



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

▶ **FILE #:** 9-A-09-PA

AGENDA ITEM #: 37

AGENDA DATE: 9/10/2009

▶ **APPLICANT:** CITY OF KNOXVILLE

OWNER(S): CLARENCE MCDOWELL PALACE PACKAGE STORE, INC.

TAX ID NUMBER: 81 H D 001 ADJACENT FORMER INTERCHANGE ROW - MAP ON FILE AT MPC

JURISDICTION: Council District 5

▶ **LOCATION:** Northeast side Rudy St., northwest side Heiskell Ave., southwest side I-275

▶ **APPX. SIZE OF TRACT:** 0.401 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Heiskell Ave., a major collector street with 4 lanes within 50' of right of way, or Rudy St., a local street with 26' of pavement width within 50' of right of way.

UTILITIES: Water Source: Knoxville Utilities Board
Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** ROW (Major Rights of Way) /

▶ **PROPOSED PLAN DESIGNATION:** MU (Mixed Use) (GC-General Commercial and LI-Light Industrial)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Retail

EXTENSION OF PLAN DESIGNATION: Yes, extension of MU (GC, LI) from the north, south and west.

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Business / MU-Mixed Uses (GC-General Commercial, LI-Light Industrial)

South: Heiskell Ave. - Business / MU-Mixed Uses (GC-General Commercial, LI-Light Industrial)

East: I-275 interchange right of way / ROW (Major Rights of Way)

West: Rudy St. - Car wash / MU-Mixed Uses (GC-General Commercial, LI-Light Industrial)

NEIGHBORHOOD CONTEXT This area is developed with commercial and light industrial uses, under C-3, I-2 and I-3 zoning.

STAFF RECOMMENDATION:

▶ **ADOPT resolution #9-A-09-PA, amending the Knoxville One Year Plan to MU-Mixed Use (GC-General**

Commercial and LI-Light Industrial) and recommend that City Council also adopt the One Year Plan amendment. (See attached Exhibit A.)

The proposed plan amendment is a logical extension of the established MU (GC, LI) designation from the north, south and west. Commercial and light industrial uses are compatible with the surrounding development and zoning.

COMMENTS:

This application for a One Year Plan amendment was filed by the City of Knoxville on behalf of Palace Package Store, Inc. This application accompanies the sector plan amendment and rezoning requests by Palace Package Store, Inc., which are also on this MPC agenda (9-D-09-SP/9-H-09-RZ). City Council passed a resolution on August 11, 2009 to allow the City of Knoxville to file a One Year Plan amendment application for MPC's September meeting (outside of the normal quarterly cycle). Normally, amendments to the One Year Plan may only be placed on MPC's agenda for the January, April, July and October meetings.

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN

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

B. ERROR OR OMISSION IN CURRENT PLAN - The subject property is no longer public right of way. It is owned privately. So, it should no longer be classified under the ROW plan designation.

C. CHANGES IN GOVERNMENT POLICY - The Central City Sector Plan proposes light industrial uses for the property, consistent with the current zoning of the site. The MU (GC, LI) designation on the subject property will accommodate the proposed C-3 zoning, which is more appropriate for this site, which is no longer public right of way, but is located adjacent to an interstate interchange.

D. CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS - The requested one year plan designation is an extension of the MU (GC,LI) designation to the north, south and west.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 10/6/2009 and 10/20/2009. 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, the City of Knoxville has submitted an application to amend the One Year Plan from Major Rights of Way to Mixed Uses, limited to General Commercial and Light Industrial, 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 September 10, 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, or revised.

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, as requested, or revised, with its accompanying staff report and map, file #9-A-09-PA.

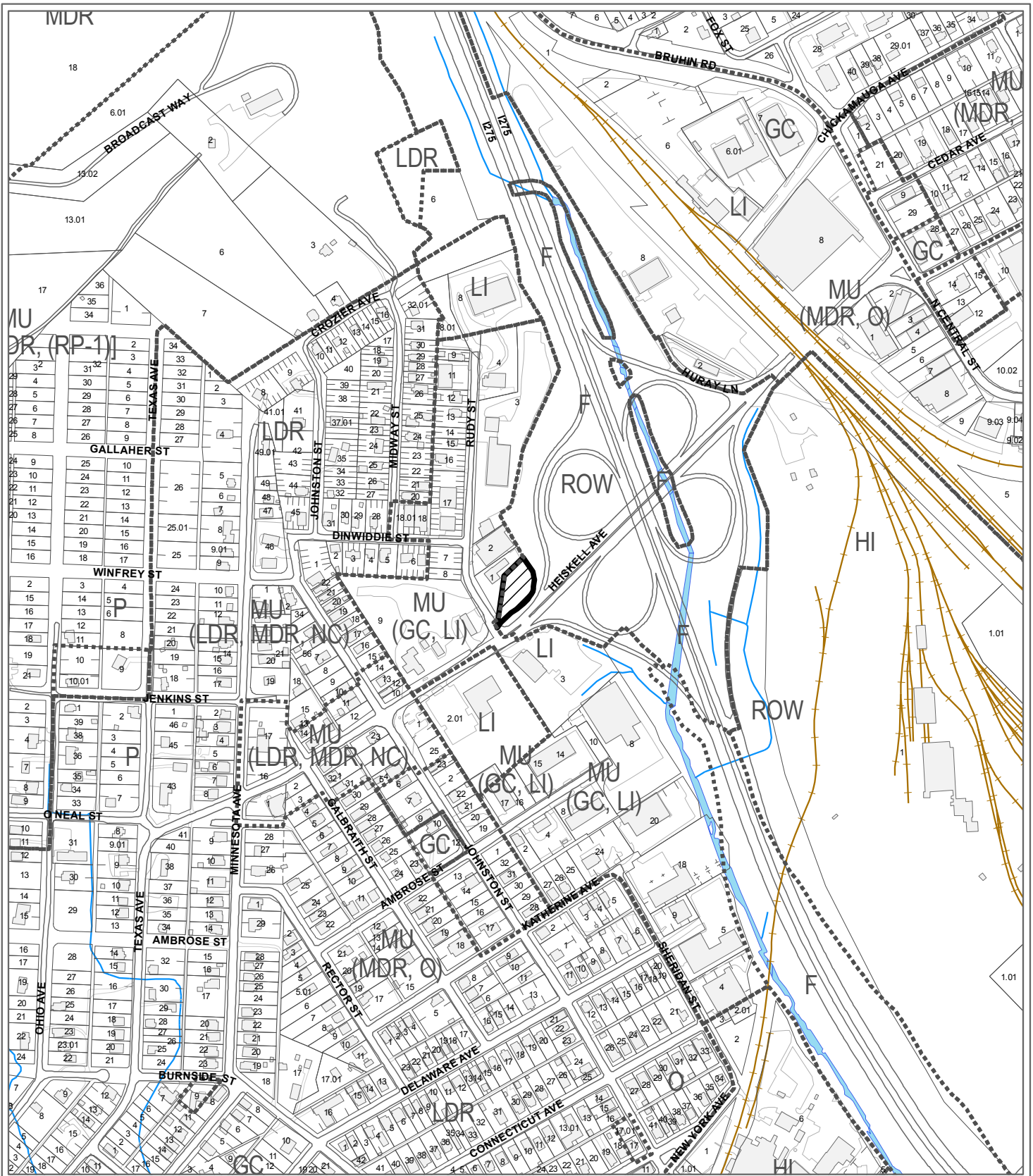
SECTION 2: This Resolution shall take effect upon its approval.

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

Date

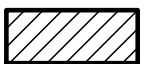
Chairman

Secretary



**9-A-09-PA
KNOXVILLE ONE YEAR PLAN AMENDMENT**

Petitioner: City of Knoxville



From: ROW (Major Rights of Way)
To: MU (Mixed Use) (GC-General Commercial and LI-Light Industrial)

Map No: 81
Jurisdiction: City
0 500
Feet



Original Print Date: 8/24/2009 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902