

# 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:** 4-H-11-RZ                      **Related File Number:**  
**Application Filed:** 3/2/2011              **Date of Revision:**  
**Applicant:** KIN PROPERTIES, INC.

### PROPERTY INFORMATION

**General Location:** North side Kingston Pike, east side Westfield Rd., southeast side Circle Ln.  
**Other Parcel Info.:**  
**Tax ID Number:** 121 A A 02802                      **Jurisdiction:** City  
**Size of Tract:** 0.42 acres  
**Accessibility:** Primary access is from Kingston Pike, a major arterial street with 4 lanes and a center turn lane within 160' of right-of-way. Secondary access is available from Westfield Rd., a local street with 23' of pavement width within 50' of right-of-way, or Circle Ln., a local street with 18' of pavement width within 50' of right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Retail sales  
**Surrounding Land Use:**  
**Proposed Use:** Retail sales                      **Density:**  
**Sector Plan:** West City                      **Sector Plan Designation:** General Commercial  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This area is developed with commercial uses fronting on Kingston Pike, under C-3, C-4 and C-6 zoning. To the north of the site are office uses, zoned O-1.

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

**Street:** 6609 Kingston Pike  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** C-6 (General Commercial Park)  
**Former Zoning:**  
**Requested Zoning:** C-3 (General Commercial)  
**Previous Requests:** None noted  
**Extension of Zone:** Yes, extension of C-3 from the east  
**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:** Michael Brusseau

**Staff Recomm. (Abbr.):** RECOMMEND that City Council APPROVE C-3 (General Commercial) zoning.

**Staff Recomm. (Full):** C-3 is an extension of zoning from the south, east and west and is consistent with both the One Year Plan and sector plan proposals for the site. C-3 uses would be compatible with the surrounding land uses and zoning pattern.

**Comments:** NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:  
1. The proposal is compatible with the scale and intensity of the surrounding land uses and zoning pattern.  
2. C-3 zoning is in place on several properties in the immediate area including two adjacent properties to the south, east and west. The subject property is already developed with a Verizon Wireless retail store, which has established driveway connections to the adjacent C-3 site to the east.  
3. The site is located along Kingston Pike, a major arterial street, within a strip of commercial development and zoning.

**CONSISTENCY WITH INTENT AND PURPOSE OF THE 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 EFFECTS OF THE PROPOSAL:**

1. Public water and sewer utilities are available to serve the site.
2. The proposal would have a minimal impact on streets and no impact on schools.
3. The recommendation is compatible with surrounding development and will have a minimal impact on the adjacent properties.

**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS:**

1. The City of Knoxville One Year Plan designates this site as GC (General Commercial), which allows consideration of C-3 zoning.
2. The West City Sector Plan also designates this site as GC (General Commercial), which allows consideration of C-3 zoning.
3. This site is located within the Urban Growth Area (inside City limits) on the Knoxville-Knox County Growth Policy Plan map.
4. This request may lead to future requests for C-3 zoning on surrounding properties that are currently zoned C-6. These would need to be considered on a case-by-case basis based on their own merits.

**Action:** Approved

**Meeting Date:** 4/14/2011

**Details of Action:**

**Summary of Action:** C-3 (General Commercial)

**Date of Approval:** 4/14/2011

**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:** 5/17/2011

**Ordinance Number:**

**Disposition of Case:** Approved (Emergency)

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Date of Legislative Action, Second Reading:**

**Other Ordinance Number References:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**