

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 4-J-24-RZ                      **Related File Number:** 4-F-24-PA  
**Application Filed:** 2/15/2024              **Date of Revision:**  
**Applicant:** BIR INVESTMENTS, LLC

## PROPERTY INFORMATION

**General Location:** West of Mynderse Ave, north of Western Ave  
**Other Parcel Info.:**  
**Tax ID Number:** 94 A A 031.01                      **Jurisdiction:** City  
**Size of Tract:** 7.61 acres  
**Accessibility:**

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Industrial (Manufacturing)  
**Surrounding Land Use:**  
**Proposed Use:**    **Density:**  
**Sector Plan:** Central City                      **Sector Plan Designation:** LI (Light Industrial)  
**Growth Policy Plan:** N/A (Within City Limits)  
**Neighborhood Context:**

## 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:**  
**History of Zoning:**

## 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 I-H (Heavy Industrial) district because it is consistent with the surrounding area and a minor extension of the district.

Staff Recomm. (Full):

Comments:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, SUBSECTIONS 1-3:

THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY GENERALLY:

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.
2. The proposed I-H zoning is an extension of the district from the east.

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

1. The I-H (Heavy Industrial) District is intended to provide for a wide variety of general manufacturing, fabricating, processing, distributing and warehousing uses. Industrial uses in the I-H District may result in some moderate external effects such as smoke, noise, glare or vibration, and typically include outdoor storage and related outdoor activities.
2. This property is an existing industrial area with heavy industrial uses including the steel foundry on the opposite side of Mynderse Ave.
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 I-H district is not anticipated to have any adverse impacts to the surrounding industrial area to the east and north, the commercial area to the west and south, or the nearby residential area to the north, since this is already an industrial area.
2. The widening and realignment of Western Ave included the addition of sidewalks and bike lanes. While the proposed I-H district doesn't encourage pedestrian oriented spaces, these improvements provide vulnerable road users with more separation from the large commercial vehicle traffic on the corridor.

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. The proposed rezoning is consistent with the recommended HI land use classification of the One Year Plan and Central City Sector Plan.
2. The proposed zoning district is compatible with the General Plan's Policy 11.5, the intent of which is to create gradual zoning transitions. The northern portion of the parcel, which is on the other side of the railroad tracks, will remain I-MU to avoid having highly incompatible uses too close to each other. The I-MU district is the least intense industrial district and will act as a buffer for the multifamily development to the north.

Action: Approved

Meeting Date: 4/11/2024

**Details of Action:**

**Summary of Action:** Approve the I-H (Heavy Industrial) district because it is consistent with the surrounding area and a minor extension of the district.

**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:** 5/14/2024

**Date of Legislative Action, Second Reading:** 5/28/2024

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:**

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**