

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-I-09-RZ **Related File Number:**
Application Filed: 8/17/2009 **Date of Revision:**
Applicant: MURPHY ROAD PARTNERSHIP, LLC / MURPHY ROAD CAR WASH, LLC

PROPERTY INFORMATION

General Location: Southeast side Washington Pk., southeast of Murphy Rd.
Other Parcel Info.:
Tax ID Number: 49 09207 **Jurisdiction:** City
Size of Tract: 0.8 acres
Accessibility: Access is via Washington Pike, a minor arterial street with 23' of pavement width within 60' of right of way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: Conveyor type automatic car wash **Density:**
Sector Plan: Northeast County **Sector Plan Designation:** Neighborhood Commercial
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This area is developed with a mix of commercial and residential uses under CN, C-3, C-4, SC, PR, RA, R-1 and RB zoning.

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

Street: 5908 Washington Pike
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-4 (k) Highway and Arterial Commercial with conditions
Former Zoning:
Requested Zoning: C-4 (Highway and Arterial Commercial)
Previous Requests: 11-N-07-RZ
Extension of Zone: Yes, property is bordered on two sides by conditional C-4 zoning.
History of Zoning: Property was rezoned C-4 with conditions in 2007 (11-N-07-RZ).

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 (General Commercial) zoning, subject to 2 conditions.

Staff Recomm. (Full):
1. Use of the site is limited to C-1 uses plus a conveyor type car wash facility.
2. The building setbacks, signage, site lighting and landscaping requirements of the Knox County CN zone will apply to this development (sections 5.38.06, 5.38.07, 5.38.08, 5.38.09, 5.38.11 and 5.38.14 of the Knox County Zoning Ordinance) (See attached ordinance sections).

With the above conditions, staff maintains that this site can be compatibly used for a conveyer car wash business. This area around the intersection of Murphy Rd. and Washington Pike is already established as an appropriate commercial node serving surrounding residential areas.

Comments: The site, as well as additional acreage to the south, is currently zoned C-4, limited to C-1 zoning plus mini-storage warehouses, liquor stores and restaurants. The applicant has filed this rezoning application to have the conditions released for this site specifically, in order to allow the proposed conveyor car wash. Staff is recommending approval of C-4 with the above specified conditions.

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

1. Conditional C-4 zoning is already established at this location. Staff has recommended approval of the C-4 zoning with the above modified conditions for this particular site.
2. The surrounding area is developing with commercial uses. With the application of the specified regulations of the County CN zone, this site can be developed in such a way that it is compatible with surrounding development, minimizing the visual impact to the residence on the north side of Washington Pike.
3. The requested zoning and use is appropriate at this developing commercial node located at the intersection of a minor arterial street (Washington Pike) and a major collector street (Murphy Rd.).

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The conditioned C-4 zone permits uses in the C-1 zone and the proposed conveyor car wash. C-1 is a restricted commercial district, limited to a narrow range of retail, service and convenience goods in the first floor of a structure. This district is designed for areas where large commercial operations are undesirable, but where individual proprietary stores are useful and desirable for the neighborhood. Offices are also permitted in accordance with the regulations of the O-1 district.
2. In addition, a condition has been included that the development must meet certain requirements of the County's CN zone, which will require that landscaping, setbacks, lighting and signage will be more compatible with the residential uses in the area.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. The recommendation is compatible with surrounding development and should have a minimal impact on adjacent properties.
3. The recommendation will permit the applicant's proposed use, but will require more compatible landscaping, setback, signage and lighting standards than the C-4 or C-1 zone would require.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northeast County Sector Plan proposes neighborhood commercial uses for the site, consistent with staff's recommendation.
2. The City of Knoxville One Year Plan proposes general commercial uses for the site, consistent with the proposal.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.

4. Approval of this request to drop all C-4 conditions could lead to a future request to drop conditions on the adjacent C-4 zoning also, opening up the property to more intense, less compatible commercial uses.

Action: Denied **Meeting Date:** 9/10/2009
Details of Action: RECOMMEND that City Council DENY C-4 (General Commercial) zoning.
Summary of Action: Denied C-4 (Highway and Arterial Commercial)
Date of Approval: **Date of Denial:** 9/10/2009 **Postponements:**
Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:** 9/24/2009

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:	Knoxville City Council	Date of Legislative Action, Second Reading:	
Date of Legislative Action:	10/20/2009	Other Ordinance Number References:	
Ordinance Number:		Disposition of Case, Second Reading:	
Disposition of Case:	Denied (Withdrawn)	If "Other":	
If "Other":		Amendments:	
Amendments:		Effective Date of Ordinance:	
Withdrawn by applicant at City Council			
Date of Legislative Appeal:			