

# CASE SUMMARY

**APPLICATION TYPE: REZONING**

**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:** 1-F-12-RZ                      **Related File Number:** 1-B-12-SP  
**Application Filed:** 11/30/2011              **Date of Revision:**  
**Applicant:** UNIVERSITY COMMONS, LLC

## PROPERTY INFORMATION

**General Location:** South side Kingston Pike, west of Volunteer Blvd.  
**Other Parcel Info.:**  
**Tax ID Number:** 108 F B 001                      **Jurisdiction:** City  
**Size of Tract:** 12.1 acres  
**Accessibility:**

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant  
**Surrounding Land Use:**  
**Proposed Use:** Retail and restaurant uses. General commercial development              **Density:**  
**Sector Plan:** Central City              **Sector Plan Designation:** Light Industrial and Stream Protection  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:**

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

**Street:** 2318 Kingston Pike  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** RP-3 (Planned Residential)  
**Former Zoning:**  
**Requested Zoning:** C-3 (General Commercial)  
**Previous Requests:** Rezoned RP-3 in 2008  
**Extension of Zone:**  
**History of Zoning:**

## PLAN INFORMATION (where applicable)

**Current Plan Category:** LI (Light Industrial) & STPA (Stream Protection Area)  
**Requested Plan Category:** C (Commercial) & STPA (Stream Protection Area)

## **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.):** RECOMMEND that City Council APPROVE C-3 (General Commercial) zoning with one condition.

**Staff Recomm. (Full):** With the following recommended condition, C-3 zoning is appropriate for this site, which is located in a mixed use area. The proposal is compatible with the scale and intensity of surrounding development. C-3 is consistent with the current City of Knoxville One Year Plan.  
Condition 1: The site must have at least one other vehicular access point to a street other than Kingston Pike.

**Comments:**

REZONING REQUIREMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. C-3 zoning is compatible with the scale and intensity of the surrounding development and zoning.
2. The proposal is consistent with the recommended amendment to the Sector Plan and the current One Year Plan proposal.
3. C-3 zoning is appropriate at this location, with access to a major arterial street in a high traffic mixed use area and creation of a second access point for safe and efficient traffic circulation.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The C-3 zone, as described in the zoning ordinance, is for personal and business services and general retail businesses. This zoning category is intended to include areas where commercial development has displaced or is displacing residential development, or is moving in on vacant land. Further, the regulations are designed to guide future change so as to discourage formation of future commercial slums, to preserve the carrying capacity of the streets, and to provide for off-street parking and loading. It is not the intent of this district to encourage the extension of existing strip commercial areas, but rather to provide concentrations of general commercial activities.
2. Based on the above general intent, this site is appropriate for C-3 development.

THE EFFECTS OF THE PROPOSAL:

1. Water and sewer utilities are in place to serve this site.
2. The proposal will have no impact on schools. With the recommended condition for two vehicular access points to separate streets, the street system should be adequate to serve the proposed commercial development. The amount of traffic generation will depend on the type of commercial development proposed.
3. If approved, C-3 zoning will allow commercial development of the property. Prior to filing, the applicants had several meetings with MPC and City of Knoxville officials and it was generally agreed that C-3 is the most appropriate zone for the proposed development.
4. With the recommended zoning condition, the development will result in the creation of a second vehicular access point to a street other than Kingston Pike, likely Joe Johnson Dr. The traffic impact study submitted for the development recommends some additional improvements to surrounding streets to improve traffic circulation, which should be implemented as the site develops.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the recommended amendment to commercial, the proposed C-3 zoning is consistent with the Central City Sector Plan.
2. C-3 zoning is consistent with the City of Knoxville One Year Plan, which designates the site for mixed uses, limited to office, general commercial or high density residential.
3. Approval of this request is not likely to lead to future requests for C-3 zoning on other parcels in the area, as most surrounding properties are already fully developed.

**Action:** Approved

**Meeting Date:** 1/12/2012

**Details of Action:**

**Summary of Action:** C-3 (k) (General Commercial) zoning subject to one condition  
**Date of Approval:** 1/12/2012      **Date of Denial:**      **Postponements:**  
**Date of Withdrawal:**      **Withdrawn prior to publication?:**  **Action Appealed?:**

***LEGISLATIVE ACTION AND DISPOSITION***

<b>Legislative Body:</b>	Knoxville City Council	<b>Date of Legislative Action, Second Reading:</b>	2/21/2012
<b>Date of Legislative Action:</b>	2/7/2012	<b>Other Ordinance Number References:</b>	
<b>Ordinance Number:</b>		<b>Disposition of Case, Second Reading:</b>	Approved
<b>Disposition of Case:</b>	Approved	<b>If "Other":</b>	
<b>If "Other":</b>		<b>Amendments:</b>	
<b>Amendments:</b>		<b>Effective Date of Ordinance:</b>	
<b>Date of Legislative Appeal:</b>			