

# 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

Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
865 • 215 • 2500  
F A X • 215 • 2068  
www.knoxmpc.org

**File Number:** 10-F-17-RZ      **Related File Number:**  
**Application Filed:** 8/24/2017      **Date of Revision:**  
**Applicant:** ARTHUR SEYMOUR JR.

### PROPERTY INFORMATION

**General Location:** Southeast side Old Callahan Dr., northeast of Clinton Hwy.  
**Other Parcel Info.:**  
**Tax ID Number:** 67 L B 007      **Jurisdiction:** City  
**Size of Tract:** 1.43 acres  
**Accessibility:** Access is via Old Callahan Dr., a major collector street with 20' of pavement width within 60' of right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Retail      **Density:**  
**Sector Plan:** Northwest City      **Sector Plan Designation:** CC  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This area is developed with commercial uses under CA, CB, C-3, C-4 and PC-1 zoning. It is part of the large regional commercial node at the intersection of Schaad Rd. and Clinton Hwy.

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

**Street:** 2400 Old Callahan Dr  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** PC-1 (Retail and Office Park)  
**Former Zoning:**  
**Requested Zoning:** C-3 (General Commercial)  
**Previous Requests:** 10-A-03-RZ - City annexation - rezoned PC-1  
**Extension of Zone:** No  
**History of Zoning:** Property was rezoned PC-1 in 2003 after its annexation into the City of Knoxville (10-A-03-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-3 (General Commercial) zoning, subject to one 1 condition.

**Staff Recomm. (Full):** 1. No new access drive to Old Callahan Dr. will be permitted. Access to the site must come from existing driveways to northeast and/or southwest.

With the recommended condition above, the site is appropriate to be rezoned to C-3. C-3 zoning is consistent with both the One Year Plan and sector plan proposals for the property and is an extension of C-3 zoning from the south. Since adequate access drives are available on either side of the subject property, staff recommends that no additional access drive to Old Callahan Dr. be permitted.

**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-3 zoning is compatible with the scale and intensity of the surrounding development and zoning pattern.
2. The location of the property along a major collector street adjacent in a large commercial node makes it appropriate for C-3 uses.
3. The proposal is consistent with the One Year and sector plan proposals for the site, and C-3 is a logical extension of zoning from the south.

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.

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. Commercial zoning and uses are located on all sides of the subject property.
3. The area is developed primarily with commercial businesses which will not be negatively impacted by commercial development of this site. 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 Northwest City Sector Plan and the City of Knoxville One Year Plan propose CC (Community Commercial) uses for this site, consistent with the proposed C-3 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:** 10/12/2017

**Details of Action:** RECOMMEND that City Council APPROVE C-3 (General Commercial) zoning

**Summary of Action:** C-3 (General Commercial)

**Date of Approval:** 10/12/2017 **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:** 11/7/2017

**Date of Legislative Action, Second Reading:** 11/21/2017

**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:**