

▶ **FILE #:** 3-B-06-RZ

**AGENDA ITEM #:** 59

**AGENDA DATE:** 3/9/2006

▶ **APPLICANT:** JOHN MICHAEL ELLIOTT

OWNER(S):

TAX ID NUMBER: 94 F H 01101

JURISDICTION: City Council District 6

▶ **LOCATION:** Northwest side Arthur St., northeast side McGhee Ave.

▶ **APPX. SIZE OF TRACT:** 0.08 acres

SECTOR PLAN: Central City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Arthur St., a two lane, local street with 32' of pavement within a 50' right-of-way.

UTILITIES: Water Source: KUB

Sewer Source: KUB

▶ **PRESENT ZONING:** R-1A (Low Density Residential)/H-1 (Historic Overlay)

▶ **ZONING REQUESTED:** C-1 (Neighborhood Commercial)/H-1 (Historic Overlay)

▶ **EXISTING LAND USE:** Two apartments

▶ **PROPOSED USE:** Restaurant and apartments

EXTENSION OF ZONE: No

HISTORY OF ZONING: A One Year Plan amendment to NC was approved in January 2006 by MPC (1-L-06-PA).

SURROUNDING LAND USE AND ZONING: North: Residences / R-1A/H-1 Residential/Historic

South: Fire station O-1/H-1 Office/Historic

East: Business / O-1 Office

West: Residences / R-1A/H-1 Residential/Historic

NEIGHBORHOOD CONTEXT: This structure is part of the historic Mechanicsville neighborhood that includes residences, offices and limited commercial uses that have developed under R-1A, O-1 and C-6 zones

**STAFF RECOMMENDATION:**

▶ **APPROVE C-1 (Neighborhood Commercial)/ H-1 (Historic Overlay) consistent with the approved One Year Plan amendment heard by MPC in January 2006.(1-L-06-PA)**

C-1 zoning of this site will allow a portion of this historic structure to be used for commercial purposes in a similar manner to the way it was operated in the past.

**COMMENTS:**

**NEED AND JUSTIFICATION FOR THE PROPOSAL**

1. The C-1 zone is consistent with the historic use of this property and will allow the site to be redeveloped with a commercial business.
2. The C-1 zone is compatible with surrounding uses which include residential, office and a city fire station.
3. The C-1 zone will allow redevelopment of the site and provide the appropriate zoning to develop the proposed commercial portion of the building to meet the needs of the residents of Mechanicsville, downtown and the surrounding area.

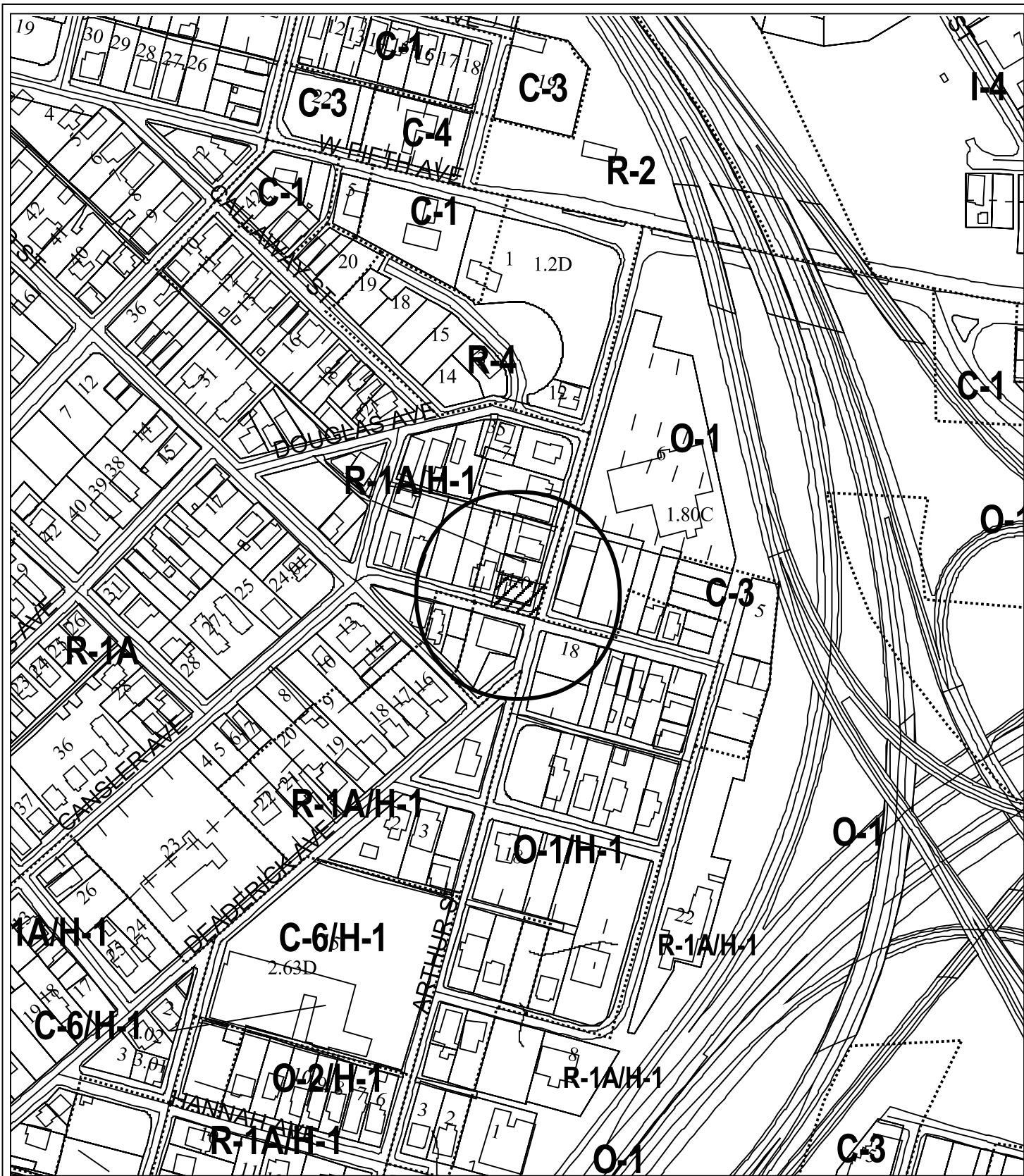
#### THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. The proposal will have a minimal impact on streets and no impact on schools.
3. The C-1 zoning is compatible with surrounding development and the small size of the parcel and will have a minimal impact on adjacent properties.
4. Reopening of the commercial portion of this site will require parking to be provided for the non-residential uses within 400' of the site or variances to be obtained from the Knoxville Board of Zoning Appeals. This site has never had on-site parking. The former store patrons used on-street parking or walked to the business.
5. Since the H-1 (Historic Overlay) zone will continue to be in place, there will be no negative impact on the Mechanicsville Historic District.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the approved plan amendment to NC designation, the C-1 zone will be consistent with the City of Knoxville One Year Plan.
2. The Central City Sector Plan proposes low density residential uses for the site.
3. Future One Year Plan and rezoning requests for commercial uses in this immediate area will be limited, because most of the surrounding properties are already developed.

If approved, this item will be forwarded to Knoxville City Council for action on 4/11/2006 and 4/25/2005. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**3-B-06-RZ  
REZONING**

Petitioner: John Michael Elliott

Map No: 94

Jurisdiction: City



From: R-1A (Low Density Residential)/H-1 (Historic Overlay)

To: C-1 (Neighborhood Commercial)/H-1 (Historic Overlay)

Original Print Date: 02/24/06

Revised:

Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902