

# CASE SUMMARY

## APPLICATION TYPE: REZONING

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-N-17-RZ  
**Application Filed:** 11/16/2016  
**Applicant:** PETER HALL

**Related File Number:**  
**Date of Revision:**

### PROPERTY INFORMATION

**General Location:** Southeast side Sutherland Ave., northeast of N. Forest Park Blvd.  
**Other Parcel Info.:**  
**Tax ID Number:** 107 K F 002 **Jurisdiction:** City  
**Size of Tract:** 0.3 acres  
**Accessibility:** Access is via Sutherland Ave., a minor arterial street with two lanes, a center turning lane and 40' of pavement width within 60' of right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence  
**Surrounding Land Use:**  
**Proposed Use:** Gift shop / business office **Density:**  
**Sector Plan:** West City **Sector Plan Designation:** MU-SD (WC-1)  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This area is developed with a mix of uses, under C-1, R-2, R-3 and O-1 zoning.

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

**Street:** 3822 Sutherland Ave  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** R-3 (High Density Residential)  
**Former Zoning:**  
**Requested Zoning:** C-1 (Neighborhood Commercial)  
**Previous Requests:** 10-G-11-RZ  
**Extension of Zone:** Yes, extension of C-1 zoning from the east  
**History of Zoning:** Property was rezoned from C-1 to R-3 in 2011 (10-G-11-RZ).

### PLAN INFORMATION (where applicable)

**Current Plan Category:**  
**Requested Plan Category:**

**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-1 (Neighborhood Commercial) zoning.

**Staff Recomm. (Full):** C-1 zoning is consistent with both the One Year Plan and sector plan proposals for the property and is a logical extension of C-1 zoning from the east. The subject property was zoned C-1 prior to a rezoning approval in 2011.

**Comments:** REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. The proposed C-1 zoning is compatible with the scale and intensity of the surrounding development and zoning pattern.
2. The proposal is a logical extension of C-1 zoning from the east
3. The proposal is consistent with the One Year and sector plan proposals for the site.
4. The property was previously zoned C-1 prior to 2011.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The C-1 zone, as described in the zoning ordinance, is established to provide areas in which the principal use of land is devoted to the neighborhood store. It is a restricted commercial district, limited to a narrow range of retail, service and convenience goods only on the first floor of a structure. This district is designed for areas where large commercial operations are undesirable, but where individual proprietary stores are useful and desirable for the neighborhood.
2. Based on the above general intent, this site is appropriate for C-1 zoning and development.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. The proposal would have no impact on schools. The impact on the street system would depend on the type of commercial development proposed. Water and sewer utilities are in place to serve the site.
2. The proposal is compatible with surrounding development and zoning, so the impact on adjacent properties should be minimal. Neighborhood commercial zoning and uses are already located to the east along this section of Sutherland Ave.
3. This area is already developed with neighborhood commercial uses to the east, which will not be negatively impacted by commercial development of this site. C-1 uses should have minimal impact on nearby residential uses. No other area of the County will be impacted by this rezoning request.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. Both the West City Sector Plan and the City of Knoxville One Year Plan propose mixed uses for this site, consistent with the requested C-1 zoning.
2. The site is located within the City of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. The proposal does not present any apparent conflicts with any other adopted plans.

**Action:** Approved

**Meeting Date:** 1/12/2017

**Details of Action:**

**Summary of Action:** C-1 (Neighborhood Commercial)

**Date of Approval:** 1/12/2017

**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:** 2/14/2017

**Date of Legislative Action, Second Reading:** 2/28/2017

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:** Approved as Modified

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

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

Approve C-1 subject to condition of meeting intent of the Bearden Village Plan (Admin Review)

Approve C-1 subject to condition of meeting intent of the Bearden Village Plan (Admin Review)

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**