

▶ **FILE #:** 11-N-07-RZ

AGENDA ITEM #: 71

AGENDA DATE: 11/8/2007

▶ **APPLICANT:** CITY OF KNOXVILLE

OWNER(S): MCCAMPBELL DRIVE PARTNERSHIP,LLC, MURPHY ROAD PARTNERSHIP, LLC

TAX ID NUMBER: 49 L A 013,017,018,019,020 049
 085,085.01,092.093,093.01,103.03,103.04 & PORTIONS OF ROWS' OF WASHINGTON PIKE AND MCCAMPBELL RD.

JURISDICTION: City Council District 4

▶ **LOCATION:** Northeast and southwest side Washington Pike, north and south side McCampbell Rd.,

▶ **APPX. SIZE OF TRACT:** 66.5 acres

SECTOR PLAN: North City

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

ACCESSIBILITY: Access is via Washington Pike, a two and three lane, minor arterial street, and McCampbell Rd. , a two lane local street with 17' to 18' pavement width within 40' and 50' ROW.

UTILITIES: Water Source: KUB

Sewer Source: KUB

WATERSHED: Whites Creek

▶ **PRESENT ZONING:** No Zone (formerly PR (Planned Residential), SC (Shopping Center), OA (Office Park), RA (Low Density Residential), CN (Neighborhood Commercial), CA (k) (General Business) and A (Agricultural))

▶ **ZONING REQUESTED:** RP-1 (Planned Residential), SC-1 (Neighborhood Shopping Center), O-3 (Office Park), C-4(k) (Highway and Arterial Commercial), R-1 (Low Density Residential) and A-1 (General Agricultural)

▶ **EXISTING LAND USE:** Residences and vacant land

▶ **PROPOSED USE:** Mixed use- residential, office and commercial

DENSITY PROPOSED: Up to 5 du/ac.

EXTENSION OF ZONE: Yes

HISTORY OF ZONING: Property was rezoned to SC, OA, PR and CA(k) in past several years

SURROUNDING LAND USE AND ZONING: North: Residences, office and vacant land / PR, I , OB, CA, CN and A Agricultural

South: Residences / PR and RA Residential

East: Residences and Vacant land / RA and A Agricultural

West: Residences / PR Residential

NEIGHBORHOOD CONTEXT: This area is developed with residential and related uses under PR, A, RA, CA, OB and I zones.

STAFF RECOMMENDATION:

▶ **APPROVE** the comparable zones of RP-1 (Planned Residential), R-1 (Low Density Residential), O-3 (Office Park), C-4 (k) (Highway and Arterial Commercial), SC-1 (Neighborhood Shopping Center) and A-

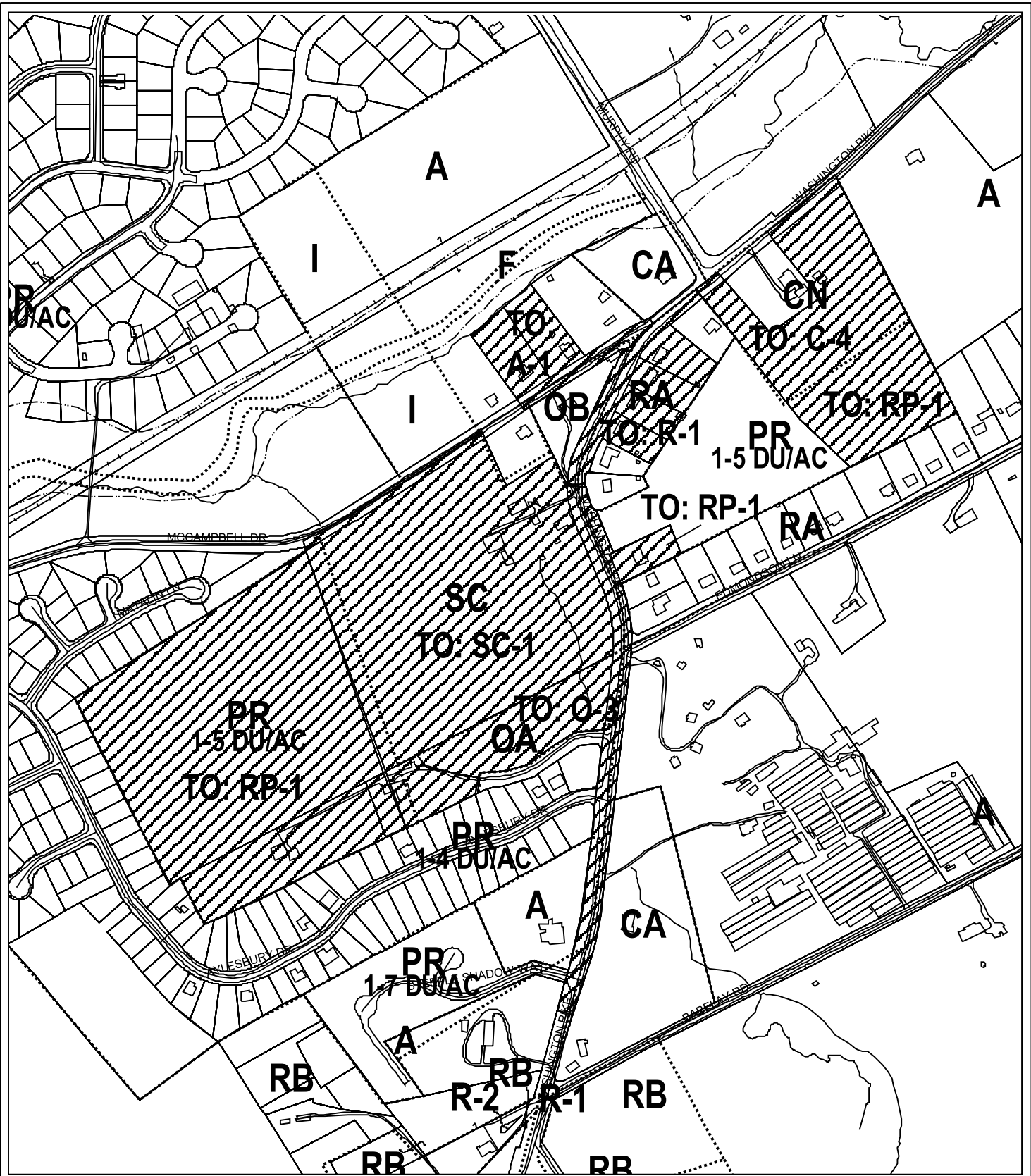
1 (General Agricultural)

Each of these zones is comparable to the former county zone except for the C-4 zone, which should be conditioned to C-1 uses and a self service storage facility. This will make it conforming to the former county zone.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 12/4/2007 and 12/18/2007. 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.



**11-N-07-RZ
GOVERNMENTAL REZONING**



From: No Zone
To: RP-1 (Planned Residential), SC-1 (Neighborhood Shopping Center),
 O-3 (Office Park), C-4(k) (Highway and Arterial Commercial),
 R-1 (Low Density Residential) and A-1 (Agricultural)

Original Print Date: 10/23/07 Revised: 10/29/07
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: City of Knoxville

Map No: 49

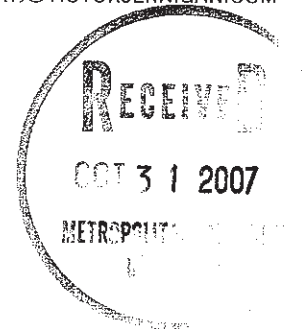
Jurisdiction: City



VICTOR JERNIGAN

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Mark Donaldson
MPC Executive Director
Suite 403, City/County Building
400 Main Street
Knoxville, TN 37902



11-N-07-RZ

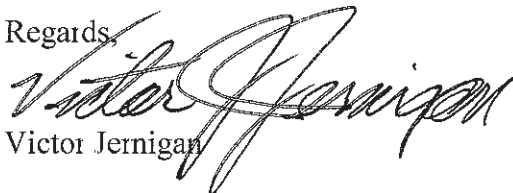
October 31, 2007

Mr. Donaldson,

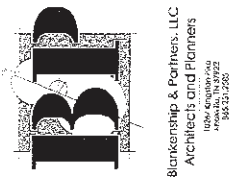
Recently, I agreed to terms with the City of Knoxville to annex property in North East Knox County. All of the property that was annexed will be on the November MPC agenda for rezoning. The City has requested comparable zonings for all of these parcels. However, I would like to clarify that the tract with parcel number 049 092, referred to as the Shops at Murphy Road, is to be rezoned to C4 but restricted to C1 uses with exceptions allowing for mini storage warehouses, a retail liquor store and restaurants. The site plan for this parcel and renderings of the retail shops, restaurants, and apartments is attached.

The tract with parcel number 049 10304, referred to as Coventry Creek be rezoned to O1 to include a child care facility, professional office building and a bank branch. The site plan for this parcel is also attached.

Regards,


Victor Jernigan

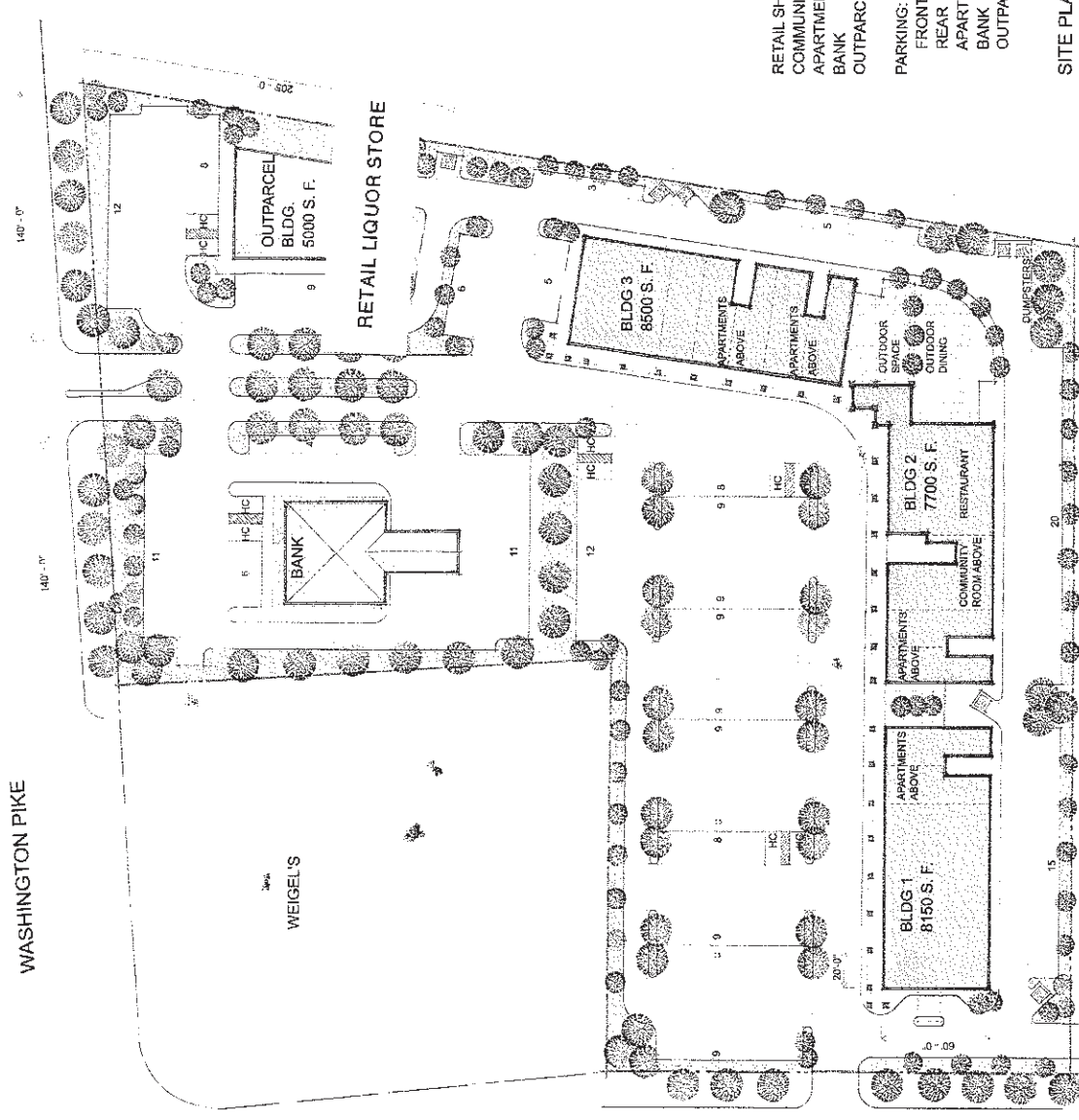
PARCEL 049 092



MURPHY ROAD EXTENSION

WASHINGTON PIKE

WEIGEL'S



SHOPS AT
MURPHY ROAD

SITE PLAN

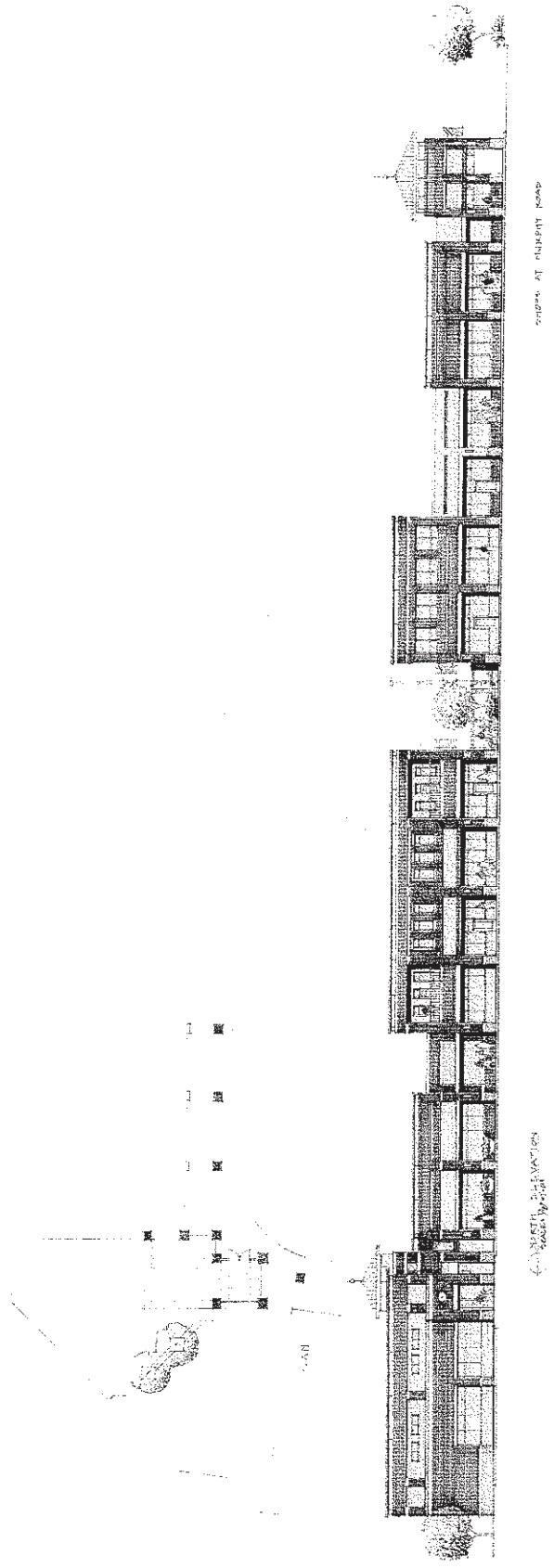
- RETAIL SHOPS 24,350 S.F.
- COMMUNITY MEETING ROOM 2,400 S.F.
- APARTMENTS (8 @ 1000 S.F. EACH) 8,000 S.F.
- BANK 3,000 S.F.
- OUTPARCEL BLDG 5,000 S.F.

- PARKING:
 - FRONT 120 SPACES
 - REAR 27 SPACES
 - APARTMENTS 16 SPACES
 - BANK 32 SPACES
 - OUTPARCEL 29 SPACES

SITE PLAN
SCALE: 1/8" = 1'-0"

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Blankenship & Partners, LLC
117 Park Street
Indianapolis, IN 46202
317.441.2525

3.5 ACRES RESERVED FOR MINI STORAGE



← NORTH EAST SECTION

← NORTH EAST SECTION

Article 4

**SECTION 7
C-1 NEIGHBORHOOD COMMERCIAL DISTRICT**

A. GENERAL DESCRIPTION:

This district is established to provide areas in which the principal use of land is devoted to the neighborhood store. It is a restricted commercial district, limited to a narrow range of retail, service and convenience goods only and to 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 of non-profit organizations, private clubs and lodges to be in accordance with the regulations in the O-1 District.

B. USES PERMITTED:

Property and buildings in a C-1 Neighborhood Commercial District shall be used only for the following purposes:

1. Dwelling units, living and/or sleeping quarters shall be permitted only when constructed above the ground floor. No dwelling units, living and/or sleeping quarters shall be permitted in any detached building or structure on the same lot to the rear of any other building.
2. Food market including specialty foods such as:
 - a. Bakery goods.
 - b. Delicatessen goods.
 - c. Meats.
3. Drug store or fountain including:
 - a. Book and reading matter.
 - b. Stationery.
 - c. Tobacco.
 - d. Vanity goods.
 - e. Pharmacy.
4. Barber shop and beauty shop.
5. Cleaning and pressing collection stations.
6. Gift shop.

7. Self-service laundry and/or dry cleaning establishment either coin or attendant operated provided, however, that notwithstanding other requirement of this section no such establishment shall exceed four thousand square feet of gross floor area and no variance to such maximum floor area shall be granted. (Amended by Ordinance No. 4833, 6-1-69.)
8. Gasoline service station. (See Article 5, Section 11, for additional requirements.)
9. Shoe repair and shoeshine service.
10. Professional and business offices.
11. Nameplate and sign, as regulated in Article 5, Section 10.
12. Accessory buildings and uses customarily incidental to the above uses.
13. Utility substations, easements, alleys, and rights-of-way and transportation easements, alleys and rights-of-way.
14. Recycling collection facility as an accessory use only as regulated by Article 5, Section 18, B.

C. USES PERMITTED ON REVIEW:

The following uses may be permitted on review by the Planning Commission in accordance with provisions contained in Article 7, Section 5, and Article 5, Section 3.

1. Specialty shops dealing in men's or women's wearing apparel.
2. Dry goods stores.
3. Libraries.
4. Restaurants.
5. Churches
6. Commercial telecommunications towers.

D. AREA REGULATIONS:

The following requirements shall apply to all uses permitted in this district:

1. Front Yard:

All buildings shall setback from the street right-of-way lines not less than twenty-five feet.

2. Side Yard:

(Amended by Ordinance No. 4441, 1-23-66.)

- a. Commercial uses only. No side yard is required except as hereinafter provided.
- b. Combined commercial and residential uses. Side yards shall be not less than twelve feet each.
- c. All uses. Where side yard is adjacent to a residential district, such side yard shall be not less than twenty feet.

3. Rear Yard:

There shall be a rear yard, alley, service court, or combination thereof, of not less than thirty feet in depth, and all of the service areas of all buildings shall be completely screened from public view with plant materials or fencing.

4. Maximum Lot Coverage:

No building or buildings shall cover more than thirty-five percent of the lot area.

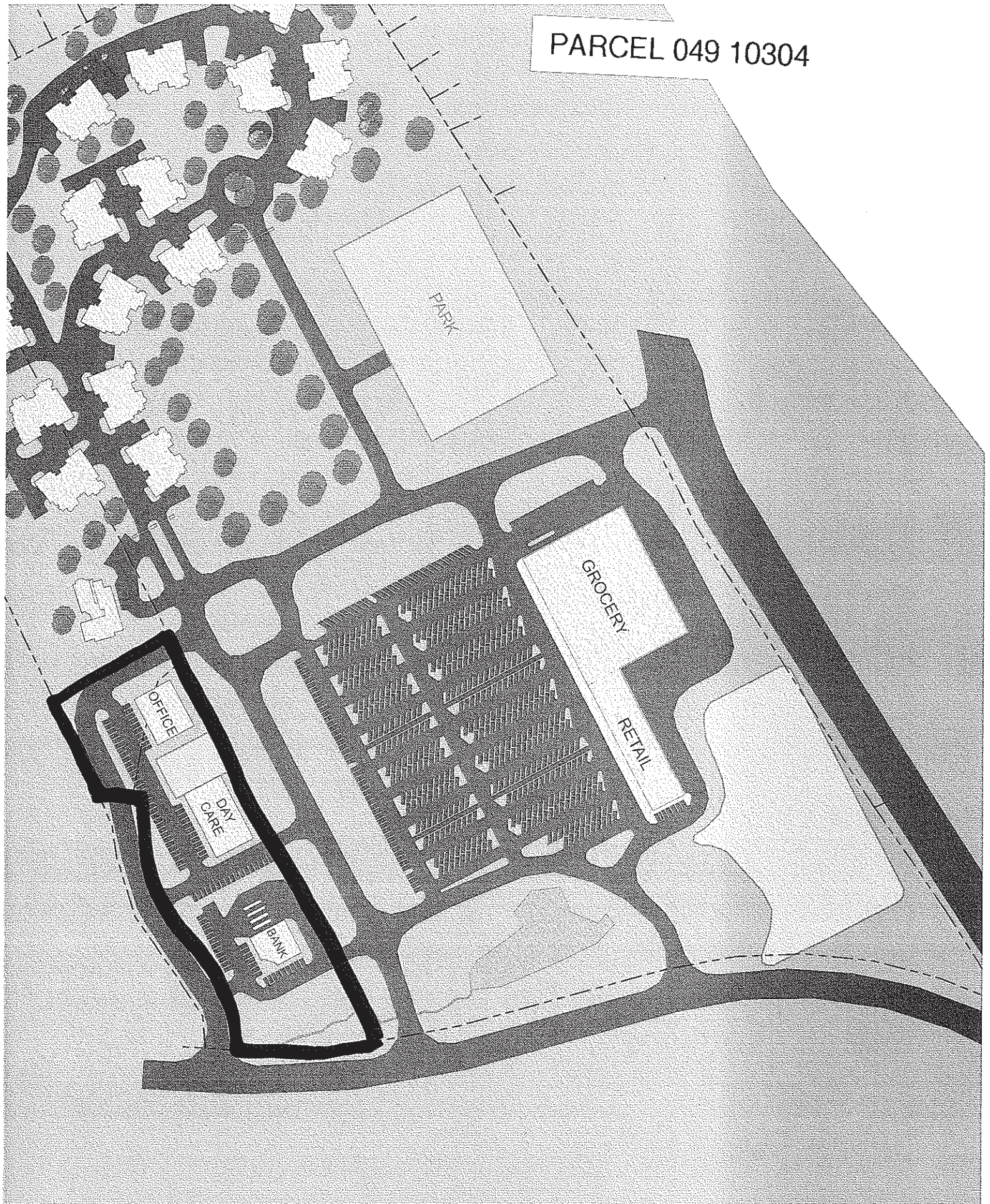
E. HEIGHT REGULATIONS:

No building shall exceed three stories, or thirty-five feet in height, except as provided in Article 5, Section 5

F. OFF-STREET PARKING:

As regulated in Article 5, Section 7.

PARCEL 049 10304



Article 4

**SECTION 5
O-1 OFFICE, MEDICAL, AND RELATED SERVICES DISTRICT**

A. GENERAL DESCRIPTION:

This district is intended to provide areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas. The intent is herein to provide centralized, compact locations for business offices, clinics, medical, and dental offices, as well as suburban locations near residential neighborhoods. (Amended by Ordinance No. 5397, 8-15-72.)

B. USES PERMITTED:

The following uses shall be permitted in the O-1, Office, Medical, and Related Services District:

1. Any use permitted and as regulated in the R-2 General Residential District except multi-dwelling structures or developments.
2. Professional offices including but not limited to offices for lawyers, architects and engineers.
3. Business offices and membership organizations in which no activity is carried on catering to retail trade with the general public, and no stock of goods is maintained for sale to customers. These include but are not limited to offices for manufacturers representatives, insurance and real estate agencies, financial service business associations, labor union offices, religious and political organizations.
4. Medical, dental offices, and clinics.
5. Undertaking establishments and funeral homes.
6. Private clubs and lodges.
7. Art gallery and museums.
8. Public and private schools.
9. Beauty and barber shops.
10. Radio, TV and recording studios.

11. Accessory buildings and uses customarily incidental and subordinate to permitted or permissible uses and structures.
12. Recreational uses associated with and maintained primarily for the uses permitted above and for the benefit and use of the occupants and their guests.
13. Establishments rendering business services associated with the uses listed above including but not limited to the sale of office supplies and business forms and machines.
14. Nameplate and signs relating only to the principal use as regulated in Article 5, Section 10.
15. Recycling collection facility as an accessory use only as regulated by Article 5, Section 18, B.
16. Halfway House with maximum capacity of 5 persons subject to the following standards:
 - a. No other halfway house located within one mile of this site.
 - b. A site cannot be located within 300' of a park, school, or day care center.
 - c. The use shall comply with all applicable city, state, and federal codes and regulations.
 - d. The site shall be within 1000 feet of an established transit route.
 - e. Signs identifying a use as a halfway house are not permitted.
 - f. The Knoxville Police Department must be provided with a written notification of the use prior to its occupancy.

C. USES PERMITTED ON REVIEW:

The following uses may be permitted on review by the Planning Commission in accordance with provisions contained in Article 7, Section 5:

1. Any use permitted on review in the R-2 General Residential District and multi-dwelling structures or developments as regulated in the R-2 District.
2. Hospitals.