

REZONING REPORT

▶ **FILE #:** 6-B-22-RZ

AGENDA ITEM #: 13

AGENDA DATE: 6/9/2022

▶ **APPLICANT:** **HAND PARTNERSHIP, LP**
OWNER(S): Michael Craig / Hand Partnership, LP

TAX ID NUMBER: 107 K H 001 [View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 4050 Sutherland Ave.

▶ **LOCATION:** **South side of Sutherland Avenue, east side of Carr Street**

▶ **APPX. SIZE OF TRACT:** **8500 square feet**

SECTOR PLAN: West City

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

ACCESSIBILITY: Access is via Sutherland Avenue, a minor arterial with a pavement width of 25-ft within a right-of-way width of 50-ft. Access is also via Carr Street, a local street with a pavement width of 20-ft within a right-of-way of 45-ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Fourth Creek

▶ **PRESENT ZONING:** **O (Office)**

▶ **ZONING REQUESTED:** **C-N (Neighborhood Commercial)**

▶ **EXISTING LAND USE:** **Office**

▶
EXTENSION OF ZONE: No

HISTORY OF ZONING: 5-D-08-RZ: R-1 to O-1

SURROUNDING LAND USE AND ZONING: North: Single family residential / RN-1 (Single Family Residential Neighborhood)

South: Transportation/Communication/Utilities / RN-4 (General Residential Neighborhood)

East: Office / O (Office)

West: Agriculture/forestry/vacant / O (Office)

NEIGHBORHOOD CONTEXT: This area is along the edge of a mixed use special district surrounding Kingston Pike. Many of the single family homes have converted to office and other non-residential uses along this section of Sutherland Avenue.

STAFF RECOMMENDATION:

▶ **Approve C-N (Neighborhood Commercial) zoning because it is consistent with sector plan and one year plan.**

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.3, SUBSECTIONS 1-3,

ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

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. Around 2000 this area along Sutherland Avenue, which is served by both transit and the Bearden Greenway, began converting to office uses primarily within the existing single family home structures.

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

1. The C-N zone is intended to provide for an environment of integrated residential development and small-scale commercial and service uses, predominantly serving nearby residential neighborhoods.
2. Low-intensity mixed-use is encouraged within the C-N District, with dwellings permitted above the ground floor, as well as multi-family and townhouse development located alongside select commercial uses.
3. Façade, fenestration and commercial site design standards are also required within the C-N zone, so if the existing residential-like structure were to be demolished and redeveloped, the C-N zoning would ensure a scale of development consistent with the neighborhood.

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. Most of this area along Sutherland Avenue has transitioned to non-residential uses primarily within the existing single family homes.
2. The uses permitted in the C-N zone district are intended to be uses that serve the surrounding residential neighborhood area.

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 proposed rezoning is compatible with the existing One Year Plan and Sector Plan classification of for the Bearden Village Mixed Use Special District (MU-SD WC-1).

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Bearden Elementary, Bearden Middle, and West High.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

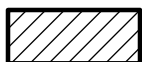
If approved, this item will be forwarded to Knoxville City Council for action on 7/12/2022 and 7/26/2022. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



**6-B-22-RZ
REZONING**

From: O (Office)

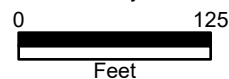
To: C-N (Neighborhood Commercial)



Petitioner: Hand Partnership, LP

Map No: 107

Jurisdiction: City



Original Print Date: 5/5/2022 Revised:
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Exhibit A. 6-B-22-RZ Contextual Images

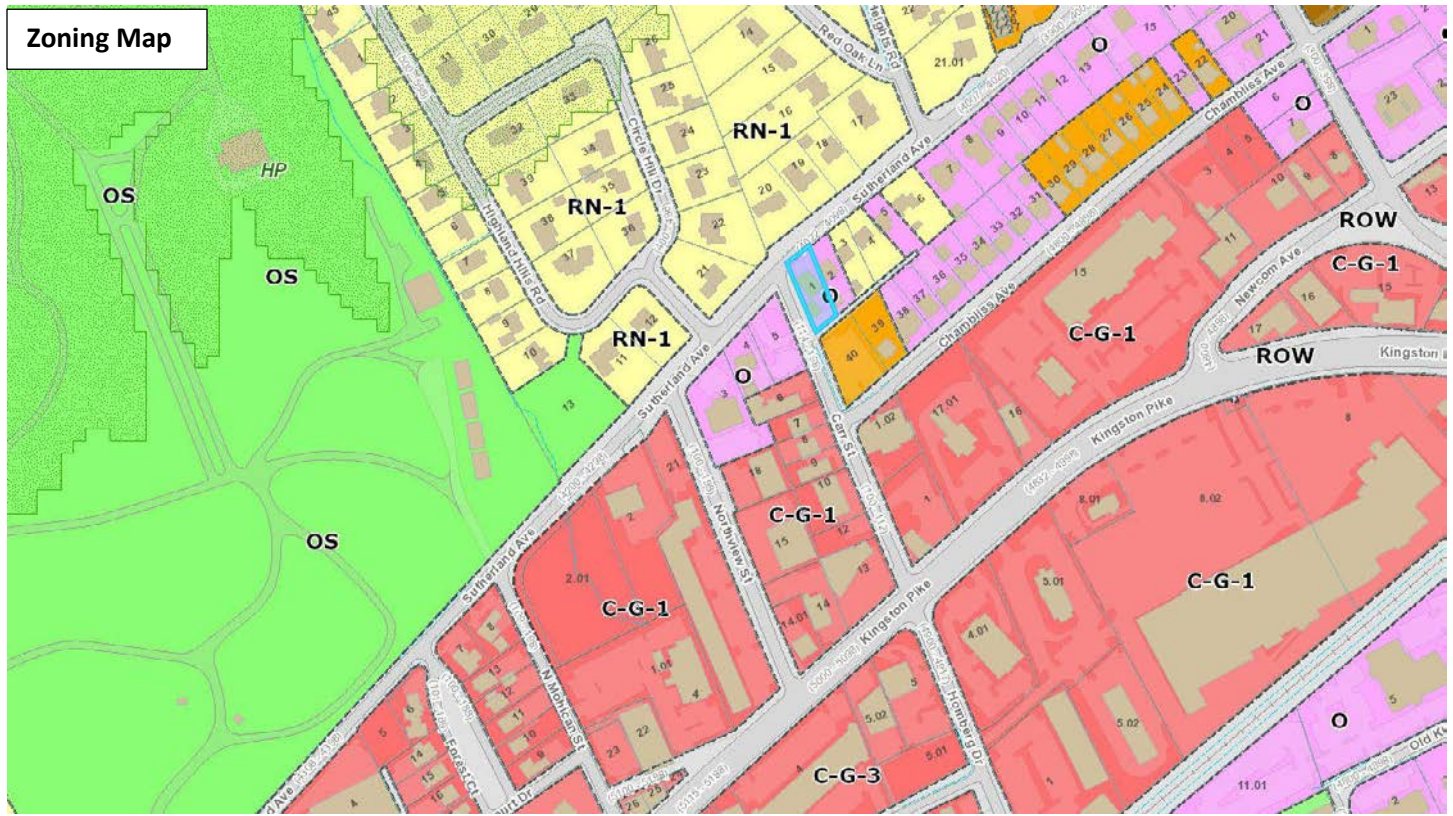


Exhibit A. 6-B-22-RZ Contextual Images

Aerial Map w/ KAT Routes & PRZs



Zoning w/ Building Permit Data (since 2001)

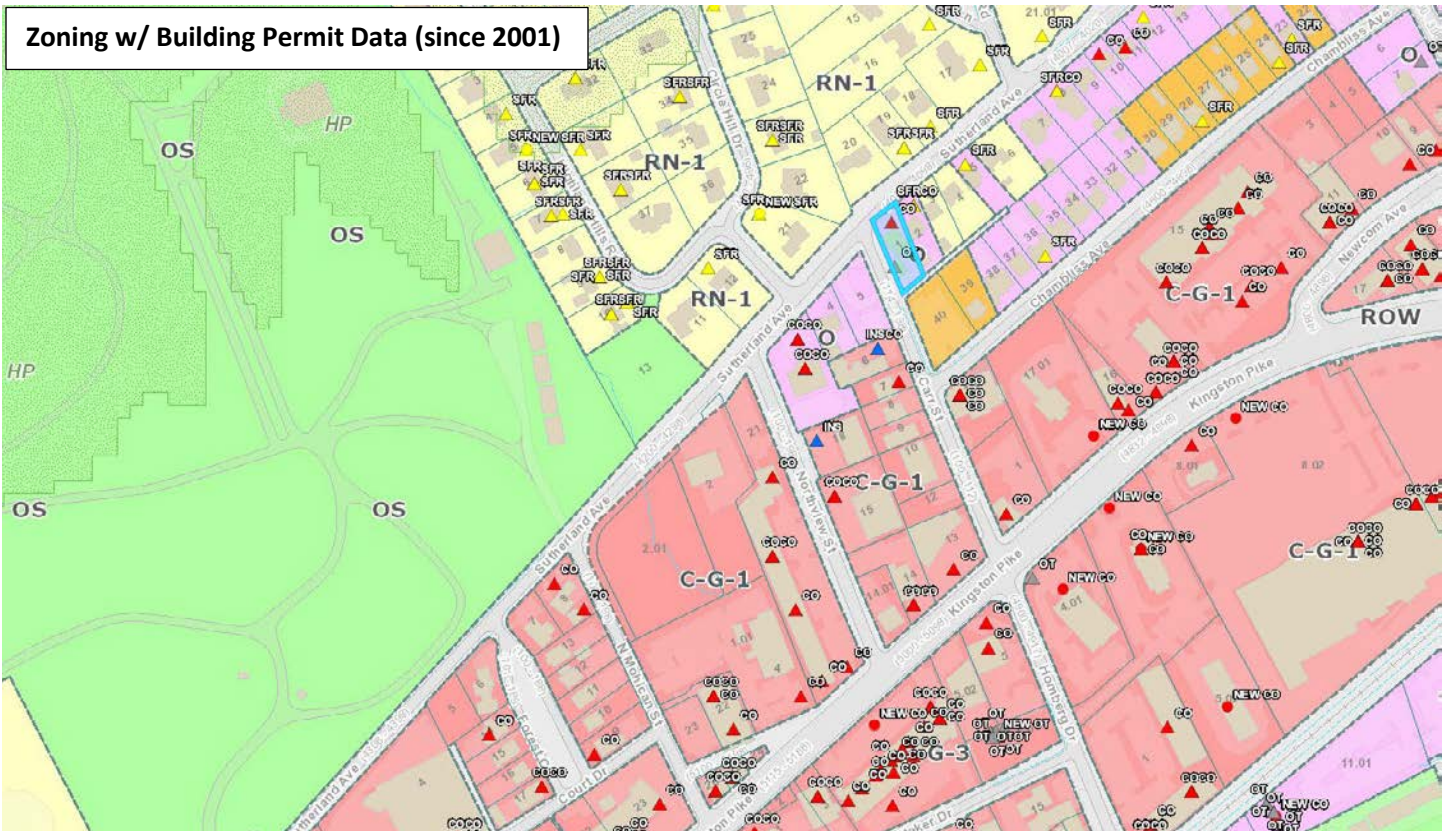


Exhibit A. 6-B-22-RZ Contextual Images



Birds Eye View (January 2022)



Street View



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

Hand Partnership, LP

Applicant Name

Affiliation

April 12, 2022

June 9, 2022

Date Filed

Meeting Date (if applicable)

File Number(s)

6-B-22-RZ

CORRESPONDENCE

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

- Applicant
- Property Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

Michael Craig

Hand Partnership, LP

Name

Company

310 Radford Place

Knoxville

TN

37917

Address

City

State

ZIP

865-337-5354

mike.craig@eagledistributing.com

Phone

Email

CURRENT PROPERTY INFO

310 Radford Place, Knoxville, TN 37919

865-337-5354

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

4050 Southerland Avenue

107KH001

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

South side of Southerland Ave., East side of Carr Street
General Location

8,500 SQ FT +/-
Tract Size

City County

2nd
District

0
Zoning District

OF
Existing Land Use

West City
Planning Sector

MU-5D(wc-1)
Sector Plan Land Use Classification

City
Growth Policy Plan Designation

DEVELOPMENT REQUEST

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

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) _____

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name _____

Combine Parcels
 Divide Parcel
 Total Number of Lots Created _____
 Unit / Phase Number _____

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Pending Plat File Number

Zoning Change
 Neighborhood Commercial
 Proposed Zoning _____

Plan Amendment Change
 Proposed Plan Designation(s) _____

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	Total
5326 \$1,000.00	
Fee 2	
Fee 3	\$1,800.00

AUTHORIZATION

Michel D. Craig, General Partner Hand Partnership, LP
 Applicant Signature Please Print

April 12, 2022

Date

865-337-5354

mike.craig@eagledistributing.com

Phone Number

Email

Michel D. Craig Gen. Partner Hand Partnership, LP
 Property Owner Signature Please Print

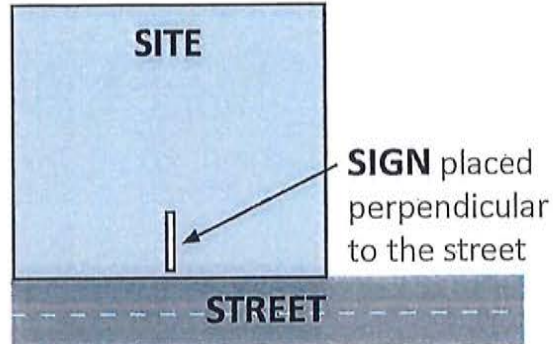
April 12, 2022

Date

MP 4/12/22

mp 4/12/22

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission public hearing** and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

_____ 5/25/2022 _____ and _____ 6/15/2022 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Hand Partnership, LP

Date: 4/13/2022

File Number: 6-B-22-RZ

- Sign posted by Staff
- Sign posted by Applicant