

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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w w w • k n o x m p c • o r g

File Number: 4-L-14-RZ **Related File Number:** 4-D-14-SP
Application Filed: 2/27/2014 **Date of Revision:**
Applicant: DALE THOMPSON

PROPERTY INFORMATION

General Location: Northwest side Keith Ave., southeast side Virginia Ave., northeast of Schofield St.
Other Parcel Info.:
Tax ID Number: 94 H F 002 & 033 **Jurisdiction:** City
Size of Tract: 0.3 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: Retail/commercial **Density:**
Sector Plan: Central City **Sector Plan Designation:** LDR
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context:

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

Street: 2233 Keith Ave
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1A (Low Density 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: LDR (Low Density Residential)
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.

Staff Recomm. (Full): C-3 is a logical extension of zoning from the southwest and is justified because of the Western Avenue realignment, which will encroach into the applicant's commercial parking lot to the southwest. Approval of C-3 zoning for this site will allow the parking for the existing businesses onto the subject property.

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 the southwest.
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 Schofield St.
4. The applicant also owns the two C-3 zoned properties to the southwest. The Western Avenue improvements currently underway include a realignment of the right-of-way to the north. The new right-of-way will encroach into the applicant's C-3 zoned parking area in front of those businesses. Approval of this rezoning to C-3 will essentially replace the C-3 zoned property that the applicant will lose due to the road realignment. A rough sketch of the Western Avenue improvement plan in this area is attached.

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 is a minor expansion of an existing commercial node at Keith Ave. and Western Ave, that should not negatively impact surrounding properties. The general character of the area will not change as a result of this proposal.
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 commercial uses for parcel 33, consistent with C-3 zoning. Parcels 1 and 2 are currently designated for low density residential uses. The applicant has submitted a related request for a One Year Plan amendment to commercial on parcels 1 and 2 (4-E-14-PA). Parcel 1 is already zoned C-3, so the plan amendment would bring the zoning into conformance with the plan. Staff is also recommending approval of the requested One Year Plan amendment.

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:** 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:**