

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 10-B-23-RZ      **Related File Number:** 10-B-23-PA  
**Application Filed:** 8/7/2023      **Date of Revision:**  
**Applicant:** ERIKA AYALA MUNOZ

## PROPERTY INFORMATION

**General Location:** Southeast side of Merchant Dr., NE of Pleasant Ridge Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 80 J B 018 01      **Jurisdiction:** City  
**Size of Tract:** 3 acres  
**Accessibility:**

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Agriculture/Forestry/Vacant Land  
**Surrounding Land Use:**  
**Proposed Use:**      **Density:** up to 3 acres  
**Sector Plan:** Northwest City      **Sector Plan Designation:** LDR (Low Density Residential), NC (Neighborhood  
**Growth Policy Plan:** N/A (Within City Limits)  
**Neighborhood Context:**

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

**Street:** 2812 MERCHANT DR  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** OP (Office Park), HP (Hillside Protection Overlay)  
**Former Zoning:**  
**Requested Zoning:** C-G-1 (General Commercial)  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:**

## PLAN INFORMATION (where applicable)

**Current Plan Category:** LDR (Low Density Residential), NC (Neighborhood Commercial), HP (Hillside Protection)  
**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.:

**PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge:

Jessie Hillman

Staff Recomm. (Abbr.):

Deny the C-G-1 (General Commercial) district because it is inconsistent with the land use classifications in the Northwest City Sector Plan and the One Year Plan. The HP (Hillside Protection Overlay) will be retained.

Staff Recomm. (Full):

Comments:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS

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 subject property is part of a cluster of C-G-1 (General Commercial) and O (Office) zoned properties at the intersection of two minor arterial streets. There has been a gradual increase in commercial development over the past 20 years, with two new retail establishments being developed in accordance with general commercial zoning standards.
2. The requested C-G-1 zoning district is consistent with surrounding zoning and development.

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

1. The C-G-1 district is intended for retail, personal service, office, and residential uses along commercial nodes and corridors. It promotes mixed-use development in a pedestrian-oriented environment. Commercial uses are generally indoors, with limited exceptions per special use approval.
2. The subject property is part of a commercial and office node surrounded by residential communities. This is an area that supports a pedestrian environment; Merchant Drive and Pleasant Ridge Road have sidewalks and transit access. The Northwest Greenway and Pleasant Ridge Greenway trails are a short distance to the south. The property's location meets the intent of the C-G-1 zoning district.

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

1. There are no adverse impacts anticipated to occur with the proposed rezoning. C-G-1 is a predominant zoning district in the immediate area, and uses and dimensions in this district would be compatible with the surrounding built environment.

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. The proposed C-G-1 zoning district is inconsistent with the NC (Neighborhood Commercial) land use classification in the North City Sector Plan and the One Year Plan, which only permits consideration of the C-N (Neighborhood Commercial) zoning district.
2. C-G-1 zoning at this location is consistent with the General Plan's development policy 9.11 to locate community-serving commercial areas where they can be easily shared by several neighborhoods. This commercial node is easily accessible to numerous low and medium density residential neighborhoods.

ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

1. This area has adequate infrastructure and facilities to accommodate an additional commercial development on this 3-acre parcel.

**Action:** Denied

**Meeting Date:** 10/5/2023

**Details of Action:**

**Summary of Action:** Deny the C-G-1 (General Commercial) district because it is inconsistent with the land use classifications in the Northwest City Sector Plan and the One Year Plan. The HP (Hillside Protection Overlay) will be retained.

**Date of Approval:** **Date of Denial:** 10/5/2023

**Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:** 10/18/2023

***LEGISLATIVE ACTION AND DISPOSITION***

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 1/9/2024

**Date of Legislative Action, Second Reading:**

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:** Withdrawn

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**