CASE SUMMARY

APPLICATION TYPE: REZONING

File Number: 12-B-12-RZ Related File Number:

Application Filed: 10/16/2012 **Date of Revision:**

Applicant: FRANCIS DE LA ROCHA



Suite 403 • City County Building 4 0 0 Main Street Knoxville, Tennessee 37902 8 6 5 • 2 1 5 • 2 5 0 0 FAX•2 1 5 • 2 0 6 8 www•knoxmpc•org

PROPERTY INFORMATION

General Location: Southwest side Lovell Rd., southeast of I-40/75

Other Parcel Info.:

Tax ID Number: 131 02901 OTHER: PORTION ZONED I Jurisdiction: County

Size of Tract: 1.28 acres

Accessibility: Access is via Lovell Rd., a minor arterial street with 60-80' of pavement width within 50-90' of right-of-

way.

GENERAL LAND USE INFORMATION

Existing Land Use: Restaurant

Surrounding Land Use:

Proposed Use: Restaurant with liquor and beer Density:

Sector Plan: Southwest County Sector Plan Designation: Commercial

Growth Policy Plan: Urban Growth Area (Outside City Limits)

Neighborhood Context: The properties fronting along this section of Lovell Rd. between I-40/75 and Parkside Dr. are

developed with a mix of commercial and office uses under various City and County zoning districts.

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

Street: 401 Lovell Rd

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: I (Industrial)

Former Zoning:

Requested Zoning: CA (General Business)

Previous Requests: None noted

Extension of Zone: Not an extension of CA, but there is City C-3 zoning to the northwest and County CH zoning to the

northeast.

History of Zoning: None noted

PLAN INFORMATION (where applicable)

Current Plan Category:

1/29/2013 03:43 PM Page 1 of 3

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 County Commission APPROVE CA (General Business) zoning.

Staff Recomm. (Full): CA is a logical extension of commercial zoning from the northwest and northeast of this site, which is

located along a minor arterial street, just south of the Lovell Rd./I-40/75 interchange.

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. CA is a logical extension of commercial zoning from the northwest and northeast.

2. CA zoning is compatible with the surrounding land uses and zoning pattern.

3. According to the applicant, CA zoning is required for a restaurant to serve liquor and beer, as

proposed.

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

1. The requested CA zoning district is for general retail business and services, but not for manufacturing or for processing materials.

2. The subject property is clearly appropriate for CA zoning and uses.

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 will have no impact on schools, and the traffic impact will depend on the type of use that is proposed. The applicant is proposing a restaurant that serves liquor and beer. Traffic generation should be similar to the previous use, which was a also a restaurant (Shoney's).
- 2. CA zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.
- 3. Public water and sanitary sewer utilities are available to serve 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. The Southwest County Sector Plan proposes commercial uses for this site, consistent with the proposed CA zoning.
- 2. The site is located within the Urban Growth Area 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: 12/13/2012

Details of Action:

Summary of Action: RECOMMEND the Knox County Commission APPROVE CA (General Business)

Date of Approval: 12/13/2012 Date of Denial: Postponements:

Date of Withdrawal: Withdrawn prior to publication?: ☐ Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

1/29/2013 03:43 PM Page 2 of 3

Legislative Body: Knox County Commission

Date of Legislative Action: 1/28/2013 Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Approved Disposition of Case, Second Reading:

If "Other":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

1/29/2013 03:43 PM Page 3 of 3