

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

ONE YEAR PLAN AMENDMENT



File Number: 10-A-20-PA **Related File Number:** 10-A-20-RZ
Application Filed: 8/4/2020 **Date of Revision:**
Applicant: HUDSON EMULSION, LLC DBA HUDSON MATERIALS COMPANY

PROPERTY INFORMATION

General Location: At the end of W. Oldham Ave. after its intersection with Davanna Ave., north of W. Woodland Ave.
Other Parcel Info.:
Tax ID Number: 81 N B 034 **Jurisdiction:** City
Size of Tract: 2.25 acres
Accessibility: This property has frontage on two roads, Davanna Street and on W. Oldham Avenue. Davanna Street is a local road with a 25-ft pavement width inside a 50-ft right-of-way. W. Oldham Avenue is located inside the property lines of 2 parcels on either side of the right-of-way. It terminates at this location and has a pavement width of approximately 27 feet.

GENERAL LAND USE INFORMATION

Existing Land Use: Industrial, it is an emulsion manufacturing plant
Surrounding Land Use:
Proposed Use: **Density:** N/A
Sector Plan: Central City **Sector Plan Designation:** LI (Light Industrial)
Growth Policy Plan: Within City limits
Neighborhood Context: This area contains a mix of uses ranging from industrial to single family detached residential. The interstate and a railroad right-of-way border this property along its southern and western borders. Single family detached houses on small lots are zoned RN-4 and in the Infill Housing Overlay District and are across Davanna Street. N. Central Avenue is 2 blocks to the east and contains commercial zoning and uses.

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

Street: 405 W. Oldham Ave.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: I-MU (Industrial Mixed-Use) and F (Floodway)
Former Zoning:
Requested Zoning: I-H (Heavy Industrial) and F (Floodway)
Previous Requests:
Extension of Zone: No
History of Zoning: None noted for this property

PLAN INFORMATION (where applicable)

Current Plan Category: LI (Light Industrial) and SP (Stream Protection)
Requested Plan Category: HI (Heavy Industrial) and SP (Stream Protection)

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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Michelle Portier
Staff Recomm. (Abbr.): Deny the Heavy Industrial designation since it does not meet the location criteria for an amendment and is not consistent with surrounding development.
Staff Recomm. (Full):
Comments: This facility was built sometime in 1960s; the zoning ordinance was adopted in 1928 and amended in 1962, so there was a zoning ordinance in effect at the time. This parcel is part of an industrial strip of development running along the railroad tracks that was originally zoned I-2 (Restricted Manufacturing and Warehousing) District, which did not allow heavy industrial uses such as emulsion manufacturing. Since the I-2 zone did not allow this use, it would not be considered a legal nonconforming use. However, it is an existing use.

The parcel was given the comparable zone to I-2 upon adoption of the new zoning map and ordinance in January 2020. The I-MU (Industrial Mixed Use) zoning district. The use employed is only allowed in the Heavy Industrial District, which is only allowed in the Heavy Industrial land use class. Therefore, to expand operations, the applicant is seeking a plan amendment to HI and a rezoning to I-H.

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. There are no apparent errors in the plan.

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 have been no changes to the development pattern that would warrant a plan amendment.

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.

Action: Approved **Meeting Date:** 10/8/2020

Details of Action: The Planning Commission voted to amend the One Year Plan designation from LI (Light Industrial) / SP (Stream Protection) to HI (Heavy Industrial) / SP (Stream Protection) because of an error in the plan.

Summary of Action: Approve the One Year Plan amendment from LI (Light Industrial) / SP (Stream Protection) to HI (Heavy Industrial) / SP (Stream Protection)

Date of Approval: 10/8/2020 **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: 11/3/2020

Date of Legislative Action, Second Reading: 11/17/2020

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Postponed

Disposition of Case, Second Reading: Denied

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: