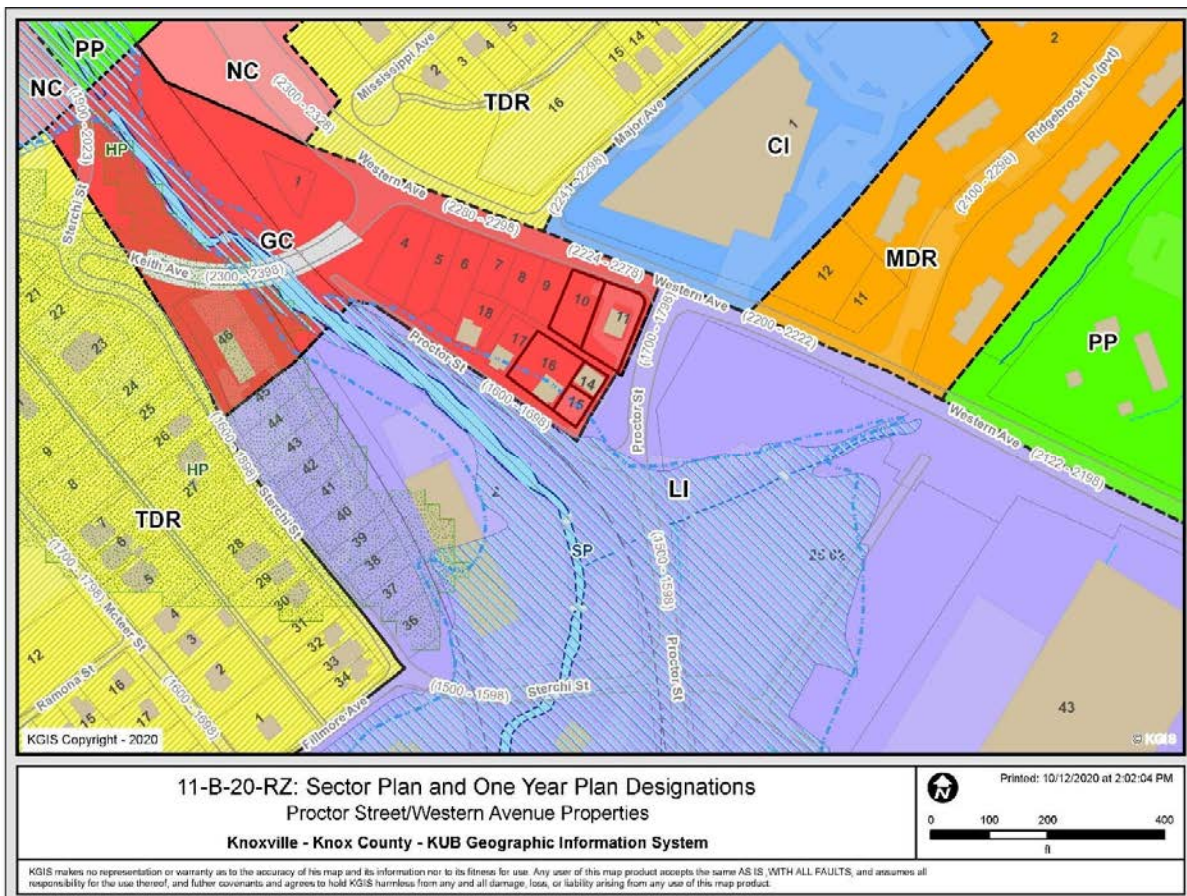
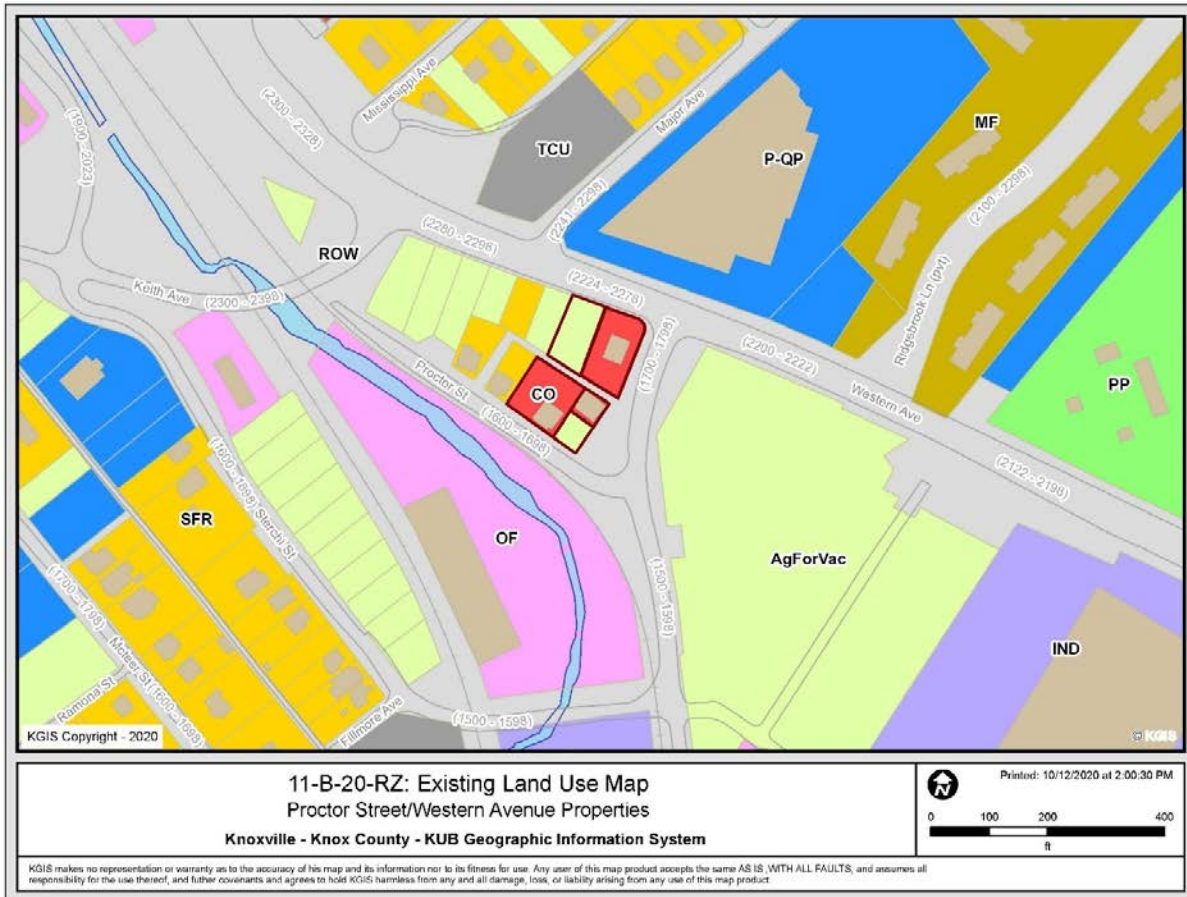
## EXHIBIT A. Contextual Images





## 11-B-20-RZ

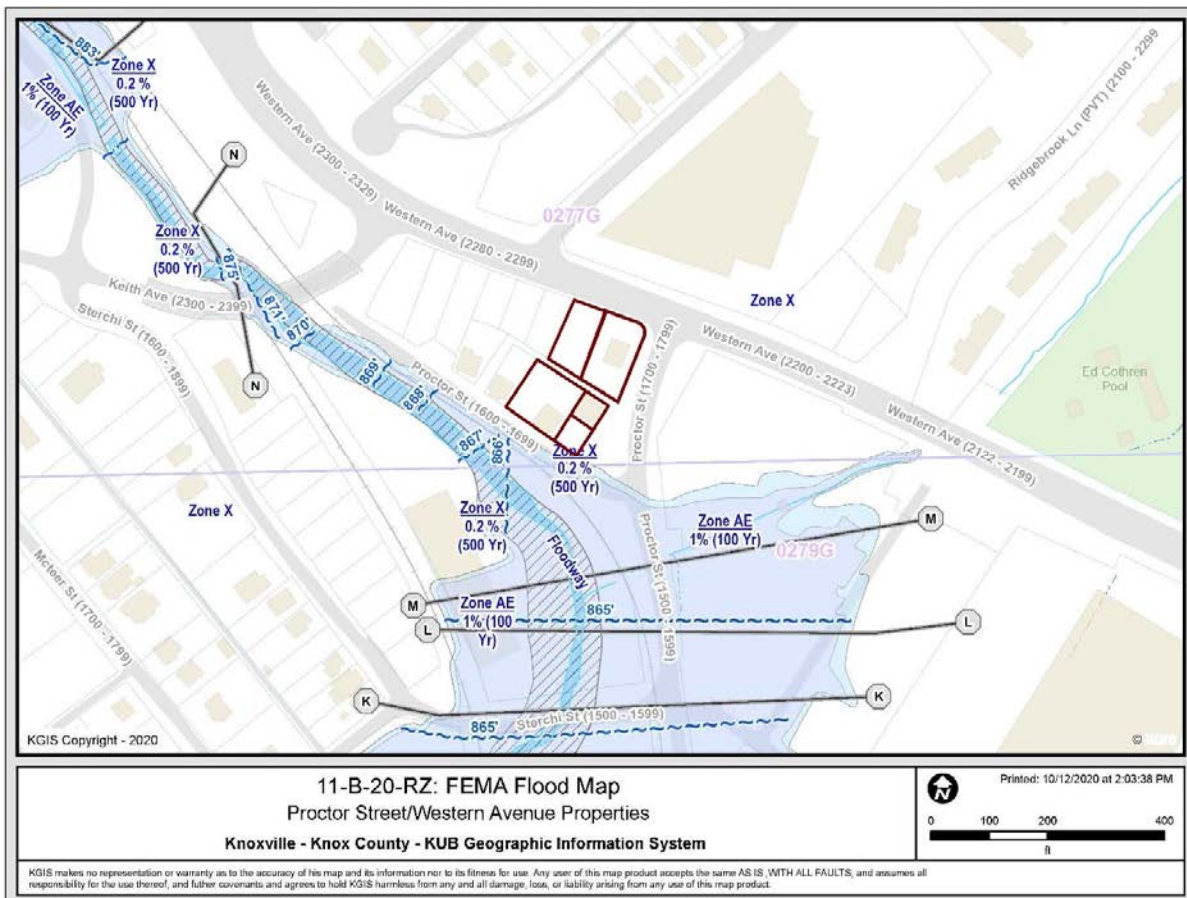
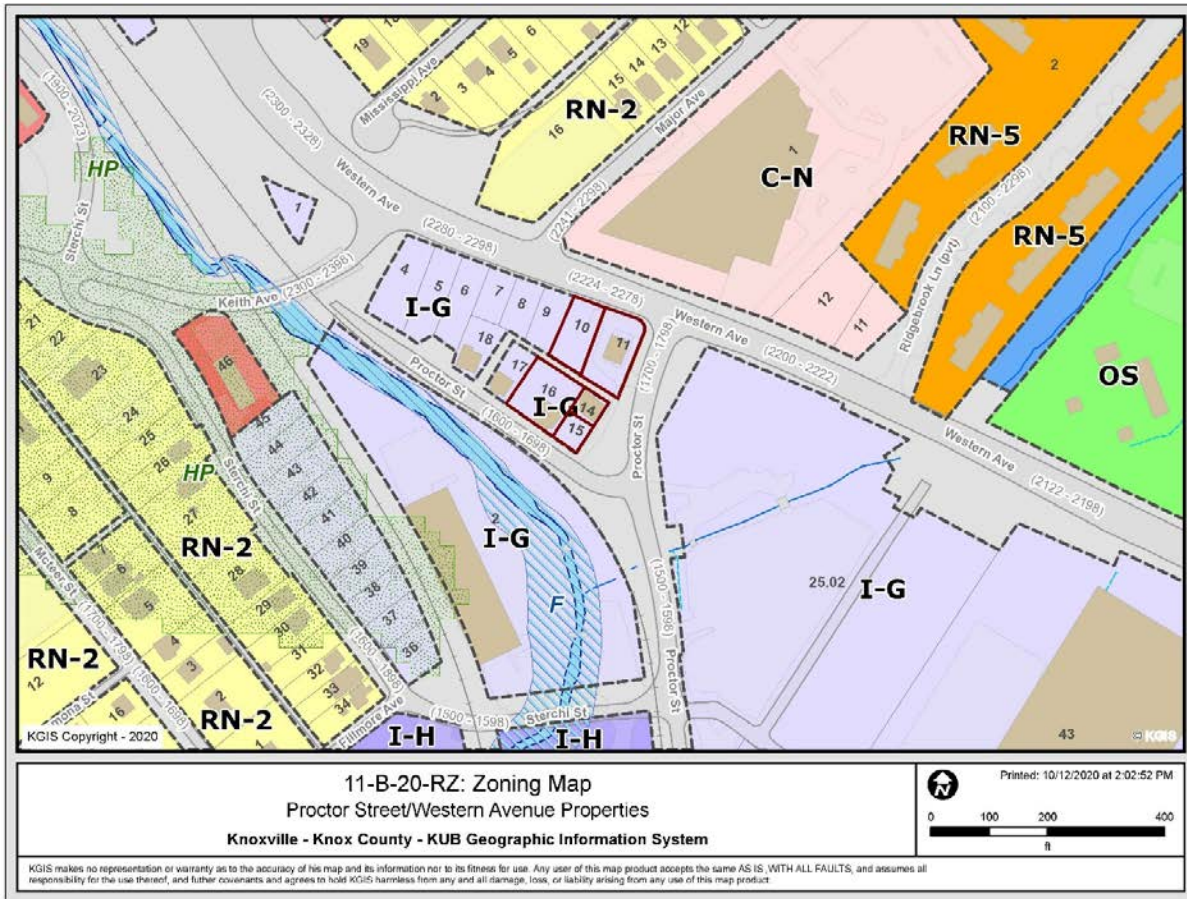
### EXHIBIT A. Contextual Images





# 11-B-20-RZ

## EXHIBIT A. Contextual Images







## DEVELOPMENT REQUEST

### DEVELOPMENT

- ☐ Development Plan  
☐ Planned Development  
☐ Use on Review / Special Use

### SUBDIVISION

- ☐ Concept Plan  
☐ Final Plat

### ZONING

- ☐ Plan Amendment  
☒ Rezoning

Clayton Shearer

Family of current Owner

Applicant Name

Affiliation

9/14/2020

11/12/2020

11-B-20-RZ

Date Filed

Meeting Date (if applicable)

File Numbers(s)

## CORRESPONDENCE

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

- ☒ Applicant
 ☐ Owner
 ☐ Option Holder
 ☐ Project Surveyor
 ☐ Engineer
 ☐ Architect/Landscape Architect

Clayton Shearer

n/a

Name

Company

268 County Road 635

Athens

TN

37303

Address

City

State

Zip

423-519-7198

shearer.sc@gmail.com

Phone

Email

## CURRENT PROPERTY INFO

FIAT SPECIALISTS INC

1518 Chestuee Rd NE, Cleveland TN, 37323 423-718-3209

Owner Name (if different)

Owner Address

Owner Phone

0 and 2244 Western Ave. and 0, 1600, and 1606 Proctor St.

094 G H 010, 011, 015, 014, and 016

Property Address

Parcel ID

5 adjacent parcels at the corner of Proctor Street and Western Avenue

1.2 total acreage

General Location

Tract Size

6th District

I-G

Jurisdiction (specify district above)

☒ City ☐ County

Zoning District

Central City

~~LI (Light Industrial)~~

General Commercial

Within City limits

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

Commercial, SF houses and vacant land

N

KUB

KUB

Existing Land Use

Septic (Y/N)

Sewer Provider

Water Provider

## REQUEST

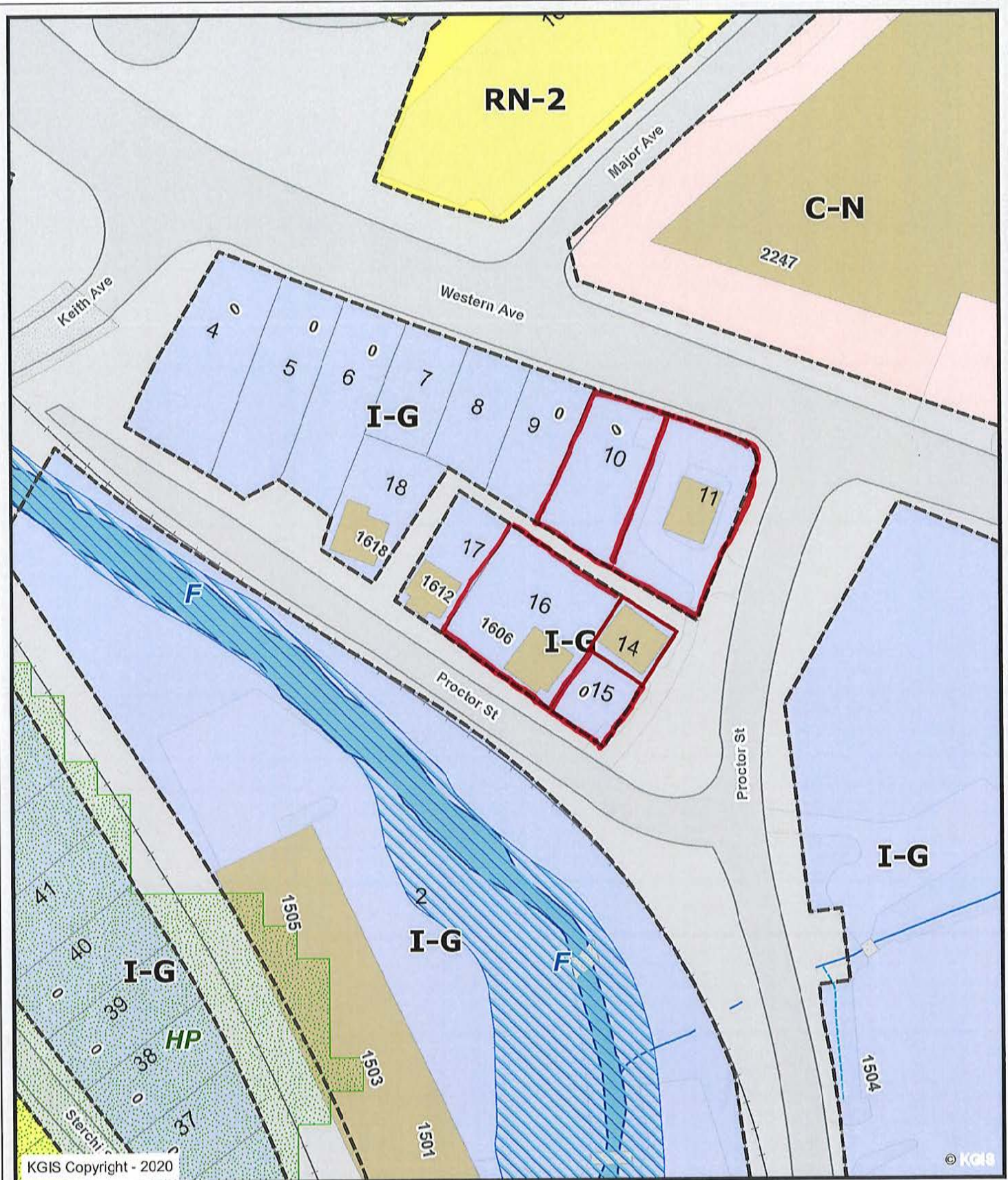
DEVELOPMENT	SUBDIVISION	ZONING
<input type="checkbox"/> Development Plan <input type="checkbox"/> Use on Review / Special Use <input type="checkbox"/> Residential <input type="checkbox"/> Non-Residential <input type="checkbox"/> Home Occupation (specify): _____ <input type="checkbox"/> Other (specify): _____	<input type="checkbox"/> Proposed Subdivision Name _____ Unit / Phase Number _____ <input type="checkbox"/> Parcel Change <input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel    Total Number of Lots Created: _____ <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Attachments / Additional Requirements _____	<input checked="" type="checkbox"/> Zoning Change: <u>C-G (General Commercial)</u> Proposed Zoning <input type="checkbox"/> Plan Amendment Change: _____ Proposed Plan Designation(s) N/A <hr/> <div> <div>Proposed Density (units/acre)</div> <div>Previous Rezoning Requests</div> </div> <input type="checkbox"/> Other (specify): <u>proposed use: single family residential + business/storefront/craft shop + workshop (plans TBD)</u>

STAFF USE ONLY	<b>PLAT TYPE</b> <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	<b>FEE 1:</b> <div>\$600.00</div>	<b>TOTAL:</b> <div>\$600.00</div>
	<b>ATTACHMENTS</b> <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	<b>FEE 2:</b>	
	<b>ADDITIONAL REQUIREMENTS</b> <input type="checkbox"/> Design Plan Certification ( <i>Final Plat only</i> ) <input type="checkbox"/> Use on Review / Special Use ( <i>Concept Plan only</i> ) <input type="checkbox"/> Traffic Impact Study	<b>FEE 3:</b>	

**AUTHORIZATION** By signing below, I certify I am the property owner, applicant or the owners authorized representative.

Clayton Shearer	Digitally signed by Clayton Shearer Date: 2020.09.09 19:19:29 -04'00'	Clayton Shearer	9/13/2020
Applicant Signature		Please Print	Date
4235197198		shearer.sc@gmail.com	
Phone Number		Email	
Michelle Portier		Michelle Portier	9/14/2020
Staff Signature		Please Print	Date



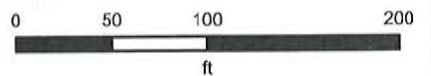


## Zoning

### Knoxville - Knox County - KUB Geographic Information System



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