

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: 3-A-03-RZ **Related File Number:**
Application Filed: 1/21/2003 **Date of Revision:**
Applicant: JIM FOURAKER
Owner:

PROPERTY INFORMATION

General Location: Southeast side Keowee Ave., east of Kenesaw Ave.
Other Parcel Info.:
Tax ID Number: 122 A C 2 OTHER: (PART) **Jurisdiction:** City
Size of Tract: 0.24 acre
Accessibility: Access is via Keowee Ave., a local street with 26' of pavement within a 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Gas station
Surrounding Land Use:
Proposed Use: Convenience store **Density:**
Sector Plan: West City **Sector Plan Designation:** Commercial
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This site is part of the neighborhood commercial area that serves Sequoyah Hills. Properties surrounding this site are zoned either R-2 or C-1.

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

Street: 1180 Keowee Ave
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-2 (General Residential)
Former Zoning:
Requested Zoning: C-1 (Neighborhood Commercial)
Previous Requests: None noted
Extension of Zone: Yes
History of Zoning: None noted

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

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

MPC ACTION AND DISPOSITION

Planner In Charge: Ken Pruitt

Staff Recomm. (Abbr.): APPROVE C-1 (Neighborhood Commercial) zoning on the entire site, with 5 conditions

Staff Recomm. (Full): C-1 zoning of this site with the following conditions is consistent with surrounding zoning and development that includes apartments, office and service uses, and addresses some of the concerns raised by neighbors. (See attached letter.)
1. Placing a six foot high opaque wooden fence inside the present fence line and existing landscaping, along the property's southwest side yard line and southeast rear property line adjoining the Condominiums.
2. No increase in the exterior lighting of the site with any commercial improvements to the property.
3. No additional exterior signage for the site.
4. Limit hours of any retail operation to between 7:00 AM and 8:00 PM, Monday through Sunday.
5. No beer shall be sold on the premises.

The sector plan proposes neighborhood commercial use for this site.

Comments:

The applicant is proposing to use this part of the property to add a convenience store to the service station located to the east. A portion of the subject property is zoned C-1 for commercial use. This matter was postponed from the March meeting to allow the applicant and neighbors to meet and discuss issues and concerns related to this rezoning request, but no agreement could be reached.

NEED AND JUSTIFICATION FOR THE PROPOSAL

- 1. Part of the property is already zoned C-1 (Neighborhood Commercial), which allows retail uses.
- 2. C-1 zoning with the conditions noted would allow all the property to be used in a manner similar to what is found on a portion of it.
- 3. The proposed use and other permitted uses in the C-1 zone operating with the proposed conditions are compatible with the scale and intensity of surrounding uses and zoning.

THE EFFECTS OF THE PROPOSAL

- 1. KUB has water, sewer and other utilities available to this site. The rezoning to C-1 will not result in any additional demands on schools or streets.
- 2. The zoning change with the conditions proposed will not have a significant impact on the adjacent properties, which are zoned R-2 and developed with apartments and condominiums. Presently, half of the property is already zoned C-1.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1. The West City Sector Plan proposes commercial use for the site.
- 2. The zoning change will allow the entire site to be developed for neighborhood commercial use as proposed by the Sector Plan and the One Year Plan.

MPC Action: Approved

MPC Meeting Date: 4/10/2003

Details of MPC action: 1. Placing a six foot high opaque wooden fence inside the present fence line and existing landscaping, along the property's southwest side yard line and southeast rear property line adjoining the Condominiums.
2. No increase in the exterior lighting of the site with any commercial improvements to the property.
3. No additional exterior signage for the site.
4. Limit hours of any retail operation to between 7:00 AM and 8:00 PM, Monday through Sunday.
5. No beer shall be sold on the premises.

Summary of MPC action: APPROVE C-1 (Neighborhood Commercial) zoning subject to 5 conditions

Date of MPC Approval: 4/10/2003

Date of Denial:

Postponements: 3/13/2003

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: City Council

Date of Legislative Action: 5/13/2003

Date of Legislative Action, Second Reading: 5/27/2003

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: