

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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Knoxville, Tennessee 37902
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w w w • k n o x m p c • o r g

File Number: 5-B-12-RZ **Related File Number:**
Application Filed: 3/26/2012 **Date of Revision:**
Applicant: KEITH JACKSON

PROPERTY INFORMATION

General Location: Northwest side Old Millertown Pike, northeast of Loves Creek Rd., southeast of Millertown Pike
Other Parcel Info.:
Tax ID Number: 60 H A PART OF 003 ZONED R-1A **Jurisdiction:** City
Size of Tract: 3.62 acres
Accessibility: Access is via Old Millertown Pike, a local street with 15-17' of pavement width within 40' of right-of-way, or from Millertown Pike, a minor arterial street with 35' of pavement width within 100-120' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Retail development permitted under C-3 zoning **Density:**
Sector Plan: Northeast County **Sector Plan Designation:** Commercial
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This area to the west of railroad right-of-way is developed with commercial uses, under C-3, C-6 and SC-3 zoning.

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: Yes, extension of C-3 from the north and west
History of Zoning: Non 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 zoning from the northwest.

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. C-3 is an extension of zoning from the northwest. The northwestern portion of the subject parcel, which provides access to Millertown Pike, is already zoned C-3. Approval of this request would establish the entire parcel under one zoning category.
3. The sector plan proposes commercial uses for the property. The One Year Plan proposes general commercial uses. C-3 zoning is consistent with both of those proposals.

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. Water and sewer utilities are in place to serve this site.
2. The proposal would have no impact on schools. The impact on the street system would depend on the type of commercial development proposed.
3. The proposal is compatible with surrounding development and zoning, so the impact on adjacent properties should be minimal. Commercial zoning and uses are located to the north and west of the site. A landscaping, nursery business is located to the south.

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 Northeast County Sector Plan proposes commercial uses for this site, consistent with the proposed C-3 zoning.
2. The One Year Plan proposes general commercial uses, consistent with the proposal.
3. This site is located within the Urban Growth Area (inside the City) on the Knoxville-Knox County-Farragut Growth Policy Plan.
4. Approval of this request could lead to future requests for commercial zoning, consistent with the adopted plans for the area. The nursery site to the south is currently zoned R-1A, but is proposed for commercial uses by both the sector plan and the One Year Plan.

Action: Approved **Meeting Date:** 5/10/2012
Details of Action:
Summary of Action: C-3 (General Commercial)
Date of Approval: 5/10/2012 **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: 6/12/2012 **Date of Legislative Action, Second Reading:** 6/26/2012
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:**