



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 3-I-25-RZ

AGENDA ITEM #: 11

3-A-25-SP

AGENDA DATE: 3/13/2025

► **APPLICANT:** DANIEL LEVY

OWNER(S): Jack F Llewellyn, Jr. Llewellyn Properties Inc

TAX ID NUMBER: 109 A C 008, 009, 010, 017, 018, 019, 021, 022 [View map on KGIS](#)

JURISDICTION: Council District 1

STREET ADDRESS: 2201 ATCHLEY ST (2209, 2215 ATCHLEY ST; 0, 0, 0, 0, 0 CARMICHAEL ST)

► **LOCATION:** Southwest side of Atchley St, north and east sides of Carmichael St

► **TRACT INFORMATION:** 2.85 acres

SECTOR PLAN: South City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Atchley street, a local street with a pavement width which varies between 25 ft and 30 ft within a 45-ft right-of-way. Access is also via Carmichael street, a local street with a pavement width of 20 ft within a 40-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

FIRE DISTRICT: Knoxville Fire Department

WATERSHED: Tennessee River

► **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential), MU-SD, SC-2 (Mixed Use Special District, Potential Addition to the South Waterfront District), HP (Hillside Protection) / I-G (General Industrial), HP (Hillside Protection Overlay)

► **PROPOSED PLAN DESIGNATION/ZONING:** SWMUD II (South Waterfront Mixed Use District Type 2), HP (Hillside Protection) / I-MU (Industrial Mixed-Use), HP (Hillside Protection Overlay)

► **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land, Office, Industrial

EXTENSION OF PLAN DESIGNATION/ZONING: Not an extension of the sector plan designation of zoning district.

HISTORY OF ZONING REQUESTS: None noted.

SURROUNDING LAND USE, PLAN DESIGNATION, North: Single family residential, multifamily residential, agriculture/forestry/vacant land - MU-SD, SC-1 (Mixed Use Special District, South Waterfront District), HP (Hillside Protection) - SW-3 (South Waterfront, Sevier Avenue), HP (Hillside Protection Overlay)

ZONING

- South: Agriculture/forestry/vacant land, single family residential - LDR (Low Density Residential), HP (Hillside Protection) - I-G (General Industrial), RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)
- East: Commercial, office - MU-SD, SC-2 (Mixed Use Special District, Potential Addition to the South Waterfront District) - I-G (General Industrial)
- West: Agriculture/forestry/vacant land, multifamily residential - MU-SD, SC-2 (Mixed Use Special District ""), HP (Hillside Protection) - RN-4 (General Residential Neighborhood), RN-5 (General Residential Neighborhood), HP (Hillside Protection Overlay)

NEIGHBORHOOD CONTEXT: This area of the South Waterfront community is comprised of a mix of legacy industrial, commercial, single family and multifamily uses among steep, forested slopes.

STAFF RECOMMENDATION:

- **Approve the SWMUD II (South Waterfront Mixed Use District Type 2) land use classification because it is consistent with surrounding development and aligns land use plans. The HP (Hillside Protection) area would be retained.**
- **Approve the I-MU (Industrial Mixed-Use) district because it is consistent with the intent of the district and adopted plans for the area. The HP (Hillside Protection Overlay) would be retained.**

COMMENTS:

PURSUANT TO THE GENERAL PLAN, PLANNING FRAMEWORK CHAPTER, THE PLANNING COMMISSION RESERVES THE AUTHORITY TO RECOMMEND LAND USE PLAN CHANGES BASED ON SUBSTANTIALLY CHANGED CONDITIONS. SUBSTANTIALLY CHANGED CONDITIONS INCLUDE (may meet any of these):

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

1. The Sevier Avenue Roadway Project is currently under construction. It will provide a new intersection roundabout, a railroad crossing, and drainage and streetscape improvements. This will be paired with the Sevier Avenue Utility Conduit & Duct Bank Project to transition overhead utilities underground. These capital improvements will benefit the South Waterfront area, which includes the subject property.
2. These major public infrastructure projects support the requested SWMUD II (South Waterfront Mixed Use Special District Type 2) land use classification, which is intended to allow a diverse range of uses and development intensities as an extension of the South Waterfront Form-Based Code (Article 7.1).

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The South City Sector Plan and the One Year Plan are currently not aligned on this property. Most of the subject property is designated as MU-SD, SC-2, which is a Mixed-Use Special District for a "Potential Addition to the South Waterfront District," and two of the lots are designated as LDR (Low Density Residential). The One Year Plan classification for the entire property is SWMUD II, which is a more contemporary classification for the expansion of South Waterfront development. The requested sector plan amendment will correct this misalignment.

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

1. The SWMUD II land use classification reflects the City's decision to accommodate more intensive development in the South Waterfront community commensurate with infrastructure improvements and growing amenities.

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

1. The South Waterfront community is one of the fastest developing areas of the City. This is due in part to the form-based code, which emphasizes building design and mixed-use pedestrian orientation consistent with the South Waterfront Vision Plan over specific uses.

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, 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. The South Waterfront community is one of the fastest growing areas of the City in terms of population increase and building construction. What has historically been a center of industrial activity utilizing the Tennessee River is transitioning rapidly with more residential and service-oriented commercial development. The adoption of the South Waterfront Vision Plan in 2006 and the creation of a form-based code to implement it has had a major influence on the transition away from industrial uses.
2. The requested downzoning from the I-G (General Industrial) district to the I-MU (Industrial Mixed-Use) district is consistent with this area's overall shift from legacy industrial activity towards more intensive residential and commercial development.

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

1. The I-MU district is intended to provide for a mix of light industrial uses and a variety of compatible commercial uses such as entertainment, amusement and retail establishments. This mix is designed to promote the reuse of older, character-giving structures that may no longer be suitable for their original industrial purposes, but that can accommodate a variety of alternative types of uses. Residential uses are also permitted in the I-MU District, both above the ground floor in mixed-use development, and in multi-family dwellings.
2. The subject property is comprised of eight lots, the largest two of which have operated as a construction company for many decades. The historic brick Roehl Construction Company office building remains on Atchley Street and aligns with the architecturally significant commercial and office buildings across the street. The subject property is otherwise surrounded by single-family and duplex residences. This context is consistent with the intent of the I-MU district as a way to retain industrial structures while transitioning to lighter commercial and residential uses compatible with surrounding development.

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. The existing I-G district permits a range of uses that could have an adverse impact on surrounding properties with noxious fumes, noise, and trucking activity. This request for a lighter, mixed-use industrial district will better protect the surrounding environment and is not anticipated to have an adverse impact.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE KNOXVILLE-KNOX COUNTY GENERAL PLAN AND ITS COMPONENT PARTS, INCLUDING ADOPTED SECTOR PLANS, CORRIDOR PLANS, AND RELATED DOCUMENTS.

1. The I-MU district is consistent with the One Year Plan's SWMUD II (South Waterfront Mixed Use District Type 2) land use classification and the South City Sector Plan as amended to SWMUD II.
2. This rezoning is also compatible with the South Waterfront Vision Plan's intent to honor its industrial and workforce heritage while developing in a way that will support residential and market expansion.

ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

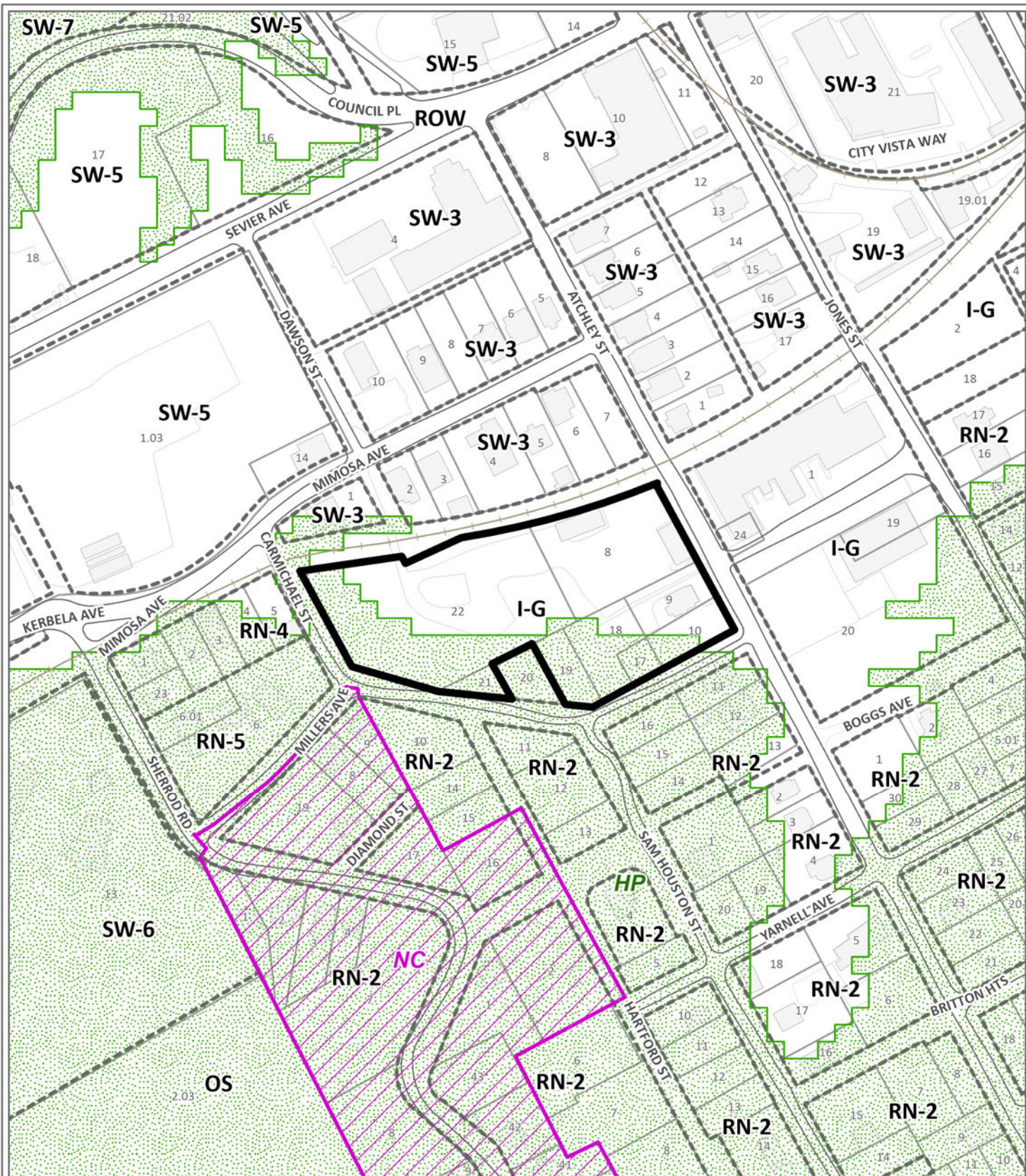
1. This property is in an urbanized area with ample infrastructure capacity to accommodate future development. There are also numerous capital improvements underway to update road and utility infrastructure in this area.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: South Knoxville Elementary, South Doyle Middle, and South Doyle High.

If approved, this item will be forwarded to Knoxville City Council for action on 4/1/2025 and 4/29/2025. 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.



REZONING

3-I-25-RZ



From: I-G (General Industrial), HP (Hillside Protection Overlay)

To: I-MU (Industrial Mixed-Use); HP (Hillside Protection Overlay)

Original Print Date: 2/4/2025

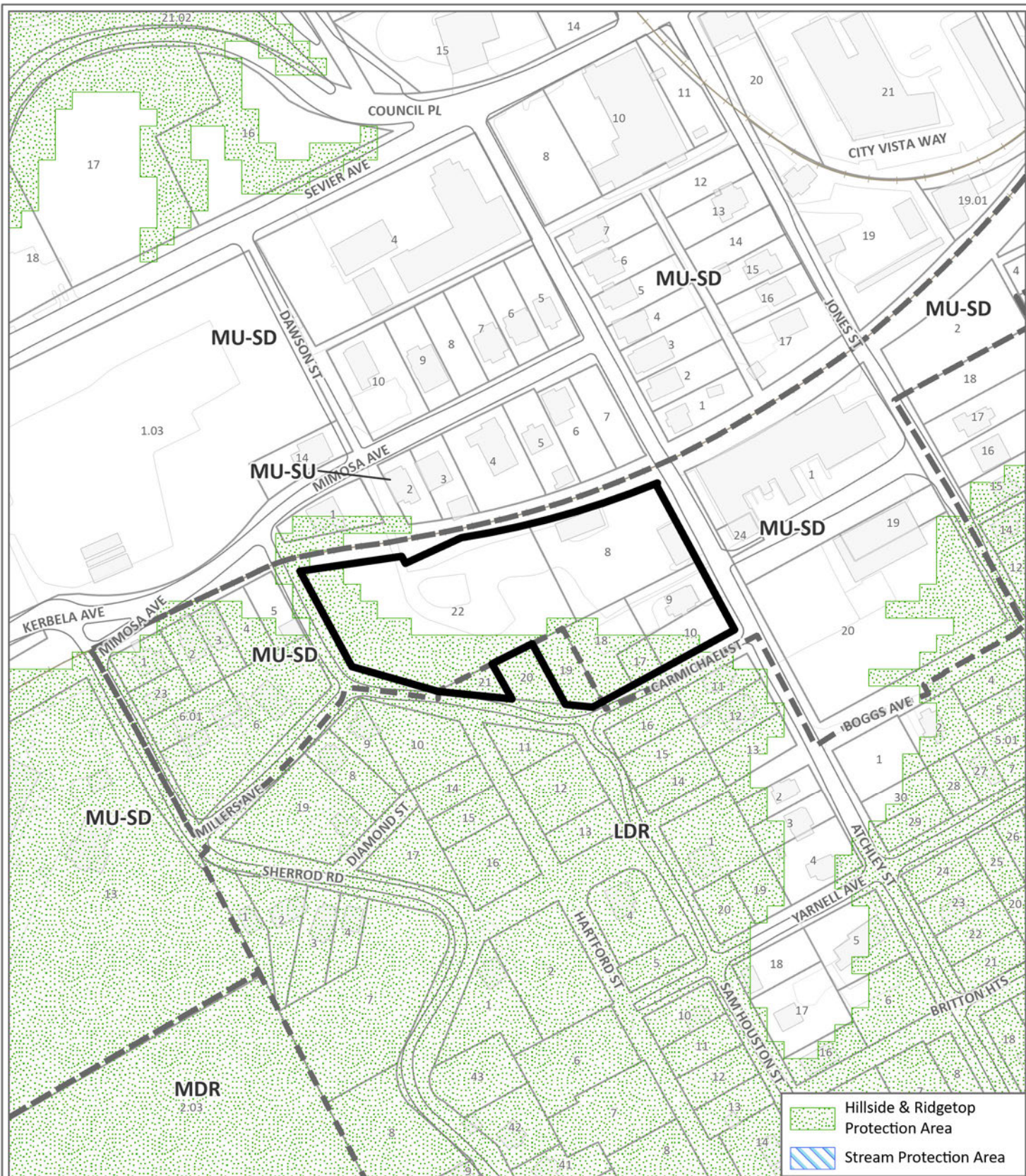
Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Daniel Levy

Map No: 109

Jurisdiction: City





3-A-25-SP SOUTH CITY SECTOR PLAN MAP



From: LDR (Low Density Residential), MU-SD, SC-2 (Mixed Use Special District, Potential Addition to the South Waterfront District), HP (Hillside Protection)
To: SWMUD II (South Waterfront Mixed Use District Type 2), HP (Hillside Protection)

Original Print Date: 2/4/2025

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

Petitioner: Daniel Levy

Map No: 109

Jurisdiction: City



Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

3-A-25-SP / 3-I-25-RZ

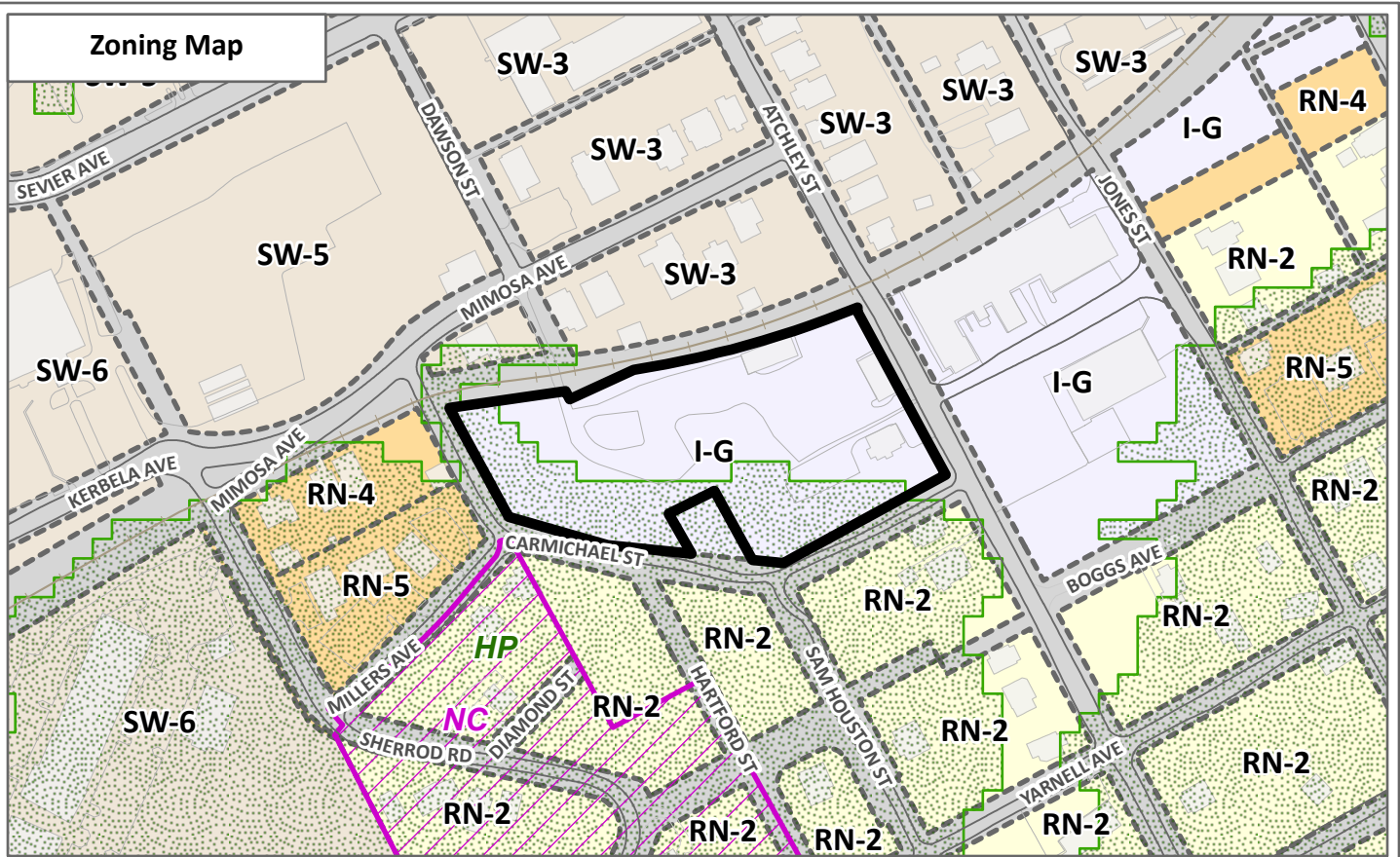


Case boundary

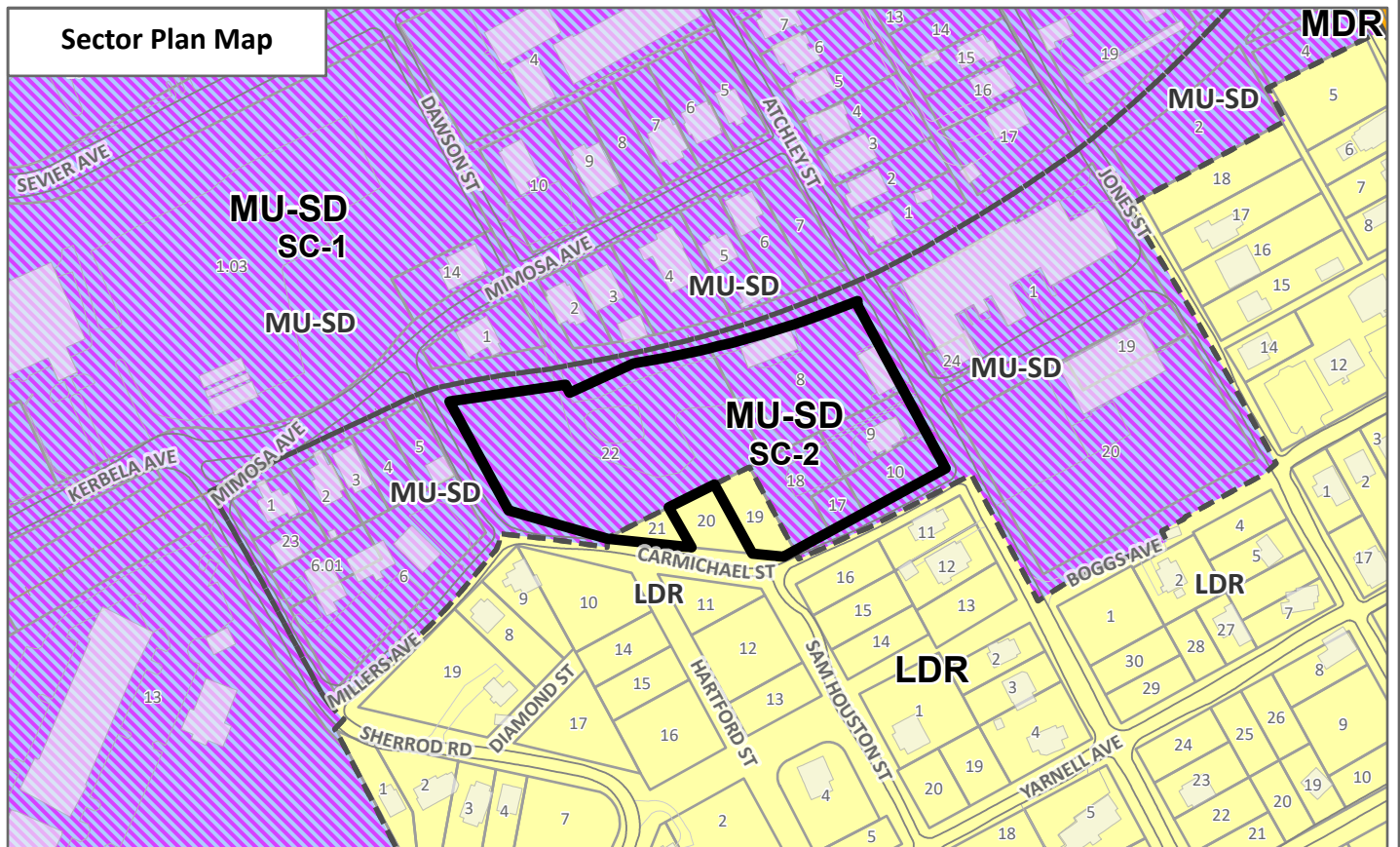
0 275
Feet



Zoning Map



Sector Plan Map



CONTEXTUAL MAPS 2

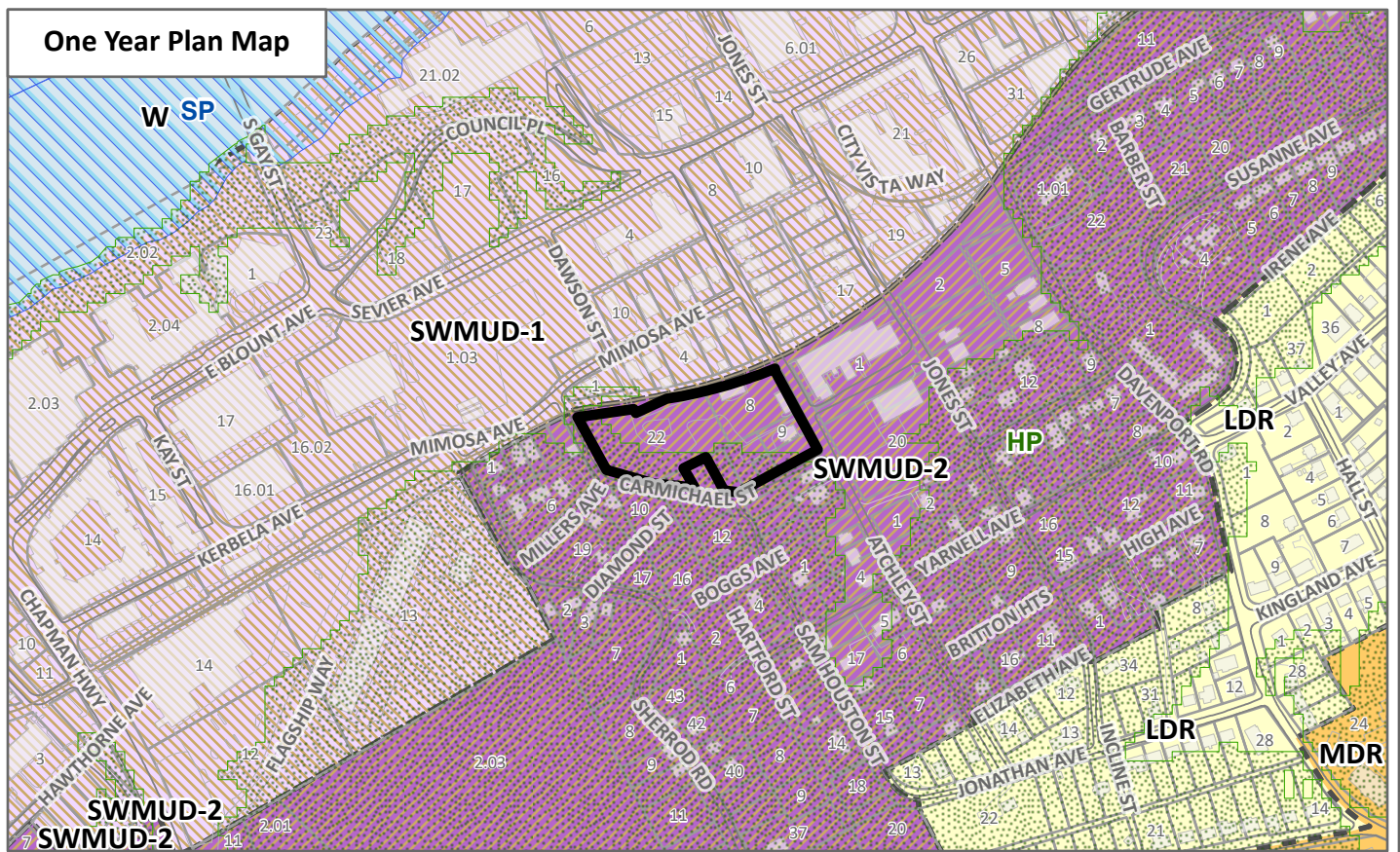
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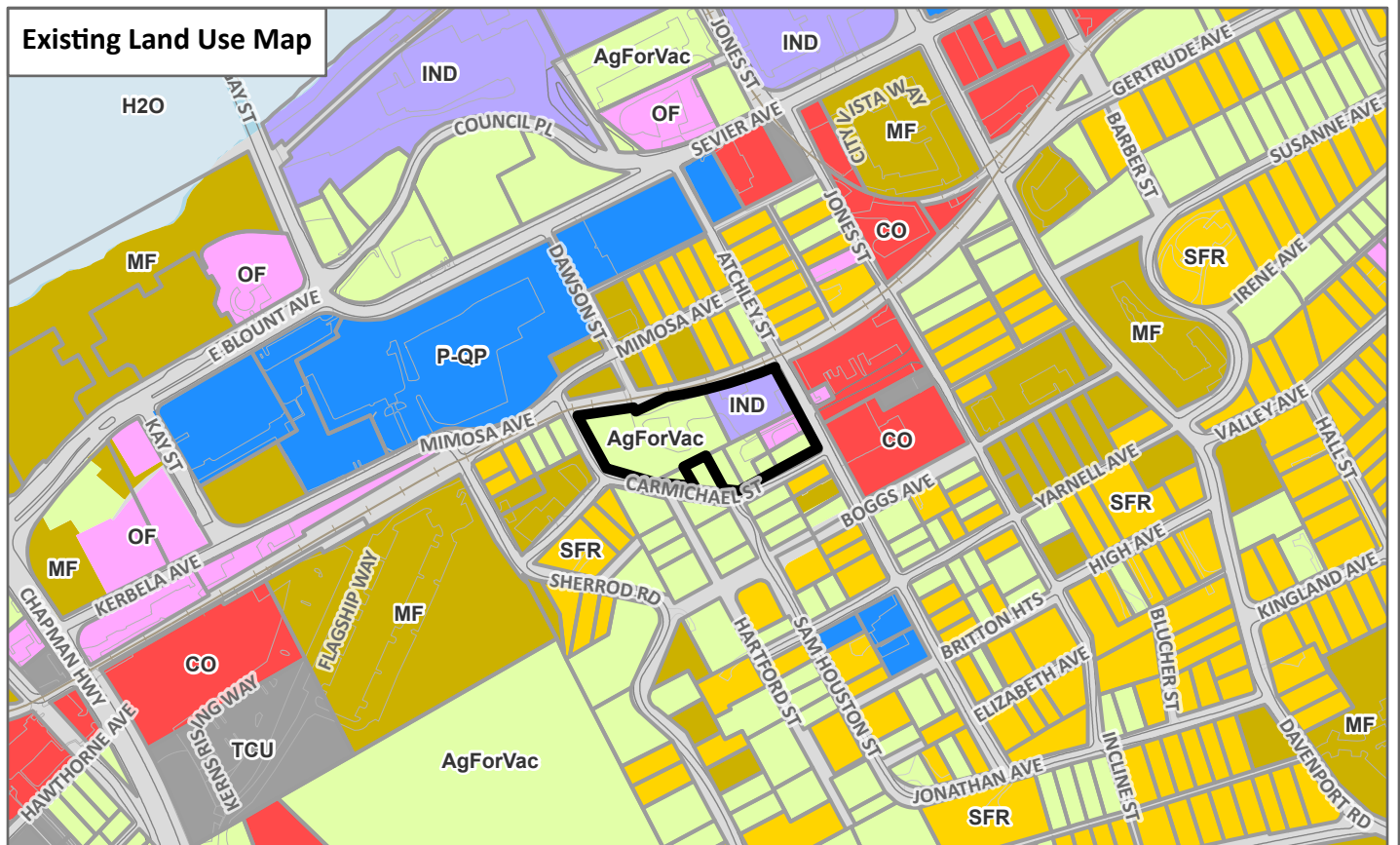
Case boundary



One Year Plan Map



Existing Land Use Map

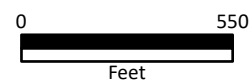


CONTEXTUAL MAPS 3

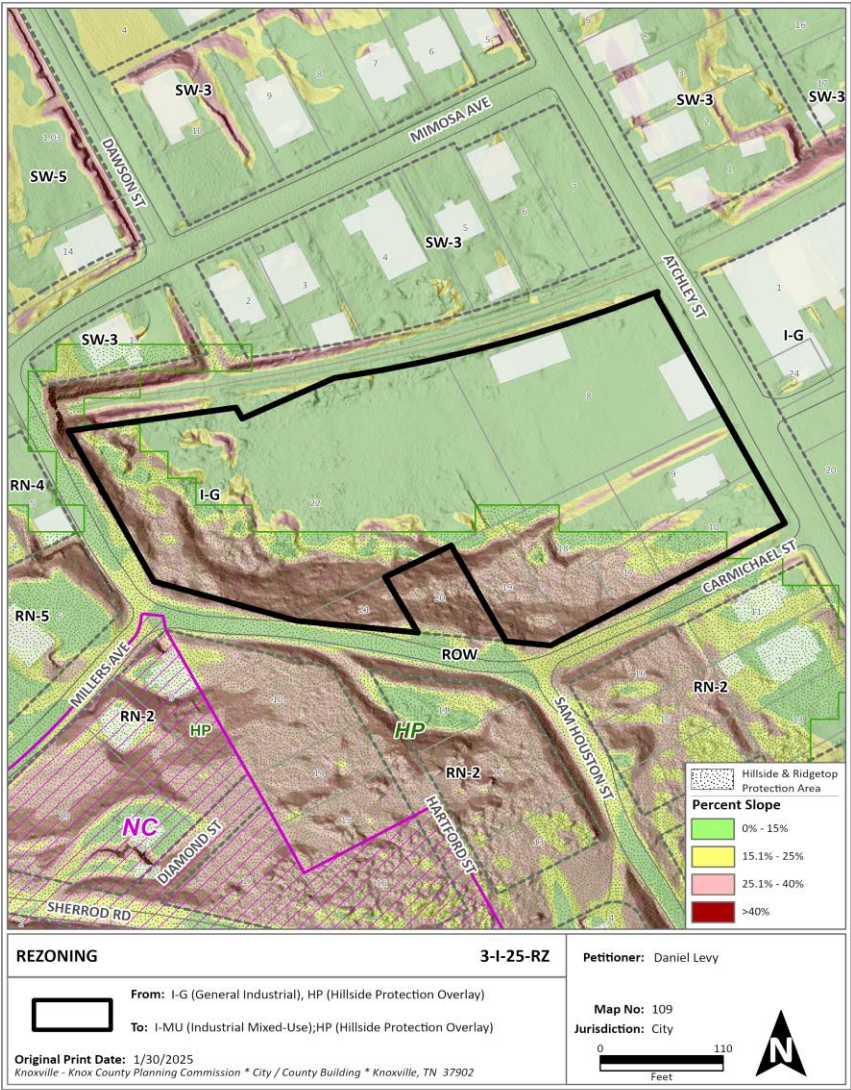
3-A-25-SP / 3-I-25-RZ



Case boundary



CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	123,954.9	2.85			
Non-Hillside	78,801.2	1.81	N/A		
0-15% Slope	6,831.1	0.16	100%	6,831.1	0.16
15-25% Slope	7,379.9	0.17	50%	3,690.0	0.08
25-40% Slope	15,250.9	0.35	20%	3,050.2	0.07
Greater than 40% Slope	15,691.8	0.36	10%	1,569.2	0.04
Ridgetops					
Hillside Protection (HP) Area	45,153.7	1.04	Recommended disturbance budget within HP Area	15,140.4	0.35
			Percent of HP Area	33.5%	



***KNOXVILLE-KNOX COUNTY PLANNING COMMISSION
A RESOLUTION AMENDING THE SOUTH 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*

***WHEREAS**, the Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the South 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**, Daniel Levy has submitted an application for an amendment to the South City Sector Plan for property described in the application; and*

***WHEREAS**, the Planning Commission recommends approval of an amendment to the Sector Plan from MU-SD, SC-2 (Mixed Use Special District, Potential Addition to the South Waterfront District) & LDR (Low Density Residential) to SWMUD II (South Waterfront Mixed Use District Type 2), which is 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 March 13, 2025 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 South City Sector Plan with its accompanying staff report and map, file #3-A-25-SP.

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

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

Date

Chairman

Secretary



Development Request

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ SP ☐ PA
☒ Rezoning

Daniel Levy

Architect

Applicant Name

Affiliation

01.27.2025

March 13 2025

File Number(s)

Date Filed

Meeting Date (if applicable)

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

Daniel Levy

DKLEVY pllc

Name

Company

3523 Maloney Road

Knoxville

TN

37920

Address

City

State

ZIP

865-474-9264

Phone

Email

CURRENT PROPERTY INFO

Llewellyn Jack, Llewellyn Properties inc

3025 HODGES LANDING DR

865-577-3361

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

2201 Atchley St, 2209 Atchley, 2215 Atchley, O Carmichael St

109AC008, 109AC009, 109AC010, 109AC017,
109AC018, 109AC019, 109AC021, 109AC022

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

COMMUNITY ENGAGEMENT

Sign and return the **Public Notice & Community Engagement** form with this application.

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). **We require applicants to acknowledge their role in this process.**

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 _____

Unit / Phase Number _____

- ☐ Combine Parcels ☐ Divide Parcel

Total Number of Lots Created _____

☐ Other (specify) _____

☐ Attachments / Additional Requirements _____

ZONING REQUEST

☒ Zoning Change **I-MU**
Proposed Zoning _____

Pending Plat File Number

☐ 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
☐ Amendment Request (*Comprehensive Plan*)

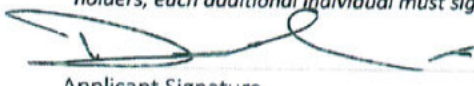
ADDITIONAL REQUIREMENTS

- ☐ Use on Review / Special Use (*Concept Plan*)
☐ Traffic Impact Study
☐ COA Checklist (*Hillside Protection*)

Fee 1	Total
Fee 2	
Fee 3	

AUTHORIZATION

By signing below, I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent. If there are additional owners or options holders, each additional individual must sign the Property Owners/Option Holders Form.



Daniel Levy Architect

01.27.2025

Applicant Signature

Print Name / Affiliation

Date

865-474-9264

Phone Number

Email



JACK F. LLEWELLYN, JR.

Please Print

Date Paid



Public Notice and Community Engagement

Sign Posting and Removal

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.

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.

Community Engagement

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s).

Acknowledgement

By signing below, you acknowledge that public notice signs must be posted and visible on the property consistent with the guidelines above and between the dates listed below.

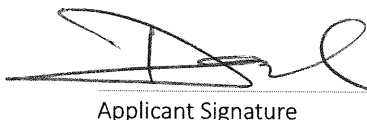
March 1st 2025
Date to be Posted

March 15th 2025
Date to be Removed

**Have you engaged the
surrounding property owners
to discuss your request?**

☐ Yes ☐ No

☐ No, but I plan to prior to the
Planning Commission meeting


Applicant Signature

Daniel Gray
Applicant Name

1/27/2025
Date

FILE NUMBER