

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: 11-C-09-RZ **Related File Number:** 1-A-10-SP
Application Filed: 9/29/2009 **Date of Revision:**
Applicant: THIS AND THAT / MPC

PROPERTY INFORMATION

General Location: Northeast side Middlebrook Pike, east side Keith Ave.
Other Parcel Info.:
Tax ID Number: 93 L G PART OF 025 **OTHER:** MAP ON FILE AT MPC **Jurisdiction:** City
Size of Tract: 6854 square feet
Accessibility: Access is via Middlebrook Pike, a major arterial street with four lanes and a center median within 110' of right of way in this section.

GENERAL LAND USE INFORMATION

Existing Land Use: Commercial building
Surrounding Land Use:
Proposed Use: Used furniture/antique store **Density:**
Sector Plan: Central City **Sector Plan Designation:** LI
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This section of Middlebrook Pike is developed with office, commercial, light industrial and residential uses under O-1, C-3, I-3 and R-2 zoning.

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

Street: 3605 Middlebrook Pike
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-2 (General Residential)
Former Zoning:
Requested Zoning: C-3 (General Commercial) or C-6 (General Commercial Park)
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.

Staff Recomm. (Full):

C-3 zoning is consistent with the current One Year Plan proposal and the recommended sector plan proposal for the property and is compatible with surrounding development.

Comments:

REZONING REQUIREMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. C-3 zoning is compatible with the scale and intensity of the surrounding development and zoning pattern.
2. C-3 zoning allows the continued use of the building for retail sales and brings it into conformance with zoning. However, outdoor display of merchandise will not be permitted in the C-3 zoning district.
3. Staff recommends amending the sector plan to Mixed Uses, limited to light industrial, medium density residential, office and commercial for the area containing the subject property. The One Year Plan proposes general commercial uses. C-3 zoning is consistent with both of those proposals.

CONSISTENCY WITH INTENT AND PURPOSE OF THE 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 EFFECTS OF THE PROPOSAL:

1. Water and sewer utilities are in place to serve this site.
2. The proposal would have no impact on schools and a minimal impact on the street system.
3. The proposed zoning is similar in scale and intensity to the surrounding development and zoning pattern, so the impact on adjacent properties should be minimal.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the recommended plan amendment, C-3 zoning is consistent with the Central City Sector Plan.
2. The One Year Plan proposes general commercial uses, consistent with the proposal.
3. This site is located within the Urban Growth Area (inside the City) on the Knoxville-Knox County-Farragut Growth Policy Plan.
4. Approval of this request could lead to future requests for C-3 or other zoning, consistent with the adopted plans for the area.

Action:

Approved

Meeting Date: 1/14/2010

Details of Action:

RECOMMEND that City Council APPROVE C-6 (General Commercial Park) zoning.

Summary of Action:

C-6 (General Commercial Park)

Date of Approval:

1/14/2010

Date of Denial:

Postponements: 11/12/09

Date of Withdrawal:

Withdrawn prior to publication?: Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Knoxville City Council

Date of Legislative Action: 2/9/2010

Ordinance Number:

Disposition of Case: Other

If "Other": Failed - No motion

Amendments:

Failed - No motion - Property remains R-2

Date of Legislative Appeal:

Date of Legislative Action, Second Reading:

Other Ordinance Number References:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: