



PLAN AMENDMENT REPORT

► **FILE #:** 1-I-21-SP

AGENDA ITEM #: 22

AGENDA DATE: 1/14/2021

► **APPLICANT:** JONATHAN LYONS / 360 SURVEYING & MAPPING

OWNER(S): Ted Howe

TAX ID NUMBER: 108 A F 010

[View map on KGIS](#)

JURISDICTION: Council District 6

STREET ADDRESS: 200 Emmett St.

► **LOCATION:** East side of Emmett St., north side of Vandeventer Ave.

► **APPX. SIZE OF TRACT:** 0.2 acres

SECTOR PLAN: Central City

GROWTH POLICY PLAN: Within City limits

ACCESSIBILITY: This property is being combined with the 2 parcels to the north, so it will have three frontages. Sutherland Avenue is a minor arterial with a pavement width of 30 feet inside a 61-foot right-of-way. Emmett Street is a local road with a pavement width of approximately 16 feet inside a right-of-way of approximately 35 feet. Vandeventer Avenue is a local road with a pavement width of approximately 21 feet inside a right-of-way of approximately 32 feet.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

► **PRESENT PLAN AND ZONING DESIGNATION:** LI (Light Industrial) / I-MU (Industrial Mixed-Use)

► **PROPOSED PLAN DESIGNATION:** MU-SD, MU-CC20 (Mixed Use-Special District, Sutherland Southside)

► **EXISTING LAND USE:** Agricultural/forestry/vacant

EXTENSION OF PLAN DESIGNATION: Yes, MU-SD, CC20 is adjacent to the north

HISTORY OF REQUESTS:

SURROUNDING LAND USE AND PLAN DESIGNATION: None noted for this property
North: Agricultural/forestry/vacant - MU-SD, CC20 (Mixed Use-Special District, Sutherland Southside)

South: Single family residential - LI (Light Industrial)

East: Agricultural/forestry/vacant - LI (Light Industrial)

West: Agricultural/forestry/vacant - LI (Light Industrial)

NEIGHBORHOOD CONTEXT This parcel is located within a block that contains commercial uses fronting Sutherland Avenue. There is a mix of craft industrial and light warehousing along adjacent blocks to the west. Single family dwellings are across the street to the south and consist of three blocks of this use sandwiched between office land uses.

STAFF RECOMMENDATION:

- **Approve the MU-SD, MU-CC20 (Mixed Use-Special District, Sutherland Southside) designation since it is consistent with surrounding development.**

COMMENTS:

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

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. There have been no changes to conditions to warrant amending the land use plan.

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

1. No new roads or additional utilities have been introduced in this area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. As mentioned in the One Year Plan amendment report, there are several properties with frontage on Sutherland Avenue and Vandeventer Avenue with dual land use designations of MU-SD, CC20 and LI. Their zoning is not conforming with the sector plan or One Year Plan as these properties are zoned C-G-2, but C-G-2 is not an allowed zone within the LI land use class. The plan seems to follow the rear line of buildings but should follow property lines. Correcting this would set a precedent for MU-SD, CC20 on Vandeventer Avenue.

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

1. There are no new trends in development nor completion of a public improvement that would warrant a plan amendment. However, the south side of Sutherland Avenue has developed with a variety of uses including office, commercial, and light industrial, so the plan amendment and rezoning requests would not be out of character with the area.
2. The CC20 mixed use designation allows LI, GC, and O land uses, which are consistent with this area. The plan amendments to MU-SD, CC-20 (Mixed Use-Special District, Sutherland Southside) allowing commercial zoning on this parcel would not be out of place since C-G-2 is prevalent in this area.

State law regarding amendments of the general plan (which includes 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:

- 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.
- 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 2/9/2021 and 2/23/2021. 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.



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 1-J-21-RZ
1-G-21-PA

AGENDA ITEM #: 22
AGENDA DATE: 1/14/2021

► **APPLICANT:** JONATHAN LYONS / 360 SURVEYING & MAPPING
OWNER(S): Ted Howe

TAX ID NUMBER:	108 A F 010	View map on KGIS
JURISDICTION:	Council District 6	
STREET ADDRESS:	200 Emmett St.	
► LOCATION:	East side of Emmett St., north of Vandeventer Ave.	
► TRACT INFORMATION:	0.2 acres.	
SECTOR PLAN:	Central City	
GROWTH POLICY PLAN:	Within City limits	
ACCESSIBILITY:	This property is being combined with the 2 parcels to the north, so it will have three frontages. Sutherland Avenue is a minor arterial with a pavement width of 30 feet inside a 61-foot right-of-way. Emmett Street is a local road with a pavement width of approximately 16 feet inside a right-of-way of approximately 35 feet. Vandeventer Avenue is a local road with a pavement width of approximately 21 feet inside a right-of-way of approximately 32 feet.	
UTILITIES:	Water Source: Knoxville Utilities Board	
	Sewer Source: Knoxville Utilities Board	
WATERSHED:	Third Creek	

► PRESENT PLAN DESIGNATION/ZONING:	LI (Light Industrial) / I-MU (Industrial Mixed-Use)		
► PROPOSED PLAN DESIGNATION/ZONING:	MU-SD, MU-CC20 (Mixed Use-Special District, Sutherland Southside) / C-G-2 (General Commercial Zoning District)		
► EXISTING LAND USE:	Agricultural/forestry/vacant		
►			
EXTENSION OF PLAN DESIGNATION/ZONING:	Yes, MU-SD, CC20 is adjacent to the north		
HISTORY OF ZONING REQUESTS:	None noted for this property		
SURROUNDING LAND USE, PLAN DESIGNATION, ZONING	North:	Agricultural/forestry/vacant - MU-SD, CC20 (Mixed Use-Special District, Sutherland Southside) - C-G-2 (General Commercial)	
	South:	Single family residential - LI (Light Industrial) - I-MU (Industrial-Mixed Use)	
	East:	Agricultural/forestry/vacant - LI (Light Industrial) - I-MU (Industrial-Mixed Use)	

West: Agricultural/forestry/vacant - LI (Light Industrial) - I-MU (Industrial-Mixed Use)

NEIGHBORHOOD CONTEXT: This parcel is located within a block that contains commercial uses fronting Sutherland Avenue. There is a mix of craft industrial and light warehousing along adjacent blocks to the east and west. Single family dwellings are across the street to the south and consist of three blocks of this use sandwiched between office land uses.

STAFF RECOMMENDATION:

- ▶ **Approve the MU-SD, MU-CC20 (Mixed Use-Special District, Sutherland Southside) designation since it is consistent with surrounding development.**
- ▶ **Approve C-G-2 (General Commercial) zoning because it is consistent with adjacent zoning and would provide for a single zone on the property once it is replatted.**

COMMENTS:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

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

AN ERROR IN THE PLAN:

1. The MU-SD, CC-20 (Mixed Use-Special District, Sutherland Southside) designation exists along the Sutherland Avenue corridor only and is one parcel deep along that right-of-way, and properties on the rear end of block along Vandeventer Avenue are designated LI (Light Industrial). However, there are several properties with double frontages - both on both Sutherland Avenue and Vandeventer Avenue - that have dual land use designations (MU-SD, CC20 along Sutherland Avenue and LI along Vandeventer). These properties have C-G-2 zoning on the entire parcel, but C-G-2 is not an allowed zone within the LI land use class. Therefore, the C-G-2 zoning along Vandeventer is not conforming with the sector plan or One Year Plan. The plan seems to follow the rear line of buildings but ideally should follow property lines. Correcting this would set a precedent for MU-SD, CC20 on Vandeventer Avenue.

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:

1. There are no new trends in development or public improvements that would warrant a plan amendment. However, the south side of Sutherland Avenue has developed with a variety of uses including office, commercial, and light industrial, so the plan amendment and rezoning requests would not be out of character with the area.
2. The CC20 mixed use designation allows LI, GC, and O land uses, which are consistent with this area. The plan amendments to MU-SD, CC-20 (Mixed Use-Special District, Sutherland Southside) allowing commercial zoning on this parcel would not be out of place since C-G-2 is prevalent in this area.

A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN:

1. No change in public policy directly impacts this plan amendment.

NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY KNOXVILLE-KNOX COUNTY PLANNING) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT:

1. No new information has become available to reveal the need for a plan amendment.

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 GENERALLY:

1. There are no changed conditions that would warrant a rezoning. However, the south side of Sutherland Avenue has developed with a variety of uses including office, commercial, and light industrial, so the plan amendment and rezoning requests would not be out of character with the area.

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

1. The proposed amendment to C-G (General Commercial) zoning 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 CG 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.
3. The C-G-2 zone has design standards for site and building design (Article 5, Table 5-2).

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. Commercial zoning exists on Sutherland Avenue and Vandeventer Avenue. No adverse impacts are expected from additional C-G zoning at this location.

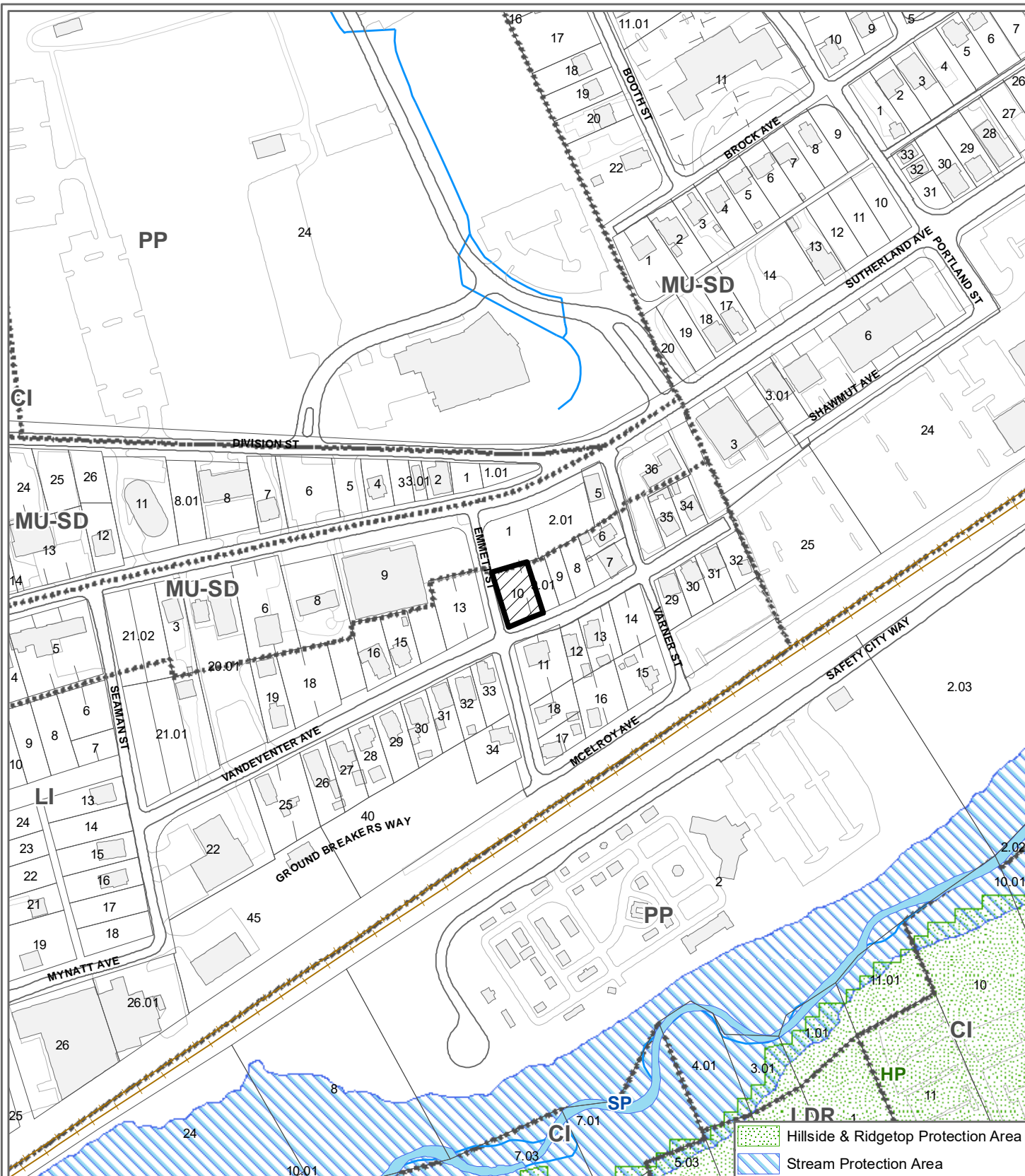
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The C-G zone is consistent with the accompanying staff recommended plan amendment to the MU-SD, CC20 (Mixed Use-Special District, Sutherland Southside) 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 2/9/2021 and 2/23/2021. 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.



**1-I-21-SP
CENTRAL CITY SECTOR PLAN AMENDMENT**



From: LI (Light Industrial)

To: MU-SD, CC20 (Mixed Use-Special District, Sutherland Southside)

Original Print Date: 12/7/2020

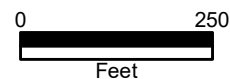
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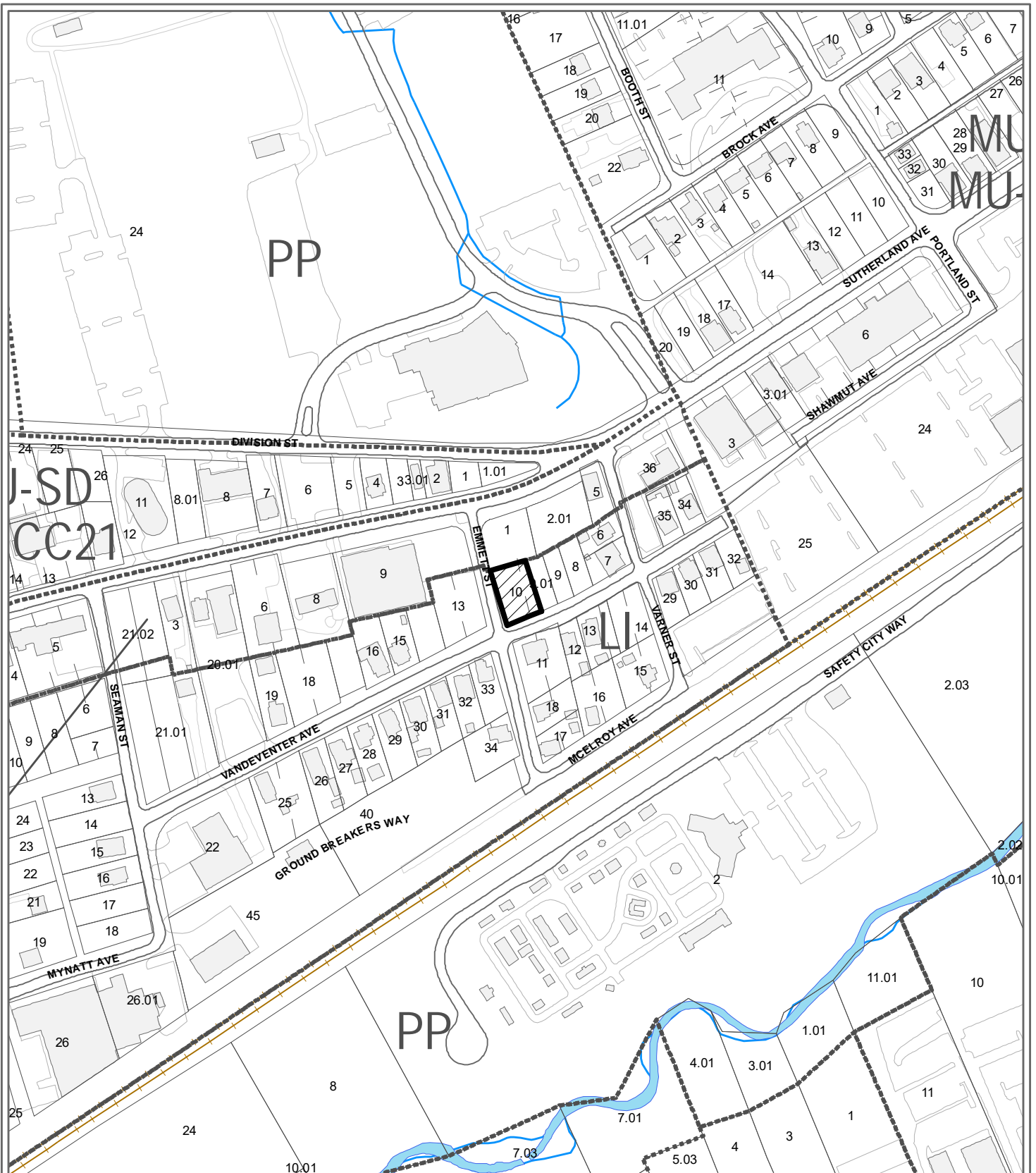
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Lyons / 360 Surveying & Mapping, Jonathan

Map No: 108

Jurisdiction: City





**1-G-21-PA / 1-J-21-RZ
PLAN AMENDMENT**



From: LI (Light Industrial)

To: MU-SD, CC20 (Mixed Use-Special District, Sutherland Southside)

Original Print Date: 12/7/2020 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

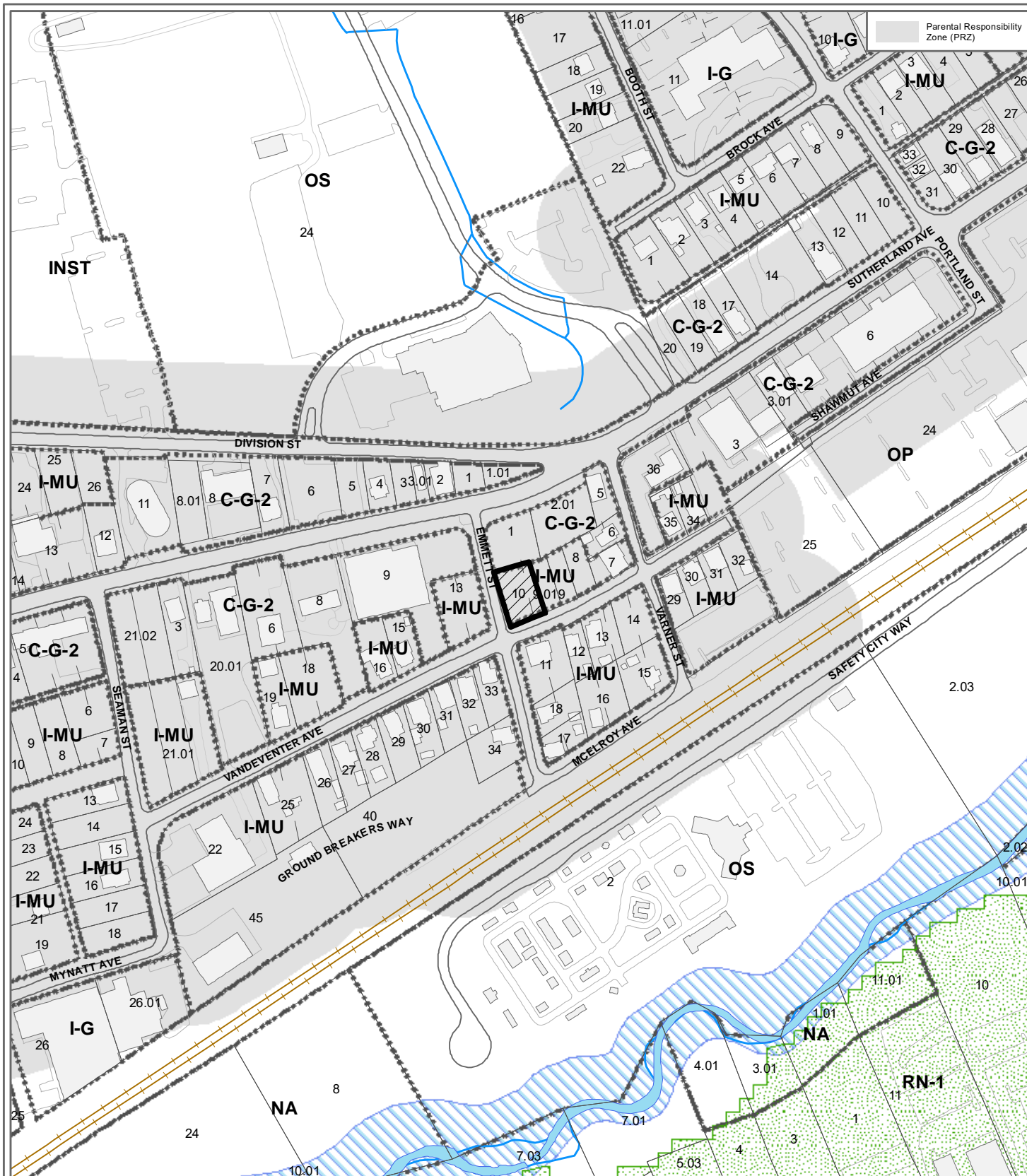
Petitioner: Lyons, Jonathan

Map No: 108

Jurisdiction: City

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Feet





1-J-21-RZ REZONING



From: I-MU (Industrial Mixed-Use)

To: C-G-2 (General Commercial Zoning District)

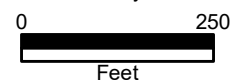
Original Print Date: 12/7/2020
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Lyons, Jonathan

Map No: 108

Jurisdiction: City



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

***WHEREAS**, the Knoxville-Knox County 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 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 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**, Jonathan Lyons, LP has submitted an application to amend the Sector Plan from Light Industrial to Mixed Use-Special District Sutherland Southside for property described in the application; and*

***WHEREAS**, the 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 Planning Commission, at its regularly scheduled public hearing on January 14, 2021, 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 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 #1-I-21-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

EXHIBIT A. Contextual Images

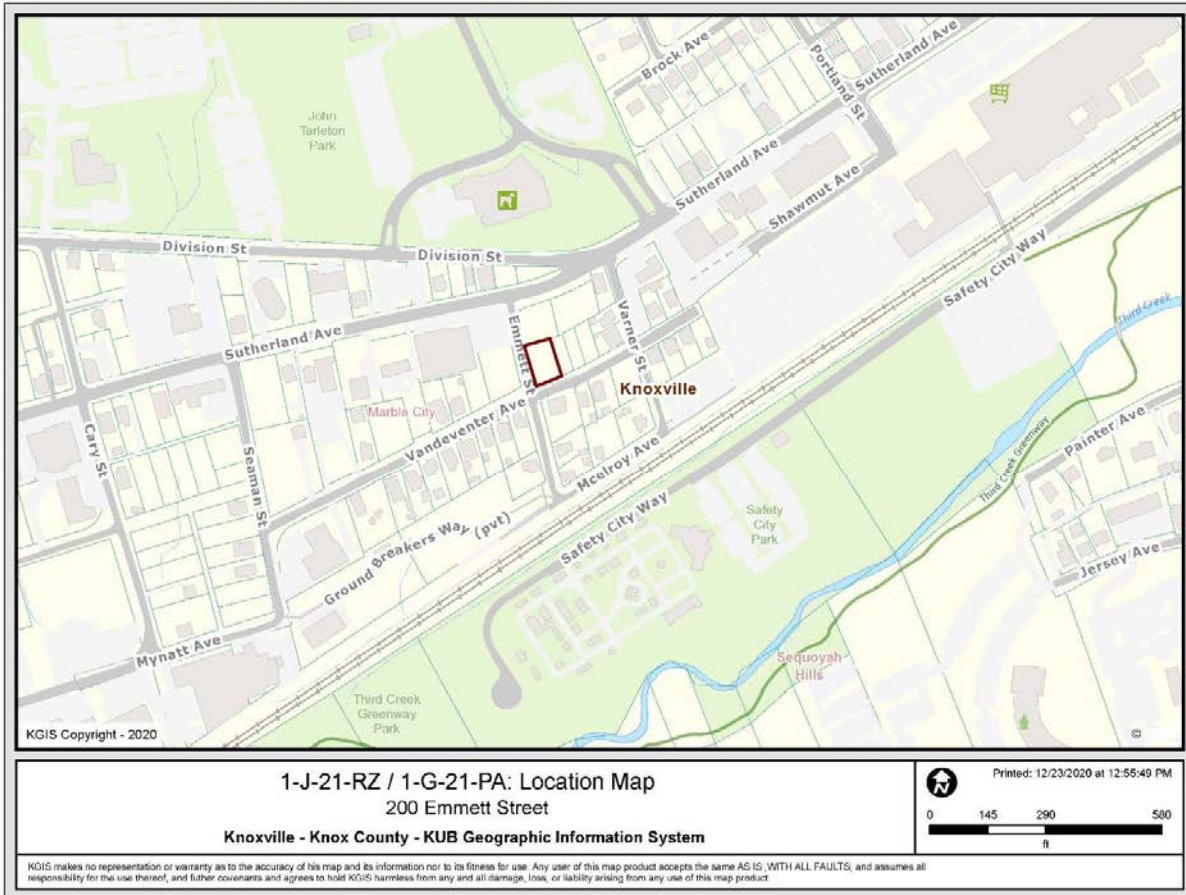
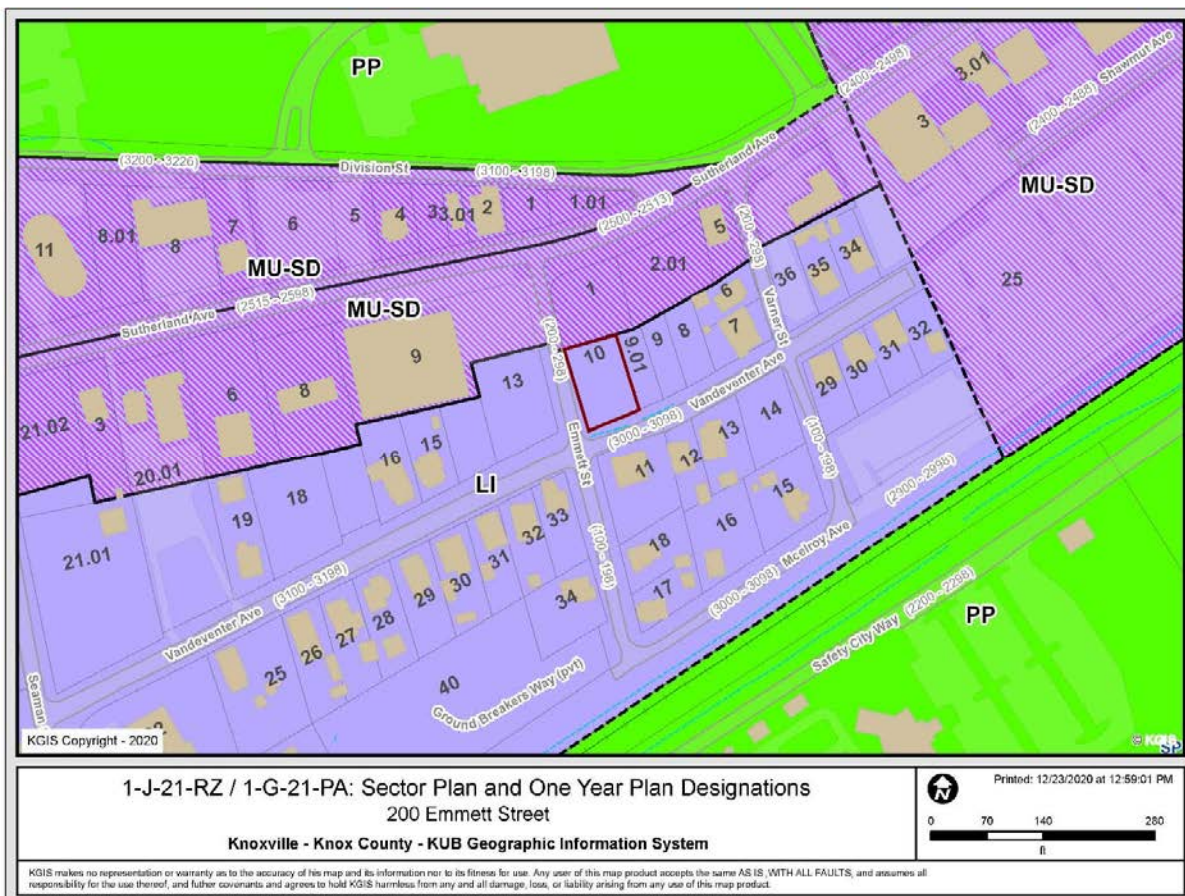
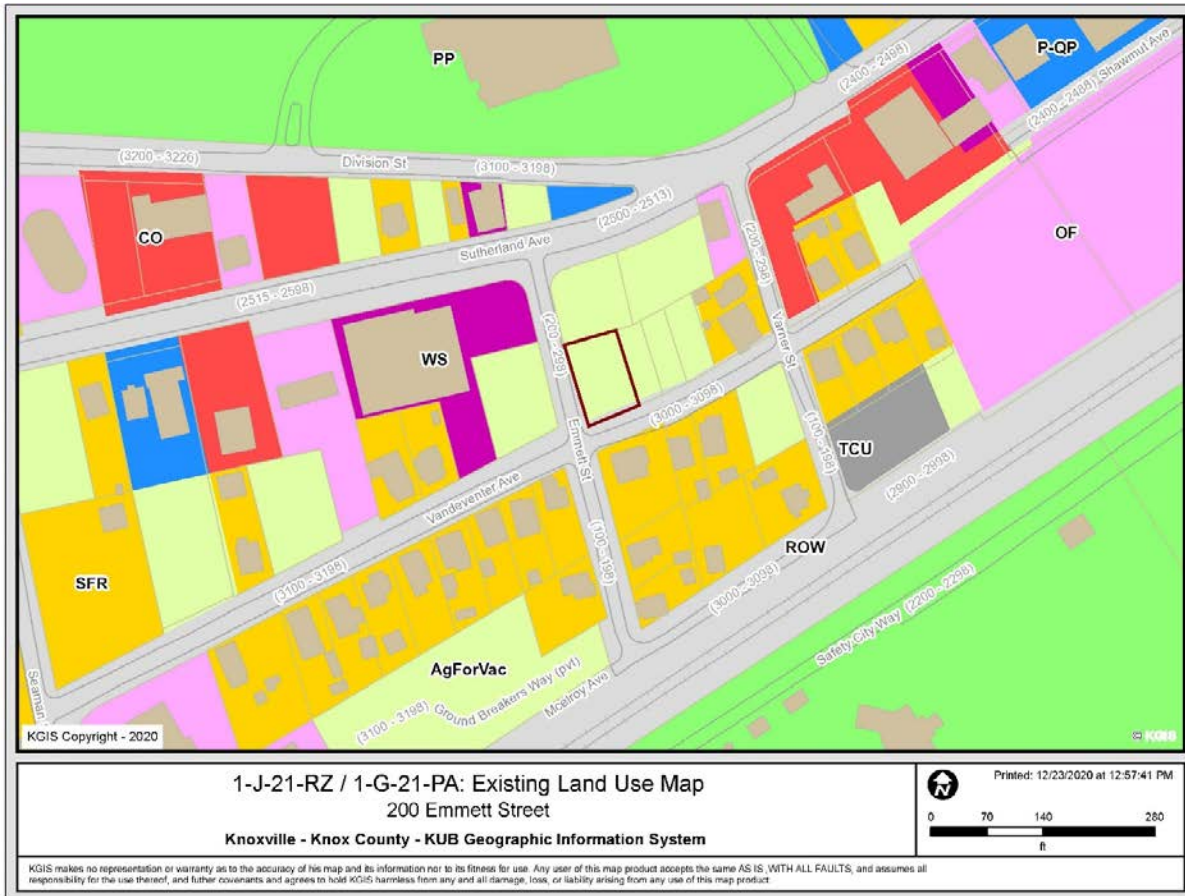
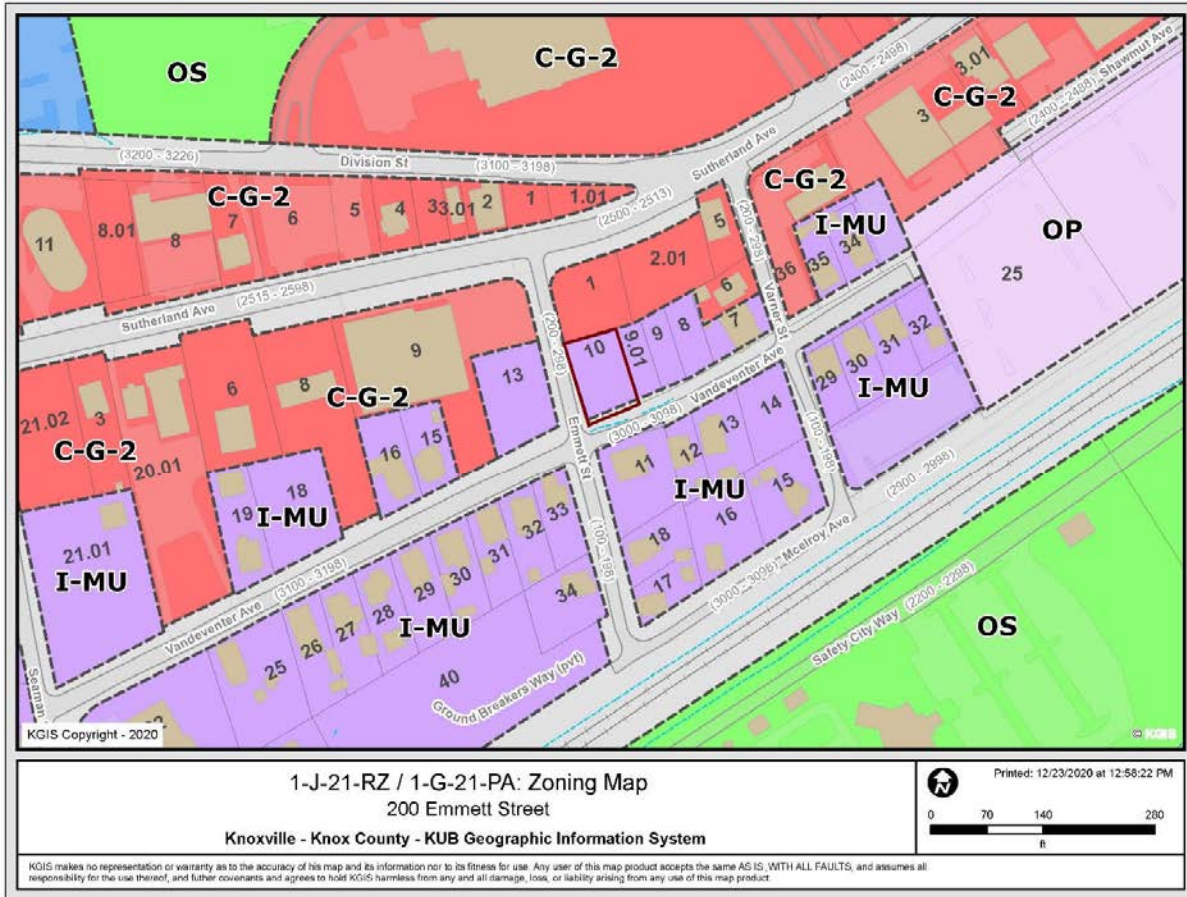


EXHIBIT A. Contextual Images



1-J-21-RZ_1-G-21-PA_1-I-21-SP

EXHIBIT A. Contextual Images





Development Request

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
☒ Final Plat

ZONING

- ☐ Plan Amendment
☐ SP ☐ OYP
☒ Rezoning

JONATHAN LYONS

SURVEYOR

Applicant Name

Affiliation

11-30-2020

1/14/2021

Date Filed

Meeting Date (if applicable)

File Number(s)
1-J-21-RZ
1-I-21-SP
1-G-21-PA

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

JONATHAN LYONS

360 SURVEYING & MAPPING

Name

Company

209 MARYVILLE HWY

SEYMOUR

TN

37865

Address

City

State

ZIP

865-577-4611

jll.360survey@gmail.com

Phone

Email

CURRENT PROPERTY INFO

TED HOWE

7914 GLEASON RD., #1008

Owner Name (if different)

Owner Address

Owner Phone

200 EMMETT ST.

108AF010

Property Address

Parcel ID

STAFF USE ONLY

East side of Emmett St ; North side of Vandeventer Ave.

67x109xIRR

General Location

Tract Size

6th

I-MU

Jurisdiction (specify district above) ☒ City ☐ County

Zoning District

Central City

LI

City

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

AgForVac

N

KUB

KUB

Existing Land Use

Septic (Y/N)

Sewer Provider

Water Provider

DEVELOPMENT REQUEST☐ Development Plan ☐ Use on Review / Special Use ☐ Hillside Protection COA☐ Residential ☐ Non-Residential

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

☐ Combine Parcels ☐ Divide Parcel

Unit / Phase Number _____

Total Number of Lots Created _____

☐ Other (specify) _____☐ Attachments / Additional Requirements _____

Related Rezoning File Number

ZONING REQUEST☒ Zoning Change **change tax map 108AF010 from I-MU to C-G-2**

Proposed Zoning

sector 4 OYP☒ Plan Amendment Change **LI (parcel 108AF010) to MU-SD MU-CC20**

Proposed Plan Designation(s)

Pending Plat File Number

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**ADDITIONAL REQUIREMENTS**☐ Design Plan Certification (*Final Plat*)☐ Use on Review / Special Use (*Concept Plan*)☐ Traffic Impact Study☐ COA Checklist (*Hillside Protection*)

Fee 1

\$1,000.00

Fee 2

\$600.00

Fee 3

\$1,600.00

Total

AUTHORIZATION

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

jll

Digitally signed by jll
Date: 2020.11.30 09:09:41 -05'00'

jonathan I lyons

11-30-2020

Applicant Signature

Please Print

Date

865-577-4611

jll.360survey@gmail.com

Phone Number

Email

Staff Signature

Marc Payne

11/30/2020

Please Print

Date



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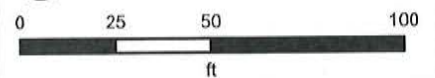
Letter Portrait

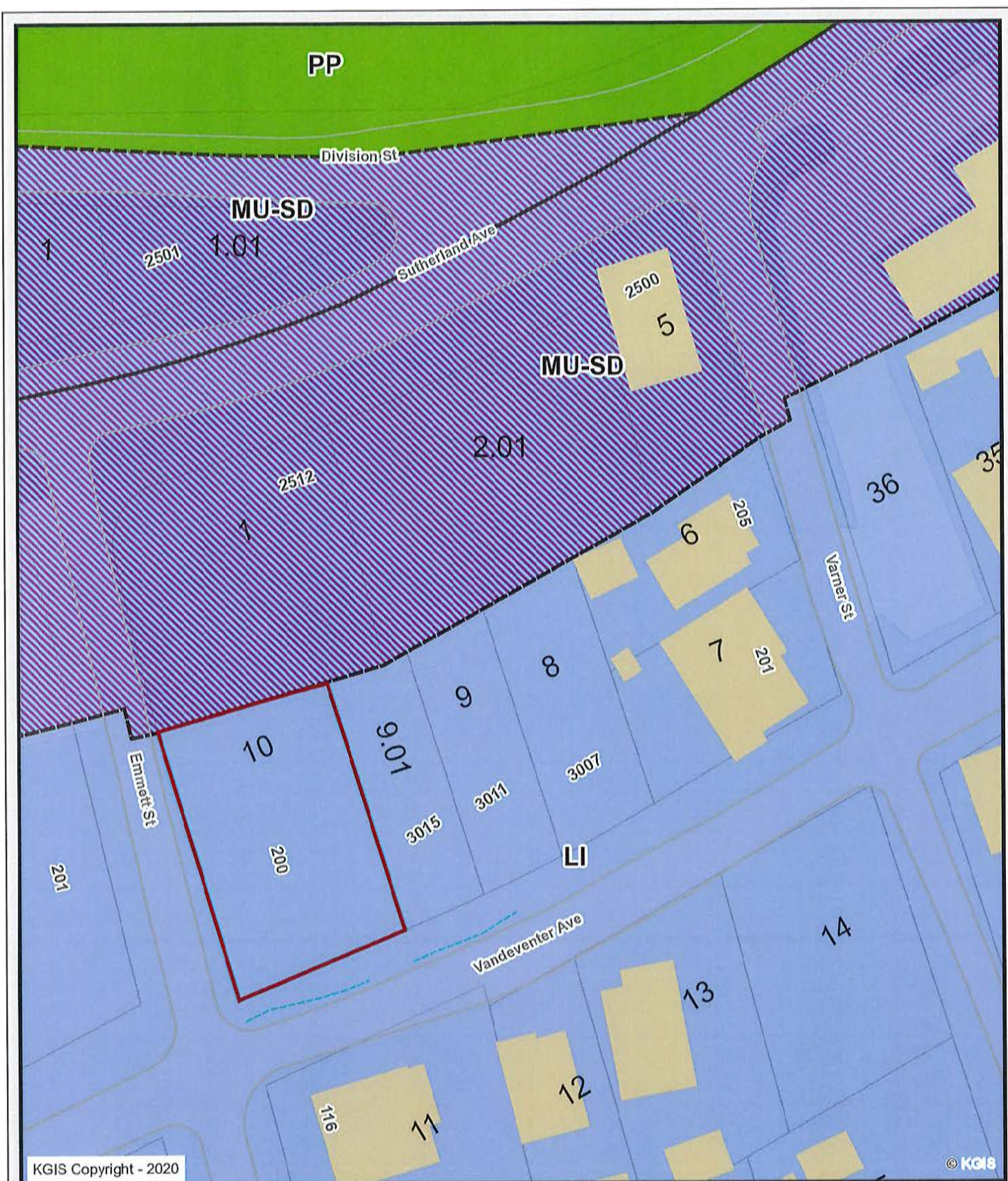
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Letter Portrait

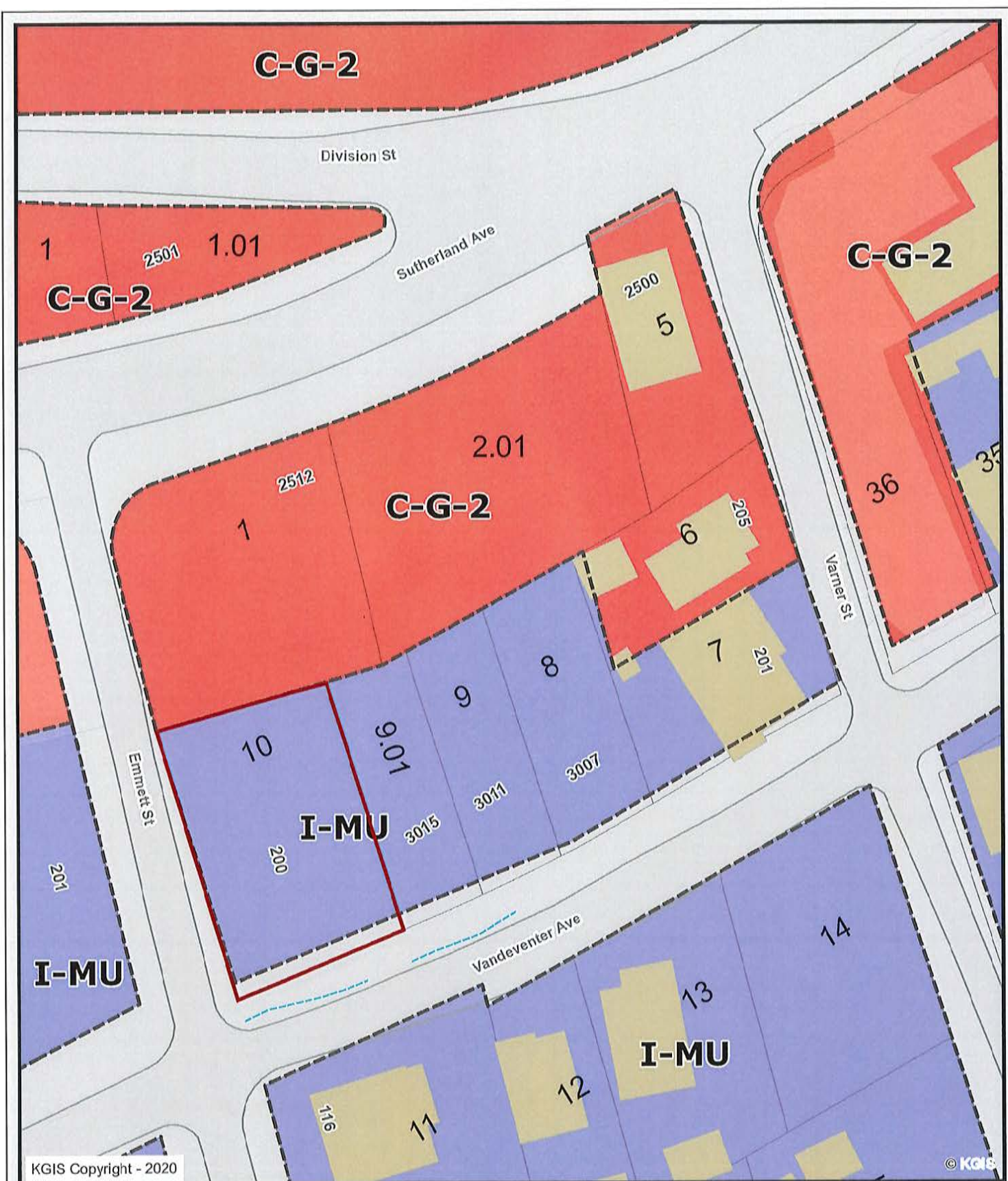
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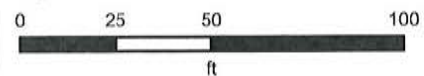
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Letter Portrait

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