

# CASE SUMMARY

## APPLICATION TYPE: PLAN AMENDMENT ONE YEAR PLAN AMENDMENT

KNOXVILLE-KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N  
T E N N E S S E E

Suite 403 • City County Building  
4 0 0 M a i n S t r e e t  
Knoxville, Tennessee 37902  
8 6 5 • 2 1 5 • 2 5 0 0  
F A X • 2 1 5 • 2 0 6 8  
w w w • k n o x m p c • o r g

**File Number:** 7-B-09-PA                      **Related File Number:**  
**Application Filed:** 5/27/2009              **Date of Revision:**  
**Applicant:** LLOYD DAVIS, JR.

### PROPERTY INFORMATION

**General Location:** Southeast side Middlebrook Pike, northeast side E. Weisgarber Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 107 H A 001                      **Jurisdiction:** City  
**Size of Tract:** 1.7 acres  
**Accessibility:** Access is via Middlebrook Pike, a major arterial street with 4 lanes and a center median within 130' of right of way, or N. Weisgarber Rd., a minor arterial street with 4 lanes and center turn lane within 145' of right of way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Retail food (vacant)  
**Surrounding Land Use:**  
**Proposed Use:** Commercial                      **Density:**  
**Sector Plan:** Northwest City              **Sector Plan Designation:**  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This area is developed with a mix of light industrial, office and commercial uses under I-3, O-2 and C-6 zoning.

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

**Street:** 5916 Middlebrook Pike  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** I-3 (General Industrial)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:** Yes, extension of mixed use designation from the northwest  
**History of Zoning:** None noted for this site

### PLAN INFORMATION (where applicable)

**Current Plan Category:** LI (Light Industrial)

Requested Plan Category: MU (Mixed Use) (Light Industrial, Office, General Commercial)

### **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.:

### **MPC ACTION AND DISPOSITION**

Planner In Charge: Michael Brusseau

Staff Recomm. (Abbr.): ADOPT resolution #7-B-09-PA, amending the Knoxville One Year Plan to MU-Mixed Use (LI-Light Industrial, O-Office and GC-General Commercial) and recommend that City Council also adopt the One Year Plan amendment. (See attached Exhibit A.)

Staff Recomm. (Full): The proposed mix of uses is appropriate for this site, which is located on the corner of a major high traffic intersection. The sector plan proposes commercial uses for the site, which is included as one of the options under the proposed mixed use designation. Designating the property for a mix of uses makes it more marketable and is similar to property in the northwest quadrant of the intersection. A future zoning request on the property is anticipated and it will be reviewed based on its own merit.

Comments: This site is the former location of Judy's Restaurant and Night Club. The building is still there, but appears to be unoccupied. The property is on the market for sale. During the staff's field visit, the parking area was being used as a parking/staging area for large semi-trailer trucks.

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

A. NEW ROAD OR UTILITY IMPROVEMENTS - The roads are sufficient and utilities are in place to serve this site.

B. ERROR OR OMISSION IN CURRENT PLAN - This site is located at the intersection of a major arterial and major collector street. It would be appropriate to open up the property for a mix of uses which may be acceptable, rather than limiting it to light industrial only.

C. CHANGES IN GOVERNMENT POLICY - The Northwest City Sector Plan proposes commercial uses for the property, which is consistent with the proposed amendment to the One Year Plan, which includes general commercial uses.

D. CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS - The site's location at a major, high traffic intersection make it appropriate for consideration of mixed uses, similar to other property in the northwest quadrant of the intersection.

Action: Approved

Meeting Date: 7/9/2009

Details of Action:

Summary of Action: MU-Mixed Use (LI-Light Industrial, O-Office and GC-General Commercial)

Date of Approval: 7/9/2009

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: 8/11/2009

Date of Legislative Action, Second Reading: 8/25/2009

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: