

# 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:** 12-E-06-RZ                      **Related File Number:**  
**Application Filed:** 10/24/2006              **Date of Revision:**  
**Applicant:** J.V. DOAN, JR.  
**Owner:**

### PROPERTY INFORMATION

**General Location:** Northwest side Cecil Ave., southwest side Citrus St., north of N. Cherry St.  
**Other Parcel Info.:**  
**Tax ID Number:** 82 A D 005                      **Jurisdiction:** City  
**Size of Tract:** 1.32 acres  
**Accessibility:** Access is via Cecil Ave., a minor arterial street with 28' of pavement width within 60' of right of way, or Citrus St., a local street with 21' of pavement width within 50' of right of way. There is also an unnamed, unimproved, 20' wide right of way along the southwest side of the site.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Market/deli and tire sales/service businesses  
**Surrounding Land Use:**  
**Proposed Use:** Market/deli and tire sales/service businesses                      **Density:**  
**Sector Plan:** East City                      **Sector Plan Designation:** MDR and C  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** With the exception of the subject property, the properties on the north side of Cecil Ave. are developed with residential uses under R-1, R-1A and R-2 zoning. On the south side of Cecil Ave. are commercial and industrial uses, zoned C-3, C-4 and I-3.

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

**Street:**  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** C-4 (Highway and Arterial Commercial)  
**Former Zoning:**  
**Requested Zoning:** C-1 (Neighborhood Commercial)  
**Previous Requests:** Property was rezoned C-4 earlier this year (4-A-06-PA/4-A-06-RZ)  
**Extension of Zone:** No  
**History of Zoning:** Property was rezoned C-4 earlier this year (4-A-06-RZ/4-A-06-PA).

### PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

**SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

Surveyor:

No. of Lots Proposed:

No. of Lots Approved: 0

Variations 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.):

APPROVE C-1 (Neighborhood Commercial) zoning.

Staff Recomm. (Full):

As part of the final approval of the applicant's previous rezoning request of this site, the Knoxville City Council attached the condition that the applicant request a rezoning of this site to C-1 after establishing the existing commercial uses as legal uses under the current C-4. The current tire sales and auto service business will become legal, non-conforming uses, upon rezoning the property to the more compatible C-1 zoning.

Comments:

NEED AND JUSTIFICATION FOR THE PROPOSAL

- 1. Approval of C-1 zoning for this site will prevent expansion of inappropriate C-4 uses on the site.
- 2. C-1 zoning of the property is appropriate and will minimize additional negative impact to adjacent residential properties to the north, east and west.
- 3. The property was originally zoned C-1, but it was determined that some of the uses were not allowed in that zone. The temporary C-4 zoning of the property allowed the uses to be established legally. By zoning the property back to C-1, the uses will become legal and non-conforming.

THE EFFECTS OF THE PROPOSAL

- 1. Public water and sewer utilities are in place to serve the site.
- 2. This proposal will have no impact on schools or streets.
- 3. C-1 zoning is more compatible with adjacent residential uses than C-4.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1. The City of Knoxville One Year Plan proposes GC (General Commercial) uses for the site, consistent with either C-1 or C-4 zoning. If this rezoning is approved for C-1, MPC staff will, as part of the 2007 One Year Plan update, propose changing the plan designation for this site to NC Neighborhood Commercial, consistent with the zoning.
- 2. The East City Sector Plan proposes commercial uses for most of the site and medium density residential uses in the rear, consistent with the current uses on the site.

MPC Action:

Approved

MPC Meeting Date: 12/14/2006

Details of MPC action:

Summary of MPC action:

C-1 (Neighborhood Commercial)

Date of MPC Approval:

12/14/2006

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:

1/16/2007

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Approved (Emergency)

Disposition of Case, Second Reading:

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**