

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-U-03-RZ **Related File Number:** 4-D-03-PA
Application Filed: 3/10/2003 **Date of Revision:**
Applicant: O'REILLY AUTOMOTIVE, INC.
Owner:

PROPERTY INFORMATION

General Location: East side Lemon St., north side E. Glenwood Ave.
Other Parcel Info.:
Tax ID Number: 82 G H 2, 3, 8, 23 AND 30 **OTHER:** AND A PORTION OF **Jurisdiction:** City
Size of Tract: 1.8 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Cellular tower, parking, unused land
Surrounding Land Use:
Proposed Use: Cellular tower (existing), parking, dedication of right of way **Density:**
Sector Plan: Central City **Sector Plan Designation:** Commercial and Low Density Residential
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context:

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

Street:
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:
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-3 (General Commercial) zoning for parcels 2, 3 and 8
DENY C-3 (General Commercial) zoning for parcels 23 and 30.

Staff Recomm. (Full): C-3 is a logical extension of zoning for parcels 2, 3 and 8, but allowing parcels 23 and 30 to be rezoned would be an intrusion into the neighborhood to the south.

Comments: O'Reilly Automotive, Inc. owns parcels south of the recently closed portion of the Nichols Ave. right of way and is seeking to consolidate their property under one zoning designation. A use on review was originally approved for this parking area in the residential zoning district at the June 12, 1980 MPC meeting. (6-F-80-UR) This current request will bring the business and parking into compliance with the zoning ordinance after the resubdivision of property occurs. A concept plan is currently on MPC's agenda to subdivide the site in order to dedicate a public street connection between the west end of Nichols Ave. and E. Glenwood Ave. (3-SE-03-C) The western end of Nichols Ave. was closed by Ordinance in early 2002. The City has requested this public road dedication in order to provide another outlet for traffic using Nichols Ave. No new development is being proposed by the applicant at this time.

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The GC designation and C-3 zoning are logical extensions from the north for parcels 2, 3 and 8. There is no justification for further extension of commercial into the neighborhood by rezoning parcels 23 and 30.
2. Denying commercial for parcels 23 and 30 will minimize impact to the neighborhood by not allowing the further intrusion of non-compatible commercial development to the south.
3. The recommended designation and zoning will establish a stopping point for commercial to the rear of the properties on the north side of E. Glenwood Ave.

THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. There will be no additional impact to streets or schools as a result of zoning change.
3. Denying the change on parcels 23 and 30 will minimize the effect of this proposal on the neighborhood. As recommended, no commercially zoned property will directly face residential uses, although it will place it adjacent to residential on the east end of parcel 8.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The requested GC is a logical extension of the One Year Plan designation from the north.
2. The Central City Sector Plan proposes commercial for all of parcel 2 and parts of parcels 3 and 8 and low density residential for the remainder of the site. The proposal is a logical extension of commercial to the south.
3. Staff does not anticipate any further commercial requests in this area, as long as the existing dwellings on the north side of E. Glenwood Ave. remain under the same ownership and are being used for residential purposes.

MPC Action: Approved

MPC Meeting Date: 4/10/2003

Details of MPC action:

Summary of MPC action: APPROVE C-3 (General Commercial) for parcels 2, 3 and 8
DENY C-3 (General Commercial) or parcels 23 and 30

Date of MPC Approval: 4/10/2003

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: City Council

Date of Legislative Action: 5/13/2003

Ordinance Number:

Disposition of Case: Approved

If "Other":

Amendments:

Date of Legislative Appeal:

Date of Legislative Action, Second Reading: 5/27/2003

Other Ordinance Number References:

Disposition of Case, Second Reading: Approved

If "Other":

Amendments:

Effective Date of Ordinance: