

# CASE SUMMARY

**APPLICATION TYPE: REZONING**

**CENTRAL CITY SECTOR PLAN AMENDMENT**

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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400 Main Street  
Knoxville, Tennessee 37902  
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w w w • k n o x m p c • o r g

**File Number:** 3-C-14-RZ                      **Related File Number:** 3-A-14-SP  
**Application Filed:** 1/15/2014              **Date of Revision:**  
**Applicant:** EDWARD MCALISTER

## PROPERTY INFORMATION

**General Location:** West side Walker St., north of Sutherland Ave.  
**Other Parcel Info.:**  
**Tax ID Number:** 108 A A 015                      **Jurisdiction:** City  
**Size of Tract:** 0.25 acres  
**Accessibility:**

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant lot  
**Surrounding Land Use:**  
**Proposed Use:** Parking                      **Density:**  
**Sector Plan:** Central City                      **Sector Plan Designation:** Office  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:**

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

**Street:** 523 Walker St  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** R-2 (General Residential)  
**Former Zoning:**  
**Requested Zoning:** C-3 (General Commercial)  
**Previous Requests:** None noted  
**Extension of Zone:**  
**History of Zoning:**

## PLAN INFORMATION (where applicable)

**Current Plan Category:** O (Office)  
**Requested Plan Category:** C (Commercial)

## **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, subject to the following conditions:

**Staff Recomm. (Full):**

1. No vehicular access shall be provided from Walker St. All vehicular access to the site shall come through adjacent parcels from Sutherland Ave.
2. If not already in place, a Type 'A' landscape screen shall be installed along the north and east property lines of the parcel. See attached document illustrating Type 'A' landscape screening.

With the above recommended condition, the proposed rezoning will be compatible with surrounding development and zoning.

**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. C-3 zoning for the subject property is an extension of commercial zoning from two sides.
2. C-3 zoning uses are compatible with the surrounding land use and zoning pattern.
3. The site is located next to established commercial uses along the north side of Sutherland Ave.

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

1. The 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. Based on the above general intent, this site is 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. With the recommended conditions on the rezoning, the impact of commercial use of this property to adjacent residential uses will be minimized. Landscape screening will be required on the north and east sides to screen the parking lot from residential properties. Vehicular access to the site will not be allowed from Walker St., reducing the traffic impact on Walker St.
2. The proposal is compatible with the surrounding land uses and zoning pattern.
3. The proposal will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.

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. With the recommended amendment to the Central City Sector Plan to general commercial, C-3 zoning would be consistent with the plan.
2. The City of Knoxville One Year Plan proposes Mixed Uses, limited to GC and MDR, consistent with C-3 zoning.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This proposal does not present any apparent conflicts with any other adopted plans.

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

**Action:** Approved **Meeting Date:** 3/13/2014

**Details of Action:**

**Summary of Action:** C-3 (General Commercial) zoning, subject to 2 conditions.

**Date of Approval:** 3/13/2014 **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:** 4/15/2014 **Date of Legislative Action, Second Reading:** 4/29/2014

**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:**