

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 3-C-24-RZ  
**Application Filed:** 1/22/2024  
**Applicant:** MIKHAIL HABIB

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

## PROPERTY INFORMATION

**General Location:** Southwest side of Western Ave, southeast side of Keith Ave, northeast side of Proctor St  
**Other Parcel Info.:**  
**Tax ID Number:** 94 G H 004, 005 **Jurisdiction:** City  
**Size of Tract:** 18077 square feet  
**Accessibility:** Access is via Western Avenue, a 4-lane major arterial within a 112-ft planned right-of-way, and Proctor Street, a local road with a pavement width of 25 ft within an approximate 50-ft right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Agriculture/Forestry/Vacant Land  
**Surrounding Land Use:**  
**Proposed Use:** **Density:**  
**Sector Plan:** Central City **Sector Plan Designation:** GC (General Commercial)  
**Growth Policy Plan:** N/A (Within City Limits)  
**Neighborhood Context:** The property is located at the edge of the West View Community on the southeast side of the intersection of Western Avenue and Keith Avenue. The area has a mix of residential, commercial, office, industrial, and wholesale uses. The property is in close proximity to Murphy Library and Malcom-Martin Park.

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

**Street:** 0 WESTERN AVE  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** I-G (General Industrial)  
**Former Zoning:**  
**Requested Zoning:** C-G-1 (General Commercial)  
**Previous Requests:**  
**Extension of Zone:** No, this is not an extension.  
**History of Zoning:** None noted.

## PLAN INFORMATION (where applicable)

Current Plan Category: GC (General Commercial)

Requested Plan Category:

### **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: Samiul Haque

Staff Recomm. (Abbr.): Approve the C-G-1 (General Commercial) district because it is consistent with the sector plan and surrounding development.

Staff Recomm. (Full):

Comments: 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 subject property is surrounded by public streets on three sides. This area saw a significant road improvement completed in 2020 by TDOT, with the realignment of the intersection of Western Avenue and Keith Avenue.
2. The proposed KAT Reimagined transit network plan intends to improve the frequency of service in this area (bus every 15 minutes), which supports the C-G-1 district's intent to promote development in a pedestrian-oriented environment.

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

1. The C-G-1 district is intended to provide for a heterogeneous mix of retail, personal service, office, and residential uses within and along Knoxville's commercial nodes and corridors.
2. The property is located on a node that has commercial zoning and uses nearby. This segment of Western Avenue has a mix of office, commercial, industrial, and residential uses and community amenities; which is consistent with the intended environment of the C-G-1 district.
3. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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 proposed amendment is not expected to adversely impact the surrounding area. The C-G-1 district should be more compatible with the nearby single-family houses compared to any industrial uses permitted under the current I-G district.

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. C-G-1 zoning at this location is consistent with the General Plan's development policy 9.11 which encourages locating community-serving commercial areas where they can be easily shared by several neighborhoods. Being at the intersection of a major arterial street (Western Avenue) and a major collector street (Keith Avenue), this property is easily accessible to numerous low and medium density residential neighborhoods.
2. The Central City Sector Plan and One Year Plan's GC (General Commercial) land use classification does not allow the present I-G zoning district. Rezoning to the C-G-1 district will eliminate this inconsistency.

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. The area is served by sidewalks and transit service and has adequate utility infrastructure provided by KUB.
2. Community amenities such as West View Elementary School, Murphy Library, Knoxville Knox County Community Action Committee (CAC), Malcom-Martin Park, and a couple of churches are located within a quarter mile of the subject property.

**Action:** Approved

**Meeting Date:** 3/7/2024

**Details of Action:**

**Summary of Action:** Approve the C-G-1 (General Commercial) district because it is consistent with the sector plan and surrounding development.

**Date of Approval:** 3/7/2024

**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:** 4/2/2024

**Date of Legislative Action, Second Reading:** 4/16/2024

**Ordinance Number:**

**Other Ordinance Number References:** O-50-2024

**Disposition of Case:** Approved

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

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**