

# CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

CENTRAL CITY SECTOR PLAN AMENDMENT



File Number: 4-G-24-SP Related File Number:

Application Filed: 2/15/2024 Date of Revision:

Applicant: BIR INVESTMENTS, LLC

## PROPERTY INFORMATION

General Location: West side of Mynderse Ave, north of Western Ave

Other Parcel Info.:

Tax ID Number: 94 A A 031 01 (PART OF) Jurisdiction: City

Size of Tract: 7.61 acres

Accessibility: Access is via Mynderse Ave, a local road with a 43 ft pavement width within a right-of-way of 73 ft.

## GENERAL LAND USE INFORMATION

Existing Land Use: Industrial (Manufacturing)

Surrounding Land Use:

Proposed Use: Density:

Planning Sector: Central City Plan Designation: LI (Light Industrial)

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

Neighborhood Context: This area is developed with a mix of commercial and light to heavy industrial uses with multi-family residential dwellings to the north.

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

Street: 2635 WESTERN AVE

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: I-MU (Industrial Mixed-Use)

Former Zoning:

Requested Zoning: I-H (Heavy Industrial)

Previous Requests:

Extension of Zone: No, this is not an extension of the plan designation.

History of Zoning: None Noted.

## PLAN INFORMATION (where applicable)

Current Plan Category: LI (Light Industrial)

Requested Plan Category: HI (Heavy Industrial)

## 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: Whitney Warner

Staff Recomm. (Abbr.): Approve the sector plan amendment to the HI (Heavy Industrial) land use classification because it is compatible with the surrounding development.

Staff Recomm. (Full):

Comments: PURSUANT TO THE GENERAL PLAN, PLANNING FRAMEWORK CHAPTER, THE PLANNING COMMISSION RESERVES THE AUTHORITY TO RECOMMEND LAND USE PLAN CHANGES BASED ON SUBSTANTIALLY CHANGED CONDITIONS. SUBSTANTIALLY CHANGED CONDITIONS INCLUDE (may meet any of these):

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

1. In 2020, Western Ave at this location was widened and realigned from 2 lanes to 5 lanes with a turn lane. At the same time, Mynderse Ave was widened from being a 22 ft, unstriped road to a 55 ft 3-lane, striped road in front of this property. Mynderse Ave is a dead-end road that serves the heavy industrial traffic of the surrounding properties.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There are no obvious errors in the Central City Sector Plan. However, Heavy Industrial could have been considered here because Heavy Industrial zoning abuts this property and runs along Tennessee Ave in the area.

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

1. There are no known public policy changes relating to this property and its land use classification. TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

1. In 2008, the steel foundry, which abuts to the north and east, rezoned that property and amended its land use classification from LI (Light Industrial) to HI (Heavy Industrial) to extend the HI designation and I-4 zoning from its primary facility to the east (Case # 7-B-08-PA/7-F-08-RZ).

OTHER CONSIDERATIONS:

1. The location criteria for HI states that it is to be used for properties: 1) within existing industrial areas, 2) within one mile of an interstate interchange, and 3) having access to a major collector or arterial street. This property is an industrial property zoned I-MU. It's a mile from the I640/I75 Western Ave interchange, and Western Ave is classified as a major arterial.

2. Approval of the HI land use classification would be consistent with the steel foundry adjacent to this property.

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.

Action: Approved

Meeting Date: 4/11/2024

Details of Action:

**Summary of Action:**

Approve the sector plan amendment to the HI (Heavy Industrial) land use classification because it is compatible with the surrounding development.

**Date of Approval:**

4/11/2024

**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:**

5/28/2024

**Date of Legislative Action, Second Reading:**

6/11/2024

**Ordinance Number:**

**Other Ordinance Number References:**

O-80-2024

**Disposition of Case:**

Approved

**Disposition of Case, Second Reading:**

Approved

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**