

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-14-RZ **Related File Number:**
Application Filed: 2/20/2014 **Date of Revision:**
Applicant: MCDONALD'S USA, LLC

PROPERTY INFORMATION

General Location: East side N. Cedar Bluff Rd., north side Cross Park Dr.
Other Parcel Info.:
Tax ID Number: 119 02103 **Jurisdiction:** City
Size of Tract: 1 acres
Accessibility: Access is via N. Cedar Bluff Rd., a major arterial street with 4 lanes and a center turn lane and 60' of pavement width within 90' of right-of-way, or Cross Park Dr., a major collector street with 24' of pavement width within 50' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: McDonald's restaurant
Surrounding Land Use:
Proposed Use: Renovated McDonald's restaurant **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** Commercial
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This area is developed with office and commercial uses under C-3, PC-1, C-6, CA, CH and PC zoning.

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

Street: 322 N Cedar Bluff Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PC-1 (Retail and Office Park)
Former Zoning:
Requested Zoning: C-3 (General Commercial)
Previous Requests: None noted
Extension of Zone: Yes, extension of C-3 from three sides
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 zoning is consistent with both the One Year Plan and sector plan proposals for the property and is an extension of C-3 zoning from three sides.

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. The proposed C-3 zoning is compatible with the scale and intensity of the surrounding development and zoning pattern.
2. The location of the property at the intersection of a major arterial and a major collector street makes it appropriate for C-3 uses.
3. The proposal is consistent with the One Year and sector plan proposals for the site, and C-3 is a logical extension of zoning from three sides.

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. The proposal would have no impact on schools. The impact on the street system would depend on the type of commercial development proposed. Water and sewer utilities are in place to serve the site.
2. The proposal is compatible with surrounding development and zoning, so the impact on adjacent properties should be minimal. Commercial or office zoning and uses are located on all sides of the subject property.
3. The surrounding area is developed primarily with commercial and office uses which will not be negatively impacted by commercial development of this site. No other area of the County will be impacted by this rezoning request.
4. The applicant is proposing to tear down and rebuild the existing McDonald's on site. The current PC-1 zoning has a required 50 foot peripheral setback, which would apply along all parcel lines, limiting the developable area when new permits are applied for. The C-3 zoning will allow redevelopment of the site similar to the existing conditions. It is staff's understanding that the current McDonald's is deemed as legal, non-conforming in regards to setbacks. That legal status would no longer apply when the existing building is torn down, so the applicant is seeking to rezone the property C-3 prior to seeking permits for the new structure.

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. The Northwest County Sector Plan proposes commercial uses for this site, consistent with the proposed C-3 zoning.
2. The City of Knoxville One Year Plan proposes Mixed Uses, limited to general commercial, office and medium density residential uses, consistent with C-3 zoning.
3. The site is located within the City of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. The proposal does not present any apparent conflicts with any other adopted plans.

Action: Approved **Meeting Date:** 4/10/2014

Details of Action:

Summary of Action: C-3 (General Commercial)

Date of Approval: 4/10/2014 **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: 5/13/2014 **Date of Legislative Action, Second Reading:** 5/27/2014

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:**