

**CASE SUMMARY**  
**APPLICATION TYPE: REZONING**  
**ONE YEAR PLAN AMENDMENT**



**File Number:** 10-L-16-RZ                      **Related File Number:** 10-F-16-PA  
**Application Filed:** 8/29/2016                      **Date of Revision:**  
**Applicant:** MPI BUSINESS SOLUTIONS, INC.

**PROPERTY INFORMATION**

**General Location:** East side Texas Ave., north side Heiskell Ave.  
**Other Parcel Info.:**  
**Tax ID Number:** 81 I D 043                      **Jurisdiction:** City  
**Size of Tract:** 28968 square feet  
**Accessibility:**

**GENERAL LAND USE INFORMATION**

**Existing Land Use:** Commercial building  
**Surrounding Land Use:**  
**Proposed Use:** Not specified                      **Density:**  
**Sector Plan:** Central City                      **Sector Plan Designation:** TDR  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:**

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

**Street:** 1016 Texas Ave  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

**ZONING INFORMATION (where applicable)**

**Current Zoning:** R-1A (Low Density Residential) / IH-1 (Infill Housing Overlay)  
**Former Zoning:**  
**Requested Zoning:** C-3 (General Commercial) / IH-1 (Infill Housing Overlay)  
**Previous Requests:** None noted  
**Extension of Zone:**  
**History of Zoning:**

**PLAN INFORMATION (where applicable)**

**Current Plan Category:** TDR (Traditional Neighborhood Residential)  
**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 O-1 (Office, Medical & Related Services) / IH-1 (Infill Housing Overlay) zoning. (Applicant requested C-3/IH-1.)

Staff Recomm. (Full): O-1 zoning will allow reasonable use of the existing building on site without introducing incompatible commercial uses in the middle of a residential area. O-1 uses are more compatible with residential uses than C-1 or C-3 uses, and generally require less parking. The majority of the surface parking located around the building is located within public right-of-way, which is not permitted to be counted toward required off-street parking. There is a large area of C-1 zoning and one C-3 zoned property nearby to the east along Heiskell Ave. that may be used for commercial purposes without introducing commercial zoning in the middle of a residential area.

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. O-1 zoning for the subject property allows reasonable use of the property with a similar intensity use as it was previously used. It is staff's understanding that the existing commercial building on the site was used as a boilermakers training facility in the past, a legal non-conforming use in the R-1A zoning district. This use has now been discontinued for long enough that the legal non-conforming status has expired, so the property must be rezoned to allow future non-residential uses to occur.
2. O-1 uses are compatible with the surrounding land use and zoning pattern.
3. The existing building on site has adequate space and parking to accommodate either office or residential use, both of which are permitted by the requested O-1 zoning. Although it may appear to have adequate parking for commercial uses as well, the majority of the existing surface parking to the south of the building is located in public right-of-way, which is not permitted to be counted toward required off-street parking.

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

1. The recommended O-1 zone, as described in the zoning ordinance, is intended to provide areas for professional and business offices and related activities that require separate buildings surrounded by landscaped yards and open areas. The intent is to provide centralized, compact locations for business offices, clinics, medical and dental offices, as well as suburban locations near residential neighborhoods.
2. 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.
3. Based on the above general intents, this site is appropriate for O-1 zoning, but not C-3.
4. The existing IH-1 (Infill Housing Overlay) will be maintained as a zoning overlay on the property. The regulations in the IH-1 overlay district only apply to residential development, so, if rezoned, they will have no impact on the subject property.

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 recommended O-1 zoning is compatible with the surrounding land uses and zoning pattern.
2. O-1 zoning will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.

3. The existing streets are adequate to handle any additional traffic generated by allowing office 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 office on the accompanying application (10-F-16-PA), O-1 zoning would be consistent with the plan.
2. With the recommended amendment to the Central City Sector Plan to office on the accompanying application (10-G-16-SP), O-1 zoning would be consistent with the plan.
3. Both plans would have to be amended to GC to allow consideration of the requested C-3 zoning.
4. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
5. This recommended O-1 zoning does not present any apparent conflicts with any other adopted plans.

**Action:** Approved **Meeting Date:** 10/13/2016

**Details of Action:**

**Summary of Action:** O-1 (Office, Medical, and Related Services) / IH-1 (Infill Housing Overlay)

**Date of Approval:** 10/13/2016 **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:** 11/8/2016 **Date of Legislative Action, Second Reading:** 11/22/2016

**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:**