

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: 9-C-11-RZ **Related File Number:**
Application Filed: 7/22/2011 **Date of Revision:**
Applicant: TERRY E. ROMANS

PROPERTY INFORMATION

General Location: West side N. Hall of Fame Dr., south side N. Fourth Ave.
Other Parcel Info.:
Tax ID Number: 82 P A 002 **Jurisdiction:** City
Size of Tract: 0.64 acres
Accessibility: Access is via N. Hall of Fame Dr., a minor arterial street with 4 lanes and 46' of pavement width within 100' of right-of-way, or N. Fourth Ave., a local street with 33' of pavement width within 50' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Store
Surrounding Land Use:
Proposed Use: Office building **Density:**
Sector Plan: Central City **Sector Plan Designation:** MU-SD (CC04)
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This area is developed with a mix of uses, under various zoning districts, including I-3, I-2, O-1 and C-3.

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

Street: 837 N Hall of Fame Dr
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-3 (General Commercial)
Previous Requests: None noted
Extension of Zone: Yes, extension of C-3 from the south
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-3 (General Commercial) zoning.

Staff Recomm. (Full): C-3 zoning is consistent with the former use of this property as a small market and deli and the proposed use as an office building. The proposal is compatible with the scale and intensity of surrounding development. The proposal is consistent with the sector plan, as amended by the Magnolia Avenue Corridor Plan.

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

1. C-3 zoning is compatible with the scale and intensity of the surrounding development and zoning.
2. The proposal is consistent with the mixed use designation of the property by the Magnolia Avenue Corridor Plan.
3. C-3 zoning allows office uses, as proposed by the applicant, but would also allow general commercial uses, if so desired. The area containing this site is within the 'Magnolia Avenue Area 6' designation on the Magnolia Avenue Corridor Plan, which allows consideration of C-3, O-3, RP-1 or RP-2 zoning until form based zoning codes are developed and adopted for the area.
4. C-3 zoning is a logical extension of zoning from the south.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. 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.
2. Based on the above general intent, this site is appropriate for C-3 development.

THE EFFECTS OF THE PROPOSAL:

1. Water and sewer utilities are in place to serve this site.
2. The proposal will have no impact on schools and a minimal impact on the street system.
3. If approved, C-3 zoning will allow office or commercial uses on the property.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Central City Sector Plan, as amended by the Magnolia Avenue Corridor Plan, designates the area containing this site as 'Magnolia Avenue Area 6', eligible for C-3 zoning.
2. C-3 zoning is consistent with the City of Knoxville One Year Plan, which designates the area the same as the sector plan.
3. Approval of this request could lead to future requests for C-3 zoning on other parcels in the area. These requests will need to be reviewed on a case-by-case basis according to their own merits. The sector plan in this area allows consideration of C-3, O-3, RP-1 and RP-2 zoning.

Action: Approved

Meeting Date: 9/8/2011

Details of Action:

Summary of Action: C-3 (General Commercial)

Date of Approval: 9/8/2011

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: 10/4/2011

Ordinance Number:

Disposition of Case: Approved

If "Other":

Amendments:

Date of Legislative Appeal:

Date of Legislative Action, Second Reading: 10/18/2011

Other Ordinance Number References:

Disposition of Case, Second Reading: Approved

If "Other":

Amendments:

Effective Date of Ordinance: