

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: 10-I-17-RZ **Related File Number:**
Application Filed: 8/28/2017 **Date of Revision:**
Applicant: DEANNA ALEXI AND CHRIS POLLOCK

PROPERTY INFORMATION

General Location: Northeast side Old Broadway, southwest side N. Broadway, northwest of Tazewell Pike
Other Parcel Info.:
Tax ID Number: 69 D B 014 **Jurisdiction:** City
Size of Tract: 6000 square feet
Accessibility: Access is via Old Broadway, a minor arterial street with 34' of pavement width within 80' of right-of-way. N. Broadway, a major arterial street is adjacent to the site but does not provide access because it is at a higher elevation than the site.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Car sales **Density:**
Sector Plan: North City **Sector Plan Designation:** STPA
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This area is developed with commercial uses under C-3, C-6 and SC-1 zoning.

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

Street: 4718 Old Broadway
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: SC-1 (Neighborhood Shopping Center) & C-3 (General Commercial)
Former Zoning:
Requested Zoning: C-4 (Highway and Arterial Commercial)
Previous Requests: None noted
Extension of Zone: No
History of Zoning: None noted

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. (Applicant requested C-4.)

Staff Recomm. (Full): The predominant commercial zoning in the area is C-3. C-3 is a logical extension of zoning from the south, and will allow reasonable use of the property for a small office or business. C-4 zoning for this site would be a spot zoning, allowing this property to be developed with more intense uses than the surrounding properties.

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 recommended C-3 zoning is compatible with the scale and intensity of the surrounding development and zoning pattern.
2. C-3 is a logical extension of zoning from the south, and will allow reasonable use of this small property for either office or commercial.
3. The location of the property along a minor arterial street in a primarily commercial area makes it appropriate for C-3 uses.
4. 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.
5. C-4 is not appropriate for this site because it is a spot zoning. There are no C-4 zoned properties on the west side of N. Broadway north of Tazewell Pike. The closest C-4 zoning is east of N. Broadway and southeast of Tazewell Pike. This is a large tract of land (8 acres) that is primarily vacant, so there is no need for additional C-4 zoning in the area.

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

1. The recommended 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. The C-4 (Highway & Arterial Commercial) zone is established 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. It is the intent to provide a location for a 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 of the confines of an enclosed building.
3. Based on the above general intent, this site is more 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 recommended C-3 zoning is compatible with surrounding development and zoning, so the impact on adjacent properties should be minimal. The request is a logical extension of zoning from the

south.

3. The area is developed primarily with commercial businesses which will not be negatively impacted by commercial zoning 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 North City Sector Plan and the City of Knoxville One Year Plan propose GC (General Commercial) uses for this site, consistent with either the recommended C-3 or the proposed C-4 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:

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: