## **CASE SUMMARY**

# APPLICATION TYPE: PLAN AMENDMENT CENTRAL CITY SECTOR PLAN AMENDMENT

File Number: 12-C-09-SP Related File Number:

Application Filed: 11/2/2009 Date of Revision:

Applicant: JACQUELINE WHITESIDE

METROPOLITAN
PLANNING
COMMISSION
TENNESSEE
Suite 403 • City County Building
4 0 0 Main Street
Knoxville, Tennessee 37902
8 6 5 • 2 1 5 • 2 5 0 0
FAX• 2 1 5 • 2 0 6 8

www•knoxmpc•org

## PROPERTY INFORMATION

**General Location:** South side E. Magnolia Ave., east side N. Kyle St.

Other Parcel Info.:

Tax ID Number: 82 O N 003 Jurisdiction: City

Size of Tract: 0.55 acres

Access is via E. Magnolia Ave., a major arterial street with 4 lanes and a center turning lane within 100'

of right of way, or N. Kyle St., a local street with 15-16' of pavement width within 35' of right of way.

#### GENERAL LAND USE INFORMATION

Existing Land Use: Formerly Regions Bank

**Surrounding Land Use:** 

Proposed Use: Car lot Density:

Sector Plan: Central City Sector Plan Designation: MU-CC05

Growth Policy Plan: Urban Growth Area (Inside City Limits)

Neighborhood Context: This section of E. Magnolia Ave. is developed with commercial uses under C-3 zoning.

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

Street: 2104 E Magnolia Ave

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 (Mixed Use) - Special District (limited to C-3, O-3, RP-1 & RP-2)

Requested Plan Category: MU (Mixed Use) - Special District (limited to C-3, C-4, O-3, RP-1 & RP-2)

3/4/2010 02:17 PM Page 1 of 3

## 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.): RECOMMEND that City Council DENY the sector plan amendment to allow consideration of the C-4

zoning district within the Mixed Use Special District.

Staff Recomm. (Full): The Magnolia Avenue Corridor Plan was adopted by MPC on July 9, 2009 and by City Council on

August 25, 2009. This property is included within this plan. C-4 is a not a zone that may be considered within this mixed use special district. This request does not meet any of the General Plan criteria for amendments to a sector plan. The fact that the Corridor Plan was adopted so recently makes this

request for amendment even more inappropriate.

Comments: SECTOR PLAN REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

**NEW ROAD OR UTILITY IMPROVEMENTS:** 

No known road or utility improvements have occurred in this area. The proposed use is more intense

than the current designation.

ERROR OR OMISSION IN CURRENT PLAN:

The Central City Sector Plan, as amended by the recently adopted Magnolia Avenue Corridor Plan, shows this property within a mixed use special district (MA7). See attached excerpt from the plan. This district is intended to be an interim overlay district that continues to allow similar uses that exist on Magnolia Avenue but also requires new structures and extensively renovated structures to create setbacks and orientation of the MA6 district. Also, mixed use buildings that meet the MA6 district standards would be allowed. The plan proposes the creation of form code zoning districts in the future, but in the interim, provides specific recommended zones for each subarea of the plan. In the MA7 area, the three recommended zones are C-3, O-3, RP-1 and RP-2. C-4 is not included, which is why a sector plan amendment is required in order for C-4 zoning to be considered. The One Year Plan currently proposes GC (General Commercial) for the site, consistent with the proposal. However, as part of the 2010 One Year Plan update, staff anticipates recommending a change to that plan to bring it into

consistency with the Magnolia Avenue Corridor Plan.

CHANGES IN GOVERNMENT POLICY:

No changes have occurred that warrant this sector plan change. The applicable land use plan was

adopted only three months ago.

CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:

C-3 zoning and development have been and continue to be the predominant pattern along E. Magnolia Ave. No changes have occurred to warrant changing the plan to allow consideration of C-4 zoning at

this location.

Action: Approved Meeting Date: 12/10/2009

**Details of Action:** 

Summary of Action: MU (Mixed Use) - Special District (limited to C-3, C-4, O-3, RP-1 & RP-2 zoning)

Date of Approval: 12/10/2009 Date of Denial: Postponements: 12/10/09

Date of Withdrawal: Withdrawn prior to publication?: 

Action Appealed?:

#### LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 2/9/2010 Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Other Disposition of Case, Second Reading:

3/4/2010 02:17 PM Page 2 of 3

If "Other":	Not approved	If "Other
n Oniei .	1 tot approved	11 Otti

Amendments: Amendments:

Not approved.

Date of Legislative Appeal: Effective Date of Ordinance:

3/4/2010 02:17 PM Page 3 of 3