

# 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-D-08-RZ                      **Related File Number:**  
**Application Filed:** 2/21/2008              **Date of Revision:**  
**Applicant:** T. SCOTT JONES / ED NAVARRO

### PROPERTY INFORMATION

**General Location:** Southeast side E. Magnolia Ave., southwest of Spruce St.  
**Other Parcel Info.:**  
**Tax ID Number:** 82 O E 011                      **Jurisdiction:** City  
**Size of Tract:** 21000 square feet  
**Accessibility:** Access is via E. Magnolia Ave., a five lane, major arterial street

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Car wash  
**Surrounding Land Use:**  
**Proposed Use:** Car wash / rental trucks and trailers                      **Density:**  
**Sector Plan:** Central City                      **Sector Plan Designation:** Commercial  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This developed site is part of the retail/office commercial development pattern found along this section of E. Magnolia Ave. within C-3 zoning

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

**Street:** 2350 E Magnolia Ave  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** C-3 (General Commercial)  
**Former Zoning:**  
**Requested Zoning:** C-4 (Highway and Arterial Commercial)  
**Previous Requests:** None noted  
**Extension of Zone:** No  
**History of Zoning:** None noted

### 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:

Ken Pruitt

Staff Recomm. (Abbr.):

DENY C-4 (Highway and Arterial Commercial) zoning

Staff Recomm. (Full):

C-4 zoning is not consistent with the established commercial and office development pattern and C-3 and O-1 zoning pattern found along E. Magnolia Ave. in this area.

Comments:

NEED AND JUSTIFICATION FOR THE PROPOSAL

- 1. The proposed truck rental use, as well as other uses permitted under C-4 zoning will not be compatible with the scale and intensity of the surrounding land uses and zoning pattern.
- 2. The E. Magnolia Ave. property located along this section of the major arterial street are developed with office and retail uses consistent with the current C-3 zoning.
- 3. The C-4 zone will permit uses that are not consistent with the Magnolia Ave Corridor Study plan for the redevelopment of this arterial street. The plan proposes office, residential and retail businesses along this street corridor that will compliment and encourage the redevelopment of the established historic structures and provide a pleasant streetscape that is pedestrian friendly. The C-4 zone allows sale of merchandise that is expected and encouraged to be displayed outside, contrary to this plan.

THE EFFECTS OF THE PROPOSAL

- 1. Public water and sewer utilities are available to serve the site. The proposal will not have an impact on schools.
- 2. The effect on adjacent properties will be minimal to the extent that commercial businesses are already located on both sides of E. Magnolia Ave. in this area. However, C-4 zoning would introduce a form of commercial use with the option for outside storage and display of merchandise that would be incompatible with the long term planning objectives for this corridor. The applicant has reasonable use of the property under the current C-3 zoning.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1. The City of Knoxville One Year Plan proposes general commercial uses for the subject property.
- 2. The East City Sector Plan proposes commercial uses for the subject property.
- 3. Approval of this rezoning could lead to additional requests for C-4 zoning in this area.

MPC Action:

Denied

MPC Meeting Date: 4/10/2008

Details of MPC action:

Summary of MPC action:

DENY C-4 (Highway and Arterial Commercial)  
City Council approved appeal to rezone to C-4 (k) with condition that uses be limited to those in C-3 plus truck/trailer rentals

Date of MPC Approval:

Date of Denial: 4/10/2008

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?:  Action Appealed?: 4/21/2008

**LEGISLATIVE ACTION AND DISPOSITION**

Legislative Body:

Knoxville City Council

Date of Legislative Action:

5/20/2008

Date of Legislative Action, Second Reading:

6/3/2008

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Appeal approved amended to C-4(k)

Disposition of Case, Second Reading:

Appeal approved- C-4(k) approve

If "Other":

If "Other":

**Amendments:**

Approved C-4(k) with condition that uses be limited to those in C-3 plus truck/trailer rentals

**Date of Legislative Appeal:**

**Amendments:**

Approved C-4(k) with condition that uses be limited to those in C-3 plus truck/trailer rentals

**Effective Date of Ordinance:**