

CASE SUMMARY
APPLICATION TYPE: REZONING
ONE YEAR PLAN AMENDMENT



File Number: 10-H-17-RZ **Related File Number:** 10-D-17-PA
Application Filed: 8/28/2017 **Date of Revision:**
Applicant: GARY KOONTZ

PROPERTY INFORMATION

General Location: West side Central Avenue Pike, north of Callahan Dr.
Other Parcel Info.:
Tax ID Number: 57 078 **Jurisdiction:** City
Size of Tract: 5.18 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Residence
Surrounding Land Use:
Proposed Use: Any use permitted in C-4 zoning district **Density:**
Sector Plan: North County **Sector Plan Designation:** MDR/O & STPA
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context:

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

Street: 6907 Central Avenue Pike
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-2 (General Residential), A-1 (General Agricultural) & F-1 (Floodway)
Former Zoning:
Requested Zoning: C-4 (Highway and Arterial Commercial) & F-1 (Floodway)
Previous Requests: None noted
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: MDR (Medium Density Residential), LDR (Low Density Residential) & F (Floodway)
Requested Plan Category: GC (General Commercial) & F (Floodway)

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:

Mike Reynolds

Staff Recomm. (Abbr.):

RECOMMEND that City Council APPROVE C-3 (General Commercial) and F-1 (Floodway) zoning, subject to 1 condition (Applicant requested C-4).

Staff Recomm. (Full):

1. A use on review development plan must be reviewed and approved by MPC prior to any development of the site.

With the recommended condition and the associated One Year Plan and Sector Plan amendments, C-3 zoning is appropriate for the subject property.

Comments:

Staff is recommending C-3 zoning because it is more appropriate for this location. The intended use for the property is allowed in C-3 and the applicant is in agreement with the staff zoning recommendation and the condition that use on review be required for any development of the site.

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. With approval of the associated One Year Plan and Sector Plan amendments, the C-3 zoning will be consistent with the new development policy for this area.

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

1. The requested C-4 zone, as described in the zoning ordinance, is intended to "provide areas in which the principal use of land is devoted to commercial establishments which cater specifically to the needs of motor vehicle oriented trade. Typical uses offer accommodations and services to motorists, contain certain specialized retail outlets, or provide commercial amusement enterprises. It is the intent to provide a location for the limited amount of merchandise, equipment and material being offered for retail sale that, because of the type of material or transportation requirements, are suitable for display and storage outside the confines of an enclosed building."

2. The recommended C-3 zone, as described in the zoning ordinance, is intended to "include areas where commercial development has displaced or is displacing residential development, or is moving in on vacant lands. 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."

3. Based on the above general intent statements, C-3 zoning is more appropriate because the commercial development will be displacing residential development and will better preserve the carrying capacity of Central Avenue Pike.

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. If C-3 zoning is approved for this property, it sets a precedent for potentially allowing further encroachment of commercial uses along Central Avenue Pike to the north and the surrounding area should be reviewed to determine if the land use plans should be amended to reflect this new land use pattern.

2. Public water and sewer utilities are available to serve the site.

3. Use on review approval for any development of the site is recommended as a condition to ensure that proper access control is obtained and that the floodplain to the rear of the property is protected.

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 approval of the requested One Year Plan amendment to GC, the requested C-3 zoning will be consistent with the plan.
2. With approval of the requested North County Sector Plan amendment to GC, the requested C-3 zoning will be consistent with the sector plan.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. The proposed zoning does not present any apparent conflicts with any other adopted plans.

Action: Approved **Meeting Date:** 12/14/2017

Details of Action:

Summary of Action: C-3 (General Commercial) and F-1 (Floodway) zoning, subject to 1 condition

Date of Approval: 12/14/2017 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:** 10/18/2017

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 1/16/2018 **Date of Legislative Action, Second Reading:** 1/30/2018

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

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

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

Amendments: **Amendments:**

11-7 Referred back to MPC to consider use on review

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