

# CASE SUMMARY

## APPLICATION TYPE: PLAN AMENDMENT CENTRAL CITY SECTOR 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

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**File Number:** 7-B-11-SP                      **Related File Number:**  
**Application Filed:** 5/31/2011              **Date of Revision:**  
**Applicant:** JHS LIMITED PARTNERSHIP

### PROPERTY INFORMATION

**General Location:** North side Western Ave., west of Mynderse Ave.  
**Other Parcel Info.:**  
**Tax ID Number:** 94 A A 032                      **Jurisdiction:** City  
**Size of Tract:** 1.725 acres  
**Accessibility:** Access is via Western Ave., a major arterial street with 2 lanes and 23' of pavement width within 60' of right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Warehouse/store  
**Surrounding Land Use:**  
**Proposed Use:** Retail sales with outdoor displays                      **Density:**  
**Sector Plan:** Central City                      **Sector Plan Designation:** Light Industrial  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This area is developed with a mix of light industrial, general industrial, commercial, residential and office uses, within various zoning districts.

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

**Street:** 2625 Western Ave  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** I-2 (Restricted Manufacturing and Warehousing)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:** No  
**History of Zoning:** None noted

### PLAN INFORMATION (where applicable)

**Current Plan Category:** LI (Light Industrial)  
**Requested Plan Category:** C (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-11-SP, amending the Central City Sector Plan to C (Commercial) and recommend that Knoxville City Council also adopt the sector plan amendment. (See attached resolution, Exhibit A.)

Staff Recomm. (Full):

Commercial use of this site is compatible with surrounding development and zoning.

Comments:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

NEW ROAD OR UTILITY IMPROVEMENTS:

No known improvements have occurred to the streets directly adjacent to this site, recently. But, Western Ave. is scheduled for reconstruction from Texas Ave. to Major Ave. The attached TDOT report anticipates that this work should begin within the next five years or less.

ERROR OR OMISSION IN CURRENT PLAN:

The current sector plan proposes light industrial uses for this site, which is consistent with the current I-2 zoning. The proposed amendment will bring the plan into consistency with the proposed C-4 zoning.

CHANGES IN GOVERNMENT POLICY:

This is an area that is already developed with a mix of uses, which are appropriate along a major arterial street such as Western Ave. The commercial uses of this site will have a minimal impact on surrounding properties.

CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:

This site is already zoned I-2 (Restricted Manufacturing & Warehousing). There are four properties to the west that are zoned either C-3 or C-4, and much of the surrounding development is retail in nature, including a vacuum sales and service business, fireplace sales and service, retail furniture store and a trophy sales store to the east, all zoned I-2. These businesses may not conform with their existing I-2 zoning, which does not permit retail uses.

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. New law provides for two methods to amend the plan at TCA 13-3-304:

1. 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.
2. 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: 7/14/2011

Details of Action:

Summary of Action:

C (Commercial)

Date of Approval:

7/14/2011

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: 8/9/2011

Date of Legislative Action, Second Reading: 8/23/2011

**Ordinance Number:**

**Disposition of Case:**      Approved

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Other Ordinance Number References:**

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

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**