

CASE SUMMARY
APPLICATION TYPE: REZONING
ONE YEAR 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: 10-B-16-RZ **Related File Number:** 10-B-16-PA
Application Filed: 7/25/2016 **Date of Revision:**
Applicant: TOM WEISS

PROPERTY INFORMATION

General Location: Northwest and southeast sides Sevier Heights Rd., south side Wallace Dr., east side Lancaster Dr.
Other Parcel Info.:
Tax ID Number: 109 K D 010 OTHER: 109KF005-007 **Jurisdiction:** City
Size of Tract: 4.4 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land and former church
Surrounding Land Use:
Proposed Use: Mixed use development **Density:**
Sector Plan: South City **Sector Plan Designation:** OS
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context:

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

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1 (Low Density Residential)
Former Zoning:
Requested Zoning: C-3 (General Commercial)
Previous Requests: None noted
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: OS (Open Space)
Requested Plan Category: GC (General 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.): RECOMMEND that City Council APPROVE C-3 (General Commercial) zoning, subject to one condition.

Staff Recomm. (Full): 1. A use on review development plan must be reviewed and approved by MPC prior to the issues of any occupancy permits for the project.

With the recommended condition to address access and other site concerns, staff is of the opinion that C-3 zoning will give the opportunity to reuse the existing buildings and parking on site, as well as provide amenities for surrounding residents and visitors to the area. However, without review of a development plan by MPC, staff can not support any type of commercial development of this site. Without the recommended zoning condition, the staff recommendation would be to deny.

Comments: The applicant proposes to reuse the existing buildings on site for a mix of uses, including commercial and residential. Staff is recommending a condition to require use on review approval from MPC prior to issuance of any occupancy permits. A special exception approval will be required in order for residential uses to be included as part of the development plan.

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. Conditioned C-3 zoning for the subject property will allow the existing buildings to be redeveloped and reused, rather than being torn down or being left vacant.
2. C-3 uses, if planned accordingly, can be made compatible with the surrounding land use and zoning pattern.
3. C-3 zoning will allow the property to be redeveloped to provide amenities, consumer goods and services, residential units and entertainment for area residents and visitors using South Knoxville's Urban Wilderness.
4. The existing building on site has adequate space and parking to accommodate uses allowed under C-3 zoning.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE 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, as long as the use on review approval of a development plan by MPC is required.

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. With the recommended condition, C-3 zoning can be made compatible with the surrounding land uses and zoning pattern.
2. Although placing C-3 zoning on the property will certainly have some impact on the surrounding area, staff is of the opinion that any potential negative impacts can be minimized through the use on review process. The potential benefits to the public in the surrounding area and South Knoxville in general would outweigh the possible negative impacts.
3. The existing streets are adequate to handle any additional traffic generated by allowing commercial

uses on the site.

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. With the recommended amendment to the City of Knoxville One Year Plan to general commercial on the accompanying application (10-B-16-PA), C-3 zoning would be consistent with the plan.
2. With the recommended amendment to the South City Sector Plan to office on the accompanying application (10-B-16-SP), C-3 zoning would be consistent with the plan.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This recommended C-3 zoning does not present any apparent conflicts with any other adopted plans.

Action: Approved **Meeting Date:** 11/10/2016

Details of Action:

Summary of Action: C-3 (General Commercial) zoning, subject to one condition.

Date of Approval: 11/10/2016 **Date of Denial:** **Postponements:** 10/13/2016

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 12/6/2016 **Date of Legislative Action, Second Reading:** 12/20/2016

Ordinance Number: **Other Ordinance Number References:**

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

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**