# **CASE SUMMARY**

# APPLICATION TYPE: PLAN AMENDMENT CENTRAL CITY SECTOR PLAN AMENDMENT



File Number: 4-I-23-SP Related File Number:

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

Applicant: VICTOR JERNIGAN

#### PROPERTY INFORMATION

General Location: North of Sutherland Ave and East of Victory St

Other Parcel Info.:

Tax ID Number: 108 A C 018,017 Jurisdiction: City

Size of Tract: 17010 square feet

Accessibility: Access is via Victory Street, a local street with a 28-ft pavement width within a 35-ft right-of-way.

#### **GENERAL LAND USE INFORMATION**

Existing Land Use: Single Family Residential

**Surrounding Land Use:** 

Proposed Use: Density:

Sector Plan: Central City Sector Plan Designation: MDR/O (Medium Density Residential/Office)

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

Neighborhood Context: This area has a diverse mix of land uses. Victory street is residential in the center with detached

homes, and there are office and institutional uses at the north and south terminuses. There is a mobile home park adjacent to the east. Primary uses along Sutherland Ave to the south are commercial and office, and to the north along Division St there are major institutions including college campuses and a

juvenile court/detention center.

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

Street: 522 VICTORY ST

Location:

**Proposed Street Name:** 

**Department-Utility Report:** 

Reason:

#### **ZONING INFORMATION (where applicable)**

Current Zoning: RN-4 (General Residential Neighborhood)

Former Zoning:

Requested Zoning: C-G-2 (General Commercial)

**Previous Requests:** 

Extension of Zone: Yes

History of Zoning: None noted

#### PLAN INFORMATION (where applicable)

8/11/2023 02:50 PM Page 1 of 3

Current Plan Category: MDR/O (Medium Density Residential/Office)

Requested Plan Category: MU-SD (MU-CC21: Central City)

#### 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.): Deny the sector plan amendment to the MU-SD, CC21 (Mixed Use Spcial District, Sutherland

Northside) land use classification because it does not meet the requirements for a land use

amendment.

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. There have been no changes of conditions in this area along Victory Street, warranting the requested expansion of the MU-SD, CC2 (Mixed Used Special District, Sutherland Northside) land use

classification.

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

1. There have not been significant capital improvements on the road or utilities in this area since the Central City Sector Plan's adoption in 2014.

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

1. The current MDR/O (Medium Density Residential/Office) land use classification on the subject property was a deliberate decision in the Central City Sector Plan. This is demonstrated in the description of the requested MU-SD, CC21 classification, which explains how a comprehensive expansion of the mixed use special district for the area between Sutherland Avenue, Division Street and Liberty Street could be considered after further study. No further study has occurred, and so the existing MDR/O classification is not the result of an error or omission.

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

1. The MUSD, CC21 classification permits commercial land uses, which could result in the encroachment of an incompatible intensity of uses into an occupied residential area. This area along Victory Street has not exhibited new trends in development, population or traffic that warrant such an encroachment.

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: 6/8/2023

Details of Action: Approve MU-SD, CC21 (Mixed Use Special District, Sutherland Northside) as it is a logical extension of

8/11/2023 02:50 PM Page 2 of 3

the existing land use classification.

Summary of Action: Approve MU-SD, CC21 (Mixed Use Special District, Sutherland Northside) as it is a logical extension of

the existing land use classification.

Date of Approval: 6/8/2023 Date of Denial: Postponements: 4/13/2023

Date of Withdrawal: Withdrawn prior to publication?: 

Action Appealed?:

## LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 7/25/2023 Date of Legislative Action, Second Reading: 8/8/2023

Ordinance Number: Other Ordinance Number References: O-113-2023

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

If "Other":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

8/11/2023 02:50 PM Page 3 of 3