

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 6-D-21-RZ **Related File Number:**
Application Filed: 4/26/2021 **Date of Revision:**
Applicant: WES CARRUTHERS

PROPERTY INFORMATION

General Location: Southwest quadrant of the Intersection of Rutledge Pike and Timothy Avenue
Other Parcel Info.:
Tax ID Number: 70 L C 001 **Jurisdiction:** City
Size of Tract: 1.38 acres
Accessibility: This site is accessed off of Rutledge Pike, a major arterial with two lanes in each travel direction separated by a raised median and featuring a left turn lane in the northbound travel lane. Rutledge Pike has a 65-ft pavement width inside a 121-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Commercial
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: East City **Sector Plan Designation:** MU-SD, EC-2 / HP
Growth Policy Plan: N/A (Within City limits)
Neighborhood Context: The road converges at this point from Asheville Highway to the south and I-40 to the northeast, where Timothy Avenue crosses Rutledge Pike to become the on-ramp to I-40. This property is surrounded by a lot of right-of-way land. There is a mix of commercial uses and vacant land at this node between Asheville Hwy and I-40.

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

Street: 4315 Rutledge Pk.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-N (Neighborhood Commercial) / HP (Hillside Protection)
Former Zoning:
Requested Zoning: C-G-1 (General Commercial) / HP (Hillside Protection Overlay)
Previous Requests:
Extension of Zone: Yes, C-G-1 is adjacent to the north
History of Zoning: None noted for this property

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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Michelle Portier

Staff Recomm. (Abbr.): Approve C-G-1 (General Commercial) zoning because it is a minor extension of the zone and is in compliance with the sector plan's land use designation.

Staff Recomm. (Full):

Comments: PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.3, SUBSECTIONS 1-3:
THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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. A project is under bid for streetscape improvements approximately 1/2 mile to the south along Martin Luther King Jr Avenue from Kirkwood Street to Shelby Street and along Prosser Road from Martin Luther King Jr Avenue to Holston Drive. Improvements are to include replacing sidewalks, traffic signals, streetlights, creating on-street parking, and relocating overhead utilities.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The proposed amendment to C-G (General Commercial) zoning is intended to provide for a heterogeneous mix of retail, personal service, office, and residential uses within and along Knoxville's commercial nodes and corridors.
2. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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. This property is surrounded by commercial uses to the north and east, but right-of-way to the south, and by vacant wetlands to the west. The C-G-1 zone is not expected to cause any adverse effects on the adjacent properties. Additionally, commercial properties are already present in the area, and this property fronts a major arterial. No adverse impacts are expected from additional C-G zoning in this area.
2. This property is in the Hillside Protection Overlay District. The slope analysis determined a maximum disturbance area of 1.07 acres. The existing development comprises approximately 0.65 acres. Any additional or future development would be restricted to the maximum acreage recommended by the slope analysis.

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 C-G-1 zone is consistent with the East City Sector Plan's GC (General Commercial) land use designation.

Action: Approved

Meeting Date: 6/10/2021

Details of Action:

Summary of Action: Approve C-G-1 (General Commercial) zoning because it is a minor extension of the zone and is in compliance with the sector plan's land use designation.

Date of Approval: 6/10/2021

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: 7/13/2021

Date of Legislative Action, Second Reading: 7/27/2021

Ordinance Number:

Other Ordinance Number References: O-99-2021

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: