

# CASE SUMMARY

**APPLICATION TYPE: OTHER BUSINESS**

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  
4 0 0 M a i n S t r e e t  
Knoxville, Tennessee 37902  
8 6 5 • 2 1 5 • 2 5 0 0  
F A X • 2 1 5 • 2 0 6 8  
w w w • k n o x m p c • o r g

**File Number:** 11-C-16-OB                      **Related File Number:**  
**Application Filed:** 10/6/2016              **Date of Revision:**  
**Applicant:** METROPOLITAN PLANNING COMMISSION

## **PROPERTY INFORMATION**

**General Location:**  
**Other Parcel Info.:**  
**Tax ID Number:** 999 999                      **Jurisdiction:**  
**Size of Tract:**  
**Accessibility:**

## **GENERAL LAND USE INFORMATION**

**Existing Land Use:**  
**Surrounding Land Use:**  
**Proposed Use:**                                      **Density:**  
**Sector Plan:**                                      **Sector Plan Designation:**  
**Growth Policy Plan:**  
**Neighborhood Context:**

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

**Street:**  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:** Amendment to the MPC's Administrative Rules and Procedures regarding procedures for special exceptions

## **ZONING INFORMATION (where applicable)**

**Current Zoning:**  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:**

## **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.: Amendment to the MPC's Administrative Rules and Procedures regarding procedures for special exceptions

## **MPC ACTION AND DISPOSITION**

Planner In Charge: Dan Kelly

Staff Recomm. (Abbr.): ADOPT the amendment to Article 4 of the Administrative Rules and Procedures as shown:

Staff Recomm. (Full):

Comments: Staff is recommending that MPC amend Article 4 (Use on Review Applications) of its Administrative Rules and Procedures incorporating language that will clarify what a "special exception" is and establish a fee schedule and review procedures for matters that are being heard as special exceptions.

Presently in the City of Knoxville Zoning Ordinance under prohibited uses in the C-3 General Commercial zone prohibited uses (Article 4 Section 2.2.6.D.1) states that residential uses are prohibited in the C-3 zone except as a special exception which may be permitted by MPC. This is the only reference to a special exception in the entire Zoning Ordinance. However, the term special exception is not uncommon in the planning vocabulary. What our ordinance refers to a use-on-review other communities use terms such as conditional use or special exception.

We now have a developer who wants to redevelop a site, currently zoned C-3, with a mixture of commercial and residential uses. At the present time we do not have a zone other than C-2 (Central Business District) that will permit mixed use developments. Since a special exception in other communities is similar to our use on review, staff is recommending that such requests be handled the same as a use-on-review. We recommend that the fee charged for a special exception and the plans required for review be the same as are currently required to proceed through the use-on-review process.

Staff looks at this amendment to the Administrative Rules as a temporary fix to address a question at hand. The rewrite of the City Zoning Ordinance will provide an opportunity for consideration of a long term solution to this matter.

Action: Approved

Meeting Date: 11/10/2016

Details of Action:

Summary of Action: ADOPT the amendment to Article 4 of the Administrative Rules and Procedures.

Date of Approval: 11/10/2016

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?:  Action Appealed?:

## **LEGISLATIVE ACTION AND DISPOSITION**

Legislative Body: MPC

Date of Legislative Action:

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: