

# 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

Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
865 • 215 • 2500  
F A X • 215 • 2068  
www.knoxmpc.org

**File Number:** 9-L-07-RZ                      **Related File Number:**  
**Application Filed:** 8/9/2007              **Date of Revision:**  
**Applicant:** JOE NEUBERT

### PROPERTY INFORMATION

**General Location:** Southwest and northeast sides Clinton Plaza Dr., southeast side Kermit Dr., northeast of Clinton Hwy.  
**Other Parcel Info.:**  
**Tax ID Number:** 68 N E 004 & 013                      **Jurisdiction:** City  
**Size of Tract:** 7.2 acres  
**Accessibility:** Access is via Kermit Dr., and Clinton Plaza Dr., both local streets with 24' pavements within 50' rights-of-way

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant building  
**Surrounding Land Use:**  
**Proposed Use:** Auto body repair business                      **Density:**  
**Sector Plan:** Northwest City              **Sector Plan Designation:** Commercial  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This developed site is part of a large mixed use commercial area that has developed under SC-1, SC-2, C-3 and C-4 zones.

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

**Street:** 5094  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** SC-1 (Neighborhood Shopping Center)  
**Former Zoning:**  
**Requested Zoning:** C-4 (Highway and Arterial Commercial)  
**Previous Requests:** None noted  
**Extension of Zone:** No  
**History of Zoning:** Property was zoned SC-1 in 1960's for shopping center development.

### 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:

Ken Pruitt

Staff Recomm. (Abbr.):

APPROVE C-6 (General Commercial Park) zoning. The applicant requested C-4 (Highway and Arterial Commercial)

Staff Recomm. (Full):

Both C-4 and C-6 zoning will allow the applicant to put the proposed automobile repair use in the existing building. MPC staff recommended C-6 because it would require staff approval of any redevelopment plans prior to construction. This review is needed to ensure that the visual appearance and traffic circulation relationship of this site to the adjoining shopping center is maintained through this transition of use.

Comments:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The staff recommended C-6 zoning is compatible with the scale and intensity of the surrounding land uses and SC-1 and SC-2 commercial zoning pattern.
2. The C-6 zoning required site plan review by staff will ensure the commercial redevelopment of this site is compatible with the established commercial center located to the southeast, south and southwest of the subject property.

THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are in place to serve the site.
2. The C-6 or C-4 rezoning will have no impact on schools. Clinton Highway and Merchant Dr. have adequate capacity to handle the additional traffic which may be generated by commercial redevelopment of this property.
3. The C-6 or C-4 zones are compatible with the surrounding commercial zoning pattern, but the C-6 zone provides the best opportunity to ensure the redevelopment will have minimal impact on adjacent properties.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The City of Knoxville One Year Plan proposes general commercial uses for this site, consistent with this proposal.
2. The Northwest City Sector Plan proposes commercial uses for the site.
3. This request continues a retail commercial development trend for this area of Clinton Hwy. and Merchant Dr.

MPC Action:

Approved

MPC Meeting Date: 9/13/2007

Details of MPC action:

Summary of MPC action:

C-4 (Highway and Arterial Commercial) with the condition that the southeast portion of the site between the existing building and southeast property line will not be permitted to be used for outside storage, or display of vehicles

Date of MPC Approval:

9/13/2007

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:

10/9/2007

Date of Legislative Action, Second Reading: 10/23/2007

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Approved (Emergency)

Disposition of Case, Second Reading:

Approved  
Emergency-

**If "Other":**

**Amendments:**

C-6

**Date of Legislative Appeal:**

**If "Other":**

**Amendments:**

C-4 per MPC Recommendation

**Effective Date of Ordinance:**