# **CASE SUMMARY**

# APPLICATION TYPE: PLAN AMENDMENT

#### EAST CITY SECTOR PLAN AMENDMENT



Application Filed: 2/27/2023 Date of Revision:

Applicant: BENJAMIN C. MULLINS



### PROPERTY INFORMATION

**General Location:** North and south sides of Pelham Road, east of Mccalla Ave

Other Parcel Info.:

**Tax ID Number:** 71 | A 020-028 OTHER: 070ME001,002,00201-00203 **Jurisdiction:** City

Size of Tract: 5.5 acres

Accessibility: Access will be a new right-of-way, Rock Pointe Drive, that will be constructed per the approved concept

plan. 5-SC-22-C. This will be a local road with a 26-ft pavement width inside a 50-ft right-of-way. The

existing rights-of-way for Pelham Rd and McCalla Ave were recently closed.

### GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land, Single Family Residential, Commercial

**Surrounding Land Use:** 

Proposed Use: Density:

Sector Plan: East City Sector Plan Designation: LI (Light Industrial), MU-SD (Mixed Use Special Dis

Growth Policy Plan: N/A (Within City Limits)

Neighborhood Context: This area is comprised of single family homes as well as commercial and industrial properties that are

bordered by an interstate highway and major arterial streets on three sides.

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

Street: 0 MCCALLA AVE

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

# ZONING INFORMATION (where applicable)

Current Zoning: C-G-2 (General Commercial), I-G (General Industrial), HP (Hillside Protection Overlay)

Former Zoning:

Requested Zoning: C-H-2 (Highway Commercial);HP (Hillside Protection Overlay)

**Previous Requests:** 

Extension of Zone: Yes

History of Zoning: Various properties within the requested rezoning area have been rezoned previously from less intense

commercial and residential districts to more intense commercial and industrial districts, beginning in

1999 (Cases 8-E-99-RZ, 12-C-93-RZ, 3-K-01-RZ, 10-D-10-RZ, 6-P-19-RZ, 10-G-22-RZ)

## PLAN INFORMATION (where applicable)

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Current Plan Category: LI (Light Industrial), MU-SD, EC-2 (Mixed Use-Special District, Magnolia Avenue), HP (Hillside

Protection)

Requested Plan Category: MU-SD, EC-2 (Mixed Use-Special District, Magnolia Avenue) for the parcels designated LI

### 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: Jessie Hillman

Staff Recomm. (Abbr.): Approve the sector plan amendment to the MU-SD, EC-2 (Mixed Use-Special District, Magnolia

Avenue) and HP (Hillside Protection) land use classification for the requested area as noted in the

application because it is consistent with changing conditions in the street network.

Staff Recomm. (Full):

Comments: SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet any one of

these):

#### CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. In 2022, the section of Pelham Road that accesses the subject property was approved for closure and replacement with Rock Pointe Drive, which is an expanded and straightened road with a sidewalk (11-A-22-SC, 5-C-22-C). Rock Pointe Drive connects the subject property more directly to Rutledge Pike and adjacent properties to the west that are included in the MU-SD, EC-2 (Mixed Use-Special District, Magnolia Avenue) designation being requested here.

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

- 1.The partial removal of Pelham Road and introduction of Rock Pointe Drive was not anticipated by the sector plan when it was developed. Pelham Road will no longer separate the subject property from property to the west that is part of the existing MU-SD, EC-2 area. It also makes the subject property more accessible from Rutledge Pike, a major arterial that is a key focus of the mixed use district with regards to the types of land uses permitted.
- 2. The requested MU-SD enables consideration of commercial zoning such as C-H-2 (Highway Commercial), which aligns with this improved access to a major arterial and Interstate 40.

#### AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There is no significant error or omission to the plan, but conditions have changed that warrant reconsideration of the existing LI (Light Industrial) land use classification.

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

1. Sidewalks are a valuable part of the City's road network, and have been increasingly prioritized in new developments. The completion of Rock Pointe Drive will connect to the existing sidewalk infrastructure along Rutledge Pike. The MU-SD, EC-2 classification describes the importance of enhancing the pedestrian experience in this area, so the connection of the subject property to the special district through a new sidewalk further justifies a minor extension of this district.

State law regarding amendments of the general plan (which includes 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:

- 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.
- 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.

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Action: Approved Meeting Date: 4/13/2023

**Details of Action:** 

Summary of Action: Approve the sector plan amendment to the MU-SD, EC-2 (Mixed Use-Special District, Magnolia

Avenue) and HP (Hillside Protection) land use classification for the requested area as noted in the

application because it is consistent with changing conditions in the street network.

Date of Approval: 4/13/2023 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: 5/16/2023 Date of Legislative Action, Second Reading: 5/30/2023

Ordinance Number: Other Ordinance Number References: O-76-2023

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

If "Other":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

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