

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

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

File Number: 2-A-18-RZ **Related File Number:**
Application Filed: 12/20/2017 **Date of Revision:**
Applicant: GRAHAM CORPORATION

PROPERTY INFORMATION

General Location: Northwest side Kermit Dr., northeast of Clinton Hwy.
Other Parcel Info.:
Tax ID Number: 68 N D 015-019 **Jurisdiction:** City
Size of Tract: 2.5 acres
Accessibility: Access is via Kermit Dr., a local street with 19' of pavement width within 50' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant, residential
Surrounding Land Use:
Proposed Use: Commercial uses **Density:**
Sector Plan: Northwest City **Sector Plan Designation:** MU-CC
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This area is developed with commercial and office uses under O-1, SC-1, C-3 and C-4 zoning.

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

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

ZONING INFORMATION (where applicable)

Current Zoning: SC-1 (Neighborhood Shopping Center) & C-3 (General Commercial)
Former Zoning:
Requested Zoning: C-4 (Highway and Arterial Commercial)
Previous Requests: None noted
Extension of Zone: Yes, extension of C-4 zoning from the southeast across Kermit Dr.
History of Zoning: Request for C-4 zoning on parcels 14-18 in 2001 was withdrawn prior to hearing (10-I-01-RZ). Parcels 14-16 were rezoned from SC-1 to C-3 in 2007 (4-M-07-RZ).

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. (Applicant requested C-4.)

Staff Recomm. (Full): The predominant commercial zoning in the area is C-3. C-3 is a logical extension of zoning from three sides, and will allow reasonable use of the property for offices or businesses. C-4 zoning is not appropriate for this site, which has access only from Kermit Dr., which is classified as a local street. Although the current SC-1 zoning is not appropriate for parcels 16-19, C-4 should be reserved only for properties that have frontage on a highway or arterial street. Approval of the recommendation will result in all five requested parcels having the same C-3 zoning. Parcel 15 is already zoned C-3.

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. The recommended C-3 zoning is compatible with the scale and intensity of the surrounding development and zoning pattern.
2. C-3 is a logical extension of zoning from three sides, and will allow reasonable use of this small property for either office or commercial.
3. The location of the property along a local street in a primarily commercial area makes it appropriate for C-3 uses, but not C-4.
4. The proposal is consistent with the One Year and sector plan proposals for the site, and C-3 is a logical extension of zoning from three sides.

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

1. The recommended 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. The C-4 (Highway & Arterial Commercial) zone is established to provide areas in which the principal use of land is devoted to commercial establishments which cater specifically to the needs of motor vehicle oriented trade. It is the intent to provide a location for a limited amount of merchandise, equipment and material being offered for retail sale that, because of the type of material or transportation requirements, are suitable for display and storage outside of the confines of an enclosed building.
3. Based on the above general intent, this site is more appropriate for C-3 development.

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 would have no impact on schools. The impact on the street system would depend on the type of commercial development proposed. Water and sewer utilities are in place to serve the site.
2. The recommended C-3 zoning is compatible with surrounding development and zoning, so the impact on adjacent properties should be minimal. The request is a logical extension of zoning from three sides.
3. The area is developed primarily with commercial businesses which will not be negatively impacted by commercial zoning of this site. No other area of the County will be impacted by this rezoning request.

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. Both the Northwest City Sector Plan and the City of Knoxville One Year Plan propose GC (General Commercial) uses for this site, consistent with either the recommended C-3 or the proposed C-4 zoning.
2. The site is located within the City 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:** 2/8/2018

Details of Action:

Summary of Action: C-3 (General Commercial)

Date of Approval: 2/8/2018 **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: 4/10/2018 **Date of Legislative Action, Second Reading:** 4/24/2018

Ordinance Number: **Other Ordinance Number References:**

Disposition of Case: Approved as Modified **Disposition of Case, Second Reading:** Approved as Modified

If "Other": Postponed 3/13, 3/27

If "Other":

Amendments:

Amendments:

Approved C-4 Highway and Arterial Commercial (MPC approved C-3)

Approved C-4 Highway and Arterial Commercial (MPC approved C-3)

Date of Legislative Appeal:

Effective Date of Ordinance: