

# 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:** 7-F-17-RZ                      **Related File Number:**  
**Application Filed:** 5/23/2017              **Date of Revision:**  
**Applicant:** RITA NEUBERT STATEWIDE REALTY INC.

### PROPERTY INFORMATION

**General Location:** South side Asheville Hwy., east of E. Governor John Sevier Hwy.  
**Other Parcel Info.:**  
**Tax ID Number:** 72 A A 005    OTHER: PORTION ZONED C-3                      **Jurisdiction:** City  
**Size of Tract:** 0.7 acres  
**Accessibility:** Access is via Asheville Hwy., a major arterial street with 4 lanes and a center median within 170' of right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Business  
**Surrounding Land Use:**  
**Proposed Use:** Produce market / bait shop                      **Density:**  
**Sector Plan:** East County                      **Sector Plan Designation:** MU-SD (Eco-6)  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:**

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

**Street:** 6324 Asheville Hwy  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** C-3 (General Commercial)  
**Former Zoning:**  
**Requested Zoning:** C-4 (Highway and Arterial Commercial)  
**Previous Requests:** None noted  
**Extension of Zone:** No, but there is C-4 nearby and abutting, similar CA zoning  
**History of Zoning:** None 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-4 (Highway & Arterial Commercial) zoning.

Staff Recomm. (Full):

C-4 zoning is consistent with the scale and intensity of the surrounding development and zoning pattern. The mixed use designations of the sector plan and one year plan both allow consideration of C-4 zoning for this site.

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 proposal is compatible with the scale and intensity of the surrounding land uses and zoning pattern.
2. CA, CB, C-3 and C-4 zoning are in place on several properties in the immediate area, including adjacent properties.
3. The site is located in an area of already established commercial uses and the proposal is consistent with that pattern.
4. The proposal is consistent with both the sector plan and one year plan proposals for the site.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE 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.

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. 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. Asheville Hwy. is a major arterial street capable of handling the additional traffic that may be generated under C-4 zoning.
2. The proposal is compatible with surrounding development and will have a minimal impact on the adjacent properties.
3. Public water and sewer utilities are available to serve the site. C-4 zoning is consistent with other zoning and density in the immediate area and will not adversely affect any other part of the County.

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. Both the East County Sector Plan and the Knoxville One Year Plan show this property within a mixed use special district (MU-SD-EC06). C-4 zoning may be considered within this special mixed use district.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This proposal does not present any apparent conflicts with any other adopted plans.

Action:

Approved

Meeting Date: 7/13/2017

Details of Action:

**Summary of Action:** C-4 (Highway and Arterial Commercial) zoning.

**Date of Approval:** 7/13/2017

**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:** 8/15/2017

**Date of Legislative Action, Second Reading:** 8/29/2017

**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:**