

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: 4-A-06-RZ **Related File Number:** 4-A-06-PA
Application Filed: 1/25/2006 **Date of Revision:**
Applicant: J.V. DOAN
Owner:

PROPERTY INFORMATION

General Location: Northwest side Cecil Ave., southwest side Citrus St.
Other Parcel Info.:
Tax ID Number: 82 A D PART OF 005 **OTHER:** MAP ON FILE AT MPC **Jurisdiction:** City
Size of Tract: 1.38
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Tire sales, market and deli
Surrounding Land Use:
Proposed Use: Tire sales, market and deli **Density:**
Sector Plan: East City **Sector Plan Designation:** MDR and C
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context:

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

Street: 2539 Cecil Ave
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-2 (General Residential) & C-1 (Neighborhood Commercial)
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:
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: Michael Brusseau

Staff Recomm. (Abbr.): APPROVE C-1 (Neighborhood Commercial) zoning for the entire site. (Applicant requested C-3.)

Staff Recomm. (Full): C-1 zoning is more compatible with the surrounding residential uses and is an extension of the existing C-1 zoning on the southeast portion of the site.

Comments: These applications were accepted by MPC staff with no application fees because of an apparent mapping error. The applicant produced documentation that showed that the site was rezoned C-1 in 1965, but the maps were not updated correctly, showing only a portion of the intended area as C-1. Within the C-1 zoned portion of the site is a laundromat and a deli/market. Both of these uses are allowed in the C-1 zone. However, there is also a tire sales and automobile service/repair business located on the site. The existing zones on the site, R-2 and C-1, do not allow this use, which is the purpose of these applications. The Knoxville Building Inspection Bureau has determined that in order to subdivide the property as the applicant wants to do, a rezoning to C-3 would have to be approved in order to bring the tire business into compliance. They also indicated that the tire business and Laundromat building additions on the site were constructed illegally with no building permits. The City of Knoxville Codes Enforcement officer that was involved with this property indicated that the tire business would not necessarily be in compliance under C-3 zoning, because they currently store equipment and inventory outside and work on vehicles outside of the building, which is not allowed under C-3 zoning. C-4 zoning would likely be required for the business to continue operating as it does today.

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. Neighborhood commercial uses are compatible with the scale and intensity of the surrounding land uses and zoning pattern. Uses allowed under C-3 zoning would not be compatible.
2. NC and C-1 are extensions of the neighborhood commercial use and zoning from the southeast.
3. Approval of C-3 zoning for this entire site would be an intrusion into the residential area north of Cecil Ave. and would not be consistent with the sector plan and One Year Plan proposals for the property.
4. Limiting the site to neighborhood commercial uses and C-1 zoning is more appropriate for this site and is a logical extension of the zoning that was approved in 1965.

THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available in the area to serve the site.
2. The proposal will have no impact on schools and a minimal impact on the street system.
3. The recommended C-1 zoning is compatible with surrounding residential development and zoning and will have a minimal impact on adjacent properties.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The East City Sector Plan proposes commercial and medium density residential uses for this site.
2. With the recommended amendment to NC (General Commercial) for the entire site, C-1 zoning is consistent with the City of Knoxville One Year Plan.
3. This request may lead to future plan amendment and rezoning requests for commercial in the area. However, neither the sector plan nor the one year plan support commercial uses on the north side of Cecil Ave., except for on the front portion of this site.

MPC Action: Approved

MPC Meeting Date: 4/13/2006

Details of MPC action: APPROVE C-4 (Highway & Arterial Commercial) zoning.

Summary of MPC action: Approval of C-4 (Highway & Arterial Commercial) zoning

Date of MPC Approval: 4/13/2006

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: 5/9/2006

Date of Legislative Action, Second Reading: 5/23/2006

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved
(Emergency)

If "Other":

If "Other":

Amendments:

Amendments:

Effective immediately

Date of Legislative Appeal:

Effective Date of Ordinance: