

**CASE SUMMARY**  
**APPLICATION TYPE: REZONING**  
**ONE YEAR PLAN AMENDMENT**



**File Number:** 7-C-11-RZ                      **Related File Number:** 7-A-11-PA  
**Application Filed:** 5/31/2011              **Date of Revision:**  
**Applicant:** JHS LIMITED PARTNERSHIP

**PROPERTY INFORMATION**

**General Location:** North side Western Ave., west of Mynderse Ave.  
**Other Parcel Info.:**  
**Tax ID Number:** 94 A A 032                      **Jurisdiction:** City  
**Size of Tract:** 1.725 acres  
**Accessibility:**

**GENERAL LAND USE INFORMATION**

**Existing Land Use:** Warehouse/store  
**Surrounding Land Use:**  
**Proposed Use:** Retail sales with outdoor displays                      **Density:**  
**Sector Plan:** Central City                      **Sector Plan Designation:** Light Industrial  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:**

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

**Street:** 2625 Western Ave  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

**ZONING INFORMATION (where applicable)**

**Current Zoning:** I-2 (Restricted Manufacturing and Warehousing)  
**Former Zoning:**  
**Requested Zoning:** C-4 (Highway and Arterial Commercial)  
**Previous Requests:** None noted  
**Extension of Zone:**  
**History of Zoning:**

**PLAN INFORMATION (where applicable)**

**Current Plan Category:** LI (Light Industrial)  
**Requested Plan Category:** GC (General 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-4 (Highway & Arterial Commercial) zoning.

Staff Recomm. (Full):

C-4 is an extension of commercial zoning from the west and is consistent with some of the retail uses already established in the area. C-4 uses would be compatible with the surrounding land uses and zoning pattern.

Comments:

REZONING REQUIREMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. The proposal is compatible with the scale and intensity of the surrounding land uses and zoning pattern.
2. C-3 and C-4 zoning is in place on several properties in the immediate area including the adjacent property to the west.
3. The site is located in an area of mixed uses, where a wide range of uses could be accommodated.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The C-4 (Highway & Arterial Commercial) zone, is established to provide areas in which the principal use of land is devoted to commercial establishments which cater specifically to the needs of motor vehicle oriented trade. It is the intent to provide a location for a limited amount of merchandise, equipment and material being offered for retail sale that, because of the type of material or transportation requirements, are suitable for display and storage outside of the confines of an enclosed building.
2. Based on the above general intent, this site is appropriate for C-4 development. Several nearby businesses, including the car repair shop to the west (zoned C-3) and four properties further west (zoned C-4) have established commercial uses.

THE EFFECTS OF THE PROPOSAL:

1. Public water and sewer utilities are available to serve the site.
2. The proposal would have a minimal impact on streets and no impact on schools. The impact on the streets will depend on the type of development proposed. Western Ave. is scheduled to be improved in this section within the next 5 years.
3. The recommendation is compatible with surrounding development and will have a minimal impact on the adjacent properties.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS:

1. With the recommended amendment to the City of Knoxville One Year Plan, C-4 zoning would be consistent with the plan.
2. With the recommended amendment to the Central City Sector Plan, C-4 zoning would be consistent with the plan.
3. This site is located within the Urban Growth Area (inside City limits) on the Knoxville-Knox County Growth Policy Plan map.
4. This request could lead to future requests for C-4 zoning in the area, which would also need accompanying plan amendments, if designated for light industrial. This area should be considered for a mixed use plan designation during the next update of the Central City Sector Plan.

Action:

Approved

Meeting Date: 7/14/2011

Details of Action:

Summary of Action:

C-4 (Highway and Arterial Commercial)

Date of Approval:

7/14/2011

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:** 8/9/2011

**Date of Legislative Action, Second Reading:** 8/23/2011

**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:**