

# CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 11-E-19-RZ

Related File Number:

Application Filed: 9/30/2019

Date of Revision:

Applicant: PETER DADZIE

## PROPERTY INFORMATION

General Location: North side Western Ave., east of Mynderse Ave.

Other Parcel Info.:

Tax ID Number: 94 A A 017

Jurisdiction: City

Size of Tract: 0.7 acres

Accessibility: The property will be accessed off of Western Avenue, a major arterial. The newly realigned Western Avenue has a pavement width of 21 feet and a right-of-way width that varies from 114 feet to 127 feet in front of this property.

## GENERAL LAND USE INFORMATION

Existing Land Use: Vacant parcel

Surrounding Land Use:

Proposed Use: Used automobile sales

Density: N/A

Sector Plan: Central City

Sector Plan Designation: LI

Growth Policy Plan: Planned Growth Area

Neighborhood Context: This area has an industrial feel to it though there are commercial businesses present. Dollar General is to the west. Eagle Transportation Company (trucking company transporting liquid bulk (petroleum, chemicals, bio-fuels and oil in tanker trailers), AlSCO (linen and uniform rental service) and Reynolds Aluminum (slewing ring manufacturer) are across Western Avenue, and vacant land is to the north.

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

Street: 2553 Western Ave.

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: I-3 (General Industrial)

Former Zoning:

Requested Zoning: C-6 (General Commercial Park)

Previous Requests:

Extension of Zone: No

History of Zoning: None noted for this property

## 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.:

## **PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge:

Michelle Portier

Staff Recomm. (Abbr.):

Deny C-6 (General Commercial Park District) zoning.

Staff Recomm. (Full):

Staff recommends denial of C-6 (General Commercial Park District) zoning because the C-6 zone is specifically intended to encourage the clustering of commercial activities to prevent proliferation of commercial uses along major thoroughfares, and this parcel is surrounded by industrial zones on all sides.

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. Western Avenue has been realigned and the right-of-way moved slightly to the south. However, this change, while substantial, does not warrant a zoning amendment.

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

1. The requested amendment to the C-6 (General Commercial Park) District is intended:
  - To encourage the clustering of commercial activities within areas specifically designed to accommodate the activities and to discourage the proliferation of commercial uses along major thoroughfares and noncommercial areas.
  - To provide for the orderly development of commercial activities so that any adverse impact on surrounding uses and on the general flow of traffic can be ameliorated.
  - To encourage an orderly and systematic development design providing the rational placement of activities, parking and auto circulation, pedestrian circulation, access and egress, loading and landscaping.
  - To encourage commercial development which is consistent with the long range, comprehensive, general plan for Knoxville and Knox County.
  - To allow for mixing of light industrial (manufacturing) uses with compatible commercial uses as stated within the following subsections.
  - To encourage general commercial activities to locate in areas that have access to a major street system.
2. The applicant has requested the C-6 zone, which allows vehicle dealerships if found to be compatible with surrounding uses. On January 1, 2020, the effective date of the City's new zoning code, this property will be zoned I-MU (Industrial-Mixed Use) which does not permit auto dealerships.

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. This parcel is bordered by commercial and industrial uses.
2. The proposed use, while less intense, is also not consistent with surrounding uses.
3. Staff received feedback during the community involvement phase of writing the new zoning ordinance regarding the Western Avenue corridor. Residents wanted the area to look cleaner and less run-down. There is an opportunity here with the TDOT road construction to advance their wishes.

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. The property is located in FEMA Flood Zone X, but it is not located in a floodway or a floodplain.
2. The parcel is not in the Hillside and Ridgetop Protection Area; however, there is a ridge with a significant slope that wraps around the rear and western perimeter of the property.
3. The proposed amendment would be consistent with the sector plan's Light Industrial designation, which lists C-6 as one of its recommended zones.

**Action:** Approved **Meeting Date:** 11/14/2019

**Details of Action:**

**Summary of Action:** The Planning Commission approved C-6 (General Commercial Park District) zoning for this parcel since the use would not be detrimental to surrounding properties.

**Date of Approval:** 11/14/2019 **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:** 12/17/2019

**Date of Legislative Action, Second Reading:**

**Ordinance Number:** O-196-2019

**Other Ordinance Number References:**

**Disposition of Case:** Approved (Emergency)

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

As amended on emergency

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**