

# CASE SUMMARY

**APPLICATION TYPE: PLAN AMENDMENT**

**NORTH CITY SECTOR PLAN AMENDMENT**

KNOXVILLE-KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N

T E N N E S S E E

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**File Number:** 1-A-14-SP  
**Application Filed:** 10/28/2013  
**Applicant:** KENNETH R. LAY

**Related File Number:**  
**Date of Revision:**

## PROPERTY INFORMATION

**General Location:** Southwest side Central Avenue Pike, southeast of Bookwalter Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 69 P B 006 **Jurisdiction:** City  
**Size of Tract:** 1 acres  
**Accessibility:** Access is via Central Avenue Pike, a minor arterial street with 24' of pavement width within 60' of right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Auction house  
**Surrounding Land Use:**  
**Proposed Use:** Auction house **Density:**  
**Sector Plan:** North City **Sector Plan Designation:** MU-SD (MU-NC14)  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This area is developed with a mix of uses, including residential, commercial and churches, under C-3, C-6, C-4 and R-2 zoning.

## ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

**Street:** 4109 Central Avenue Pike  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** C-3 (General Commercial)  
**Former Zoning:**  
**Requested Zoning:** C-4 (Highway and Arterial Commercial)  
**Previous Requests:** None noted  
**Extension of Zone:** No  
**History of Zoning:** None noted

## PLAN INFORMATION (where applicable)

**Current Plan Category:** MU-SD (MU-NC14)  
**Requested Plan Category:** MU-SD (MU-NC14) with C-4 (Highway & Arterial Commercial)

## **SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

## **OTHER INFORMATION (where applicable)**

Other Bus./Ord. Amend.:

## **MPC ACTION AND DISPOSITION**

Planner In Charge:

Michael Brusseau

Staff Recomm. (Abbr.):

ADOPT RESOLUTION # 1-A-14-SP, amending the North City Sector Plan to MU-SD (Mixed Use Special District) MU-NC15, including C-4 zoning, and recommend that City Council also adopt the amendment. (See attached resolution, Exhibit A.)

Staff Recomm. (Full):

Limited C-4 uses will be compatible with the scale and intensity of surrounding development and zoning. The property is located along a minor arterial street and backs up to I-75 right-of-way, making it appropriate for most C-4 uses.

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 along this section of Central Avenue Pike. Public water and sewer utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The sector plan currently designates this site within a mixed use special district (MU-NC15) of the North City Sector Plan. This particular special district allows consideration of RP-1, O-1, C-3 and C-6 zoning, consistent with its current C-3 designation. However, due to the property's location within a relatively isolated area between and interstate and a major arterial street, it is not inappropriate for limited C-4 zoning.

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

No specific change in public policy has occurred to warrant this requested plan amendment. The Knoxville Inspections and Permitting Department has deemed that the current and proposed use of an auction house is not in conformance with C-3 zoning, and requires C-4 zoning.

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. The commercial land use and zoning pattern in the area is already established.

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.

Action:

Approved

Meeting Date: 1/9/2014

Details of Action:

**Summary of Action:** ADOPT RESOLUTION # 1-A-14-SP, amending the North City Sector Plan to MU-SD (Mixed Use Special District) MU-NC15, including C-4 zoning, and recommend that City Council also adopt the amendment.

**Date of Approval:** 1/9/2014

**Date of Denial:**

**Postponements:**

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:**

### ***LEGISLATIVE ACTION AND DISPOSITION***

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 2/4/2014

**Date of Legislative Action, Second Reading:** 2/18/2014

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:** Approved

**Disposition of Case, Second Reading:** Approved

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**