

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: 8-K-04-RZ **Related File Number:**
Application Filed: 7/12/2004 **Date of Revision:**
Applicant: MARVIN DEAN RUTHERFORD, TRUSTEE
Owner:

PROPERTY INFORMATION

General Location: North side Kingston Pike, west of N. Weisgarber Rd.
Other Parcel Info.:
Tax ID Number: 121 A A 022 **Jurisdiction:** City
Size of Tract: 2.07 acres
Accessibility: Access is via Kingston Pike, a major arterial street with four lanes and a center turn lane within 125' of right of way.

GENERAL LAND USE INFORMATION

Existing Land Use: Office building
Surrounding Land Use:
Proposed Use: Any use permitted in the C-4 zone **Density:**
Sector Plan: West City **Sector Plan Designation:** Office
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This area is developed with commercial businesses, professional offices and a church under C-3, C-4 and O-1 zoning.

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

Street: 6215 Kingston Pike
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: O-1 (Office, Medical, and Related Services)
Former Zoning:
Requested Zoning: C-4 (Highway and Arterial Commercial)
Previous Requests: None noted
Extension of Zone: No, but C-4 is located nearby to the south and the east.
History of Zoning: None noted for this property.

PLAN INFORMATION (where applicable)

Current Plan Category:
Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

Surveyor:

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.): APPROVE C-3 (General Commercial) zoning. (Applicant requested C-4 (Highway & Arterial Commercial).)

Staff Recomm. (Full): C-3 zoning will allow the property to be used commercially, but will prohibit less compatible uses permitted under C-4 zoning.

Comments: NEED AND JUSTIFICATION FOR THE PROPOSAL

1. C-3 zoning is more compatible with the scale and intensity of the surrounding land uses and zoning pattern on the north side of Kingston Pike than C-4, which allows uses that include outdoor display of merchandise.
2. C-3 is consistent with the zoning of the two properties on either side of the subject property.
3. Approval of C-4 zoning would allow this large site to be developed with undesirable and incompatible commercial uses.

THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. This proposal will have no impact on schools and a minimal impact on the street system.
3. The recommended zoning is compatible with the surrounding zoning pattern, and the impact on adjacent properties should be minimal.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The City of Knoxville One Year Plan proposes commercial uses for this site, consistent with the proposal.
2. The West City Sector Plan proposes office uses for the site.
3. Approval of C-4 zoning on this site could lead to future requests for C-4 in this section of Kingston Pike.

MPC Action: Approved

MPC Meeting Date: 8/12/2004

Details of MPC action:

Summary of MPC action: APPROVE C-3 (General Commercial)

Date of MPC Approval: 8/12/2004

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: 9/28/2004

Date of Legislative Action, Second Reading: 10/12/2004

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other": Postponed 9/14

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: