



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
PLAN AMENDMENT REPORT**

▶ **FILE #:** 7-B-09-PA

AGENDA ITEM #: 42

AGENDA DATE: 7/9/2009

▶ **APPLICANT:** LLOYD DAVIS, JR.
OWNER(S): LLOYD-STEPHEN ENTERPRISES INC

TAX ID NUMBER: 107 H A 001

JURISDICTION: Council District 2

▶ **LOCATION:** Southeast side Middlebrook Pike, northeast side E. Weisgarber Rd.

▶ **APPX. SIZE OF TRACT:** 1.7 acres

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

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.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Fourth Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** LI (Light Industrial) / I-3 (General Industrial)

▶ **PROPOSED PLAN DESIGNATION:** MU (Mixed Use) (Light Industrial, Office, General Commercial)

▶ **EXISTING LAND USE:** Retail food (vacant)

▶ **PROPOSED USE:** Commercial

EXTENSION OF PLAN DESIGNATION: Yes, extension of mixed use designation from the northwest

HISTORY OF REQUESTS: None noted for this site

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Middlebrook Pike - Truck rental business / LI (Light Industrial)

South: Warehouse-distribution / LI (Light Industrial)

East: Metals company / LI (Light Industrial)

West: E. Weisgarber Rd. - Post office / MU (Office, Low Density Residential)

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.

STAFF RECOMMENDATION:

▶ **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.)**

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.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 8/11/2009 and 8/25/2009. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.

**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE CITY OF KNOXVILLE ONE YEAR PLAN**

WHEREAS, the Knoxville-Knox County Metropolitan Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and

WHEREAS, the Metropolitan Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Metropolitan Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the Knoxville One Year Plan, consistent with the requirements of the General Plan; and

WHEREAS, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and

WHEREAS, Lloyd Davis, Jr., has submitted an application to amend the One Year Plan from Light Industrial to Mixed Uses, limited to Light Industrial, Office and General Commercial, for property described in the application; and

WHEREAS, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Knoxville One Year Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and

WHEREAS, the Metropolitan Planning Commission, at its regularly scheduled public hearing on July 9, 2009, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.

NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the Knoxville One Year Plan, with its accompanying staff report and map, file #7-B-09-PA.

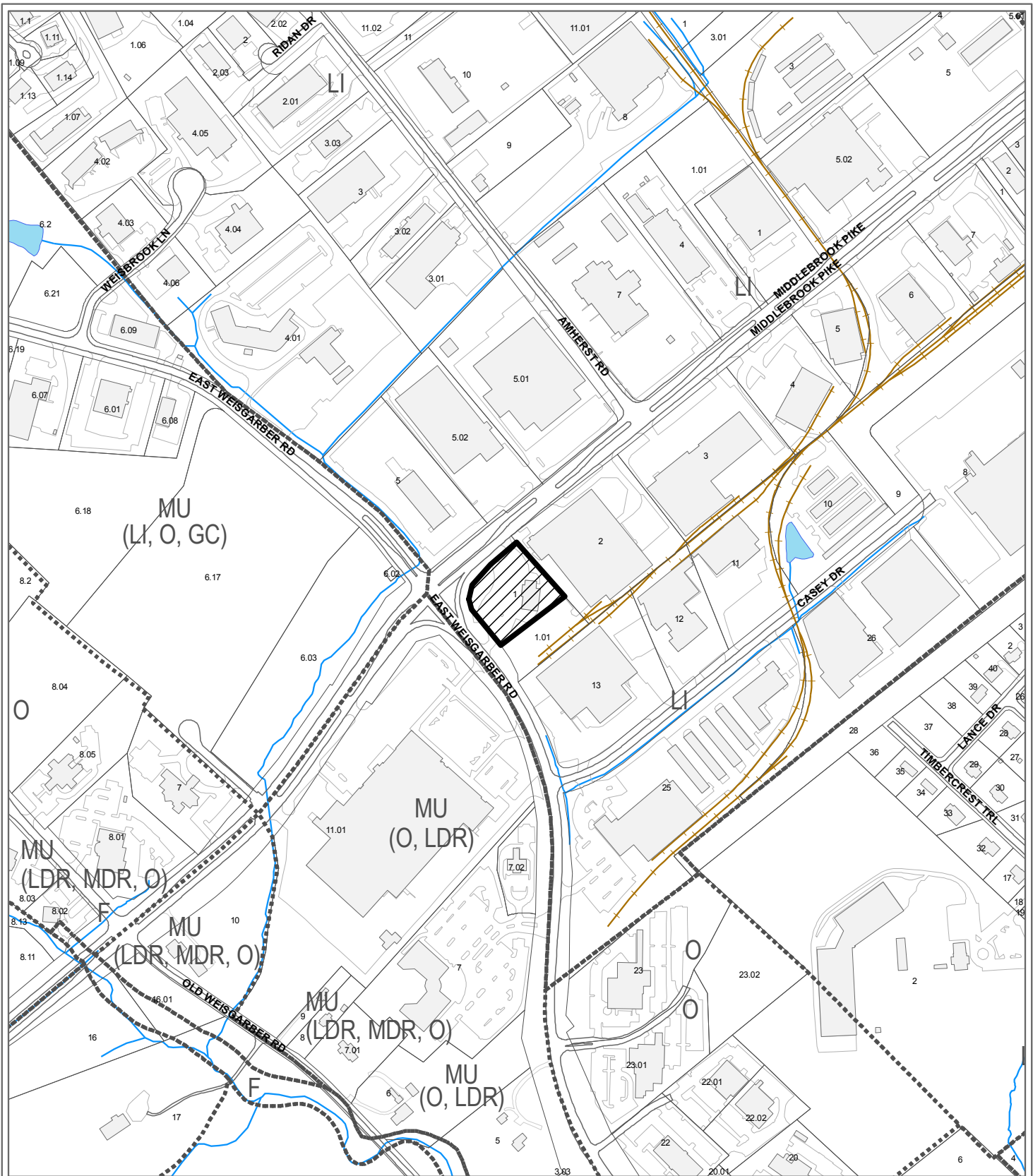
SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that Knoxville City Council likewise consider this revised amendment to the General Plan 2033.

Date

Chairman

Secretary



**7-B-09-PA
KNOXVILLE ONE YEAR PLAN AMENDMENT**

From: LI (Light Industrial)

To: MU (Mixed Use) (Light Industrial, Office, General Commercial)



Petitioner: Davis, Jr., Lloyd

Map No: 107

Jurisdiction: City

Original Print Date: 6/23/2009
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

