

# 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-E-11-RZ                      **Related File Number:**  
**Application Filed:** 12/23/2010              **Date of Revision:**  
**Applicant:** KINGSTON PIKE, LLC

### PROPERTY INFORMATION

**General Location:** South side Kingston Pike, east of Essex Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 132 PT OF 02710 OTHER: PORTION WITH H-1 OVERL      **Jurisdiction:** City  
**Size of Tract:** 0.15 acres  
**Accessibility:** Access is via Kingston Pike, a major arterial street with 4 lanes and a center turn lane within 95' of right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Commercial development                                      **Density:**  
**Sector Plan:** Southwest County      **Sector Plan Designation:** MU-SD (MU-SWCO01)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This site is within the 100 acre plus Sherill property, which is currently under development, under conditioned PC-1, O-1 and RP-1 zoning. To the north is regional commercial development including Home Depot, zoned SC-3. To the west is residential development.

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

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

### ZONING INFORMATION (where applicable)

**Current Zoning:** PC-1 (Retail and Office Park) / H-1 (Historic Overlay)  
**Former Zoning:**  
**Requested Zoning:** PC-1 (Retail and Office Park)  
**Previous Requests:** 8-F-07-RZ  
**Extension of Zone:** Yes, extension of the conditioned PC-1 zoning from the east  
**History of Zoning:** The 100 acre plus property was rezoned conditional PC-1, O-1 and RP-1 in 2007 (5-D-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 PC-1 (Retail & Office Park) zoning with conditions as approved in 2007 for MPC file number 5-D-07-RZ (See attached case review).

**Staff Recomm. (Full):** This request is needed to correct an inconsistency between the zoning boundary and the parcel boundary between the historic residential use to the west and future commercial development with the subject property and to the east. It removes the H-1 overlay from this small sliver of land.

**Comments:** NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. The conditioned PC-1 zoning is compatible with the scale and intensity of the surrounding development and zoning. The conditions are listed in the attached case summary for MPC rezoning file number 5-D-07-RZ.
2. This small site is part of a parcel that is located within about 40 acres of conditioned PC-1 zoning.
3. This request is needed to correct an inconsistency between the zoning boundary and the parcel boundary between the residential use to the west and future commercial development on the subject property and to the east. It removes the H-1 overlay from this small sliver of land. The staff recommendation simply brings the parcel boundary and zoning boundary into consistency and uses the same conditioned PC-1 zoning that was approved in 2007.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The PC-1 (Retail & Office Park) zoning district is established to provide for the unified development of uses ranging from retail stores and services such as are found in neighborhood shopping centers and community shopping centers to businesses and professional offices. In the interest of promoting orderly design and development, the district regulations emphasize rational placement of activities, traffic and pedestrian circulation, access and parking, loading, landscaping and the mitigation of adverse off-site impacts.
2. Based on the above general intent, this area is appropriate for PC-1 zoning.

THE EFFECTS OF THE PROPOSAL:

1. Water and sewer utilities are in place to serve this site.
2. The proposal will have no impact on schools. The impact on the street system will depend on the type of commercial development proposed, but the site has access to a major arterial street.
3. A site plan will have to be submitted for MPC review prior to development on the subject property. As part of this review, staff will expect that some buffering/screening will be provided along the western property line of parcel 27.10. This will minimize the impact on any possible residential users of the still H-1 protected Kennedy-Baker home next door.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Southwest County Sector Plan designates the area containing this site as a mixed use special district, eligible for PC-1 zoning.
2. The City of Knoxville One Year Plan designates the site for general commercial uses, consistent with the request.

**Action:** Approved

**Meeting Date:** 2/10/2011

**Details of Action:**

**Summary of Action:** APPROVE PC-1 (Retail & Office Park) zoning with conditions as approved in 2007 for MPC file number 5-D-07-RZ

**Date of Approval:** 2/10/2011

**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:** 3/8/2011

**Date of Legislative Action, Second Reading:** 3/22/2011

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:** Approved

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

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**