

# CASE SUMMARY

APPLICATION TYPE: ORDINANCE 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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File Number: 7-C-17-OA

Related File Number:

Application Filed: 5/30/2017

Date of Revision:

Applicant: METROPOLITAN PLANNING COMMISSION

## PROPERTY INFORMATION

General Location:

Other Parcel Info.:

Tax ID Number: 999 999

Jurisdiction:

Size of Tract:

Accessibility:

## GENERAL LAND USE INFORMATION

Existing Land Use:

Surrounding Land Use:

Proposed Use:

Density:

Sector Plan:

Sector Plan Designation:

Growth Policy Plan:

Neighborhood Context:

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

Street:

Location:

Proposed Street Name:

Department-Utility Report:

Reason: Amendment to the City of Knoxville Zoning Ordinance regarding establishing business size standards in the C-1( Neighborhood Commercial) District.

## ZONING INFORMATION (where applicable)

Current Zoning:

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning:

## 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.: Amendment to the City of Knoxville Zoning Ordinance regarding establishing business size standards in the C-1( Neighborhood Commercial) District.

## **MPC ACTION AND DISPOSITION**

Planner In Charge: Mike Reynolds

Staff Recomm. (Abbr.): Approve the attached amendment

Staff Recomm. (Full):

Comments:

The C-1, Neighborhood Commercial, zone district is intended to "provide areas in which the principal use of land is devoted to the neighborhood store limited to a narrow range of retail, service and convenience goods only, and where large commercial operations are undesirable, but where individual proprietary stores are useful and desirable for the neighborhood." In the past, the vast majority of businesses located in the C-1 district have had small footprints in comparison to those in other commercial districts because the allowed uses do not lend themselves to larger footprint businesses. However, a recent decision by City Council to approve an appeal and overturn the determination of the Chief Building Official that a particular retail business was not permitted in the C-1 district, has established that general retail businesses are allowed in this district which opens the door for uses that are larger commercial operations. These type of uses are stated s being "undesirable" in the general description of the district.

The primary purpose of the proposed amendments are to ensure the size of all businesses meet the intent of the C-1 district, which is for small, neighborhood-oriented businesses and to clarify that general retail, or "retail trade", is a use permitted on review by the planning commission. Several similar neighborhood commercial districts in other municipalities have a maximum size for buildings or establishments of 5,000 square feet which would allow the types of uses consistent with the intent of the C-1 district. In analyzing the gross building footprints in the C-1 district, 81% (131 of 161) had a footprint of 5,000 sqft or less. For the buildings that are larger than 5,000 sqft, many of them are commercial strip centers where the individual businesses are less than 5,000 sqft but the entire building is larger than 5,000 sqft. Being that the vast majority of the existing establishments within the C-1 district are 5,000 sqft or less, staff feels that this standard is appropriate in Knoxville as well. A provision has been added to this maximum establishment size that pre-existing businesses, or their successors, can maintain the nonconforming size (larger than 5,000 sqft) and can expand in accordance with the article VI, section A, which allows the Board of Zoning Appeals to permit an expansion of a nonconforming business. These provisions are to ensure that existing, established businesses are not overly impacted by the adoption of this new standard.

Action: Approved

Meeting Date: 8/10/2017

Details of Action:

Summary of Action: Approve the attached amendment

Date of Approval: 8/10/2017

Date of Denial:

Postponements: 7/13/2017

Date of Withdrawal:

Withdrawn prior to publication?:  Action Appealed?:

## **LEGISLATIVE ACTION AND DISPOSITION**

Legislative Body: Knoxville City Council

Date of Legislative Action: 9/12/2017

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Denied

Disposition of Case, Second Reading:

If "Other":

If "Other":

**Amendments:**

**Date of Legislative Appeal:**

**Amendments:**

**Effective Date of Ordinance:**