

CASE SUMMARY
APPLICATION TYPE: REZONING
ONE YEAR PLAN 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-G-16-RZ **Related File Number:** 7-D-16-PA
Application Filed: 5/27/2016 **Date of Revision:**
Applicant: DAVID KERNS

PROPERTY INFORMATION

General Location: Southwest side Palmer St., southeast of Hawthorne Ave.
Other Parcel Info.:
Tax ID Number: 109 H A 011, 012 & 013 **Jurisdiction:** City
Size of Tract: 0.7 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Uses permitted in C-3 zoning district **Density:**
Sector Plan: South City **Sector Plan Designation:** LDR w/ HP
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context:

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

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-2 (General Residential)
Former Zoning:
Requested Zoning: C-3 (General Commercial)
Previous Requests: None noted
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: SWMUD-2 (South Waterfront Mixed Use District II)
Requested Plan Category: MU-SD (MU-SC4 - Chapman Hwy mixed use district)

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 O-1 (Office, Medical & Related Services) zoning. (Applicant requested C-3.)

Staff Recomm. (Full): The recommended O-1 zoning is compatible with the scale and intensity of the surrounding development and zoning pattern. O-1 zoning allows residential and office uses that would be compatible with all surrounding land uses. O-1 zoning of this site creates a transitional area between the commercial uses to the east and the residential uses to the west.

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. O-1 zoning for the subject property creates a transitional area between commercial uses to the east and residential uses to the west.
2. O-1 uses are compatible with the surrounding land use and zoning pattern, and the recommended rezoning to O-1 would afford the applicant reasonable use of the property. The O-1 zoning district allows a mix of both office uses and medium density residential uses, similar to the existing R-2 zoning on the site. The O-1 zoning district also allows uses such as a hotel, assisted living facility, veterinary clinic or a church as a use on review.
3. The site is relatively small for most commercial uses, which require more parking than office uses. If developed with commercial uses, it is likely that numerous variances would be required.

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

1. The O-1 zone, as described in the zoning ordinance, is intended to provide areas for professional and business offices and related activities that require separate buildings surrounded by landscaped yards and open areas. The intent is to provide centralized, compact locations for business offices, clinics, medical and dental offices, as well as suburban locations near residential neighborhoods.
2. 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.
3. Based on the above general intents of the zones, this site is appropriate for O-1 zoning, but less appropriate for C-3 zoning.

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. Staff is comfortable that the site could be developed with a viable O-1 use that has minimal adverse affect on surrounding properties or the County as a whole.
2. The uses allowed for consideration under O-1 zoning will be compatible with the surrounding development and zoning pattern.
3. The existing streets are adequate to handle any additional traffic generated by allowing office use of the site, and the site's location is appropriate for transitional uses between general commercial and residential uses.

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. With the recommended amendment to the South City Sector Plan to MU-SD (SC-4) on the accompanying application (7-D-16-SP), O-1 zoning would be consistent with the plan.
2. With the recommended amendment to the City of Knoxville One Year Plan to MU-SD (SC-4), O-1 zoning would be consistent with the plan. In order for C-3 zoning to be considered, the plan would have to be amended to GC.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. The recommended O-1 zoning does not present any apparent conflicts with any other adopted plans.

Action: Approved **Meeting Date:** 7/14/2016

Details of Action:

Summary of Action: O-1 (Office, Medical, and Related Services)

Date of Approval: 7/14/2016 **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: 8/16/2016 **Date of Legislative Action, Second Reading:** 8/30/2016

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:**