

▶ **FILE #:** 4-D-08-RZ

AGENDA ITEM #: 49

AGENDA DATE: 4/10/2008

▶ **APPLICANT:** T. SCOTT JONES / ED NAVARRO

OWNER(S): JONES T SCOTT & EDWARD R NAVARRO

TAX ID NUMBER: 82 O E 011

JURISDICTION: City Council District 6

▶ **LOCATION:** Southeast side E. Magnolia Ave., southwest of Spruce St.

▶ **APPX. SIZE OF TRACT:** 21000 square feet

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via E. Magnolia Ave., a five lane, major arterial street

UTILITIES: Water Source: KUB

Sewer Source: KUB

WATERSHED: First Creek

▶ **PRESENT ZONING:** C-3 (General Commercial)

▶ **ZONING REQUESTED:** C-4 (Highway and Arterial Commercial)

▶ **EXISTING LAND USE:** Car wash

▶ **PROPOSED USE:** Car wash / rental trucks and trailers

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: E. magnolia ROW and businesses / C-3 Commercial

South: Residences / R-2 Residential

East: Vacant building / C-3 Commercial

West: Business / C-3 Commercial

NEIGHBORHOOD CONTEXT: This developed site is part of the retail/office commercial development pattern found along this section of E. Magnolia Ave. within C-3 zoning

STAFF RECOMMENDATION:

▶ **DENY C-4 (Highway and Arterial Commercial) zoning**

C-4 zoning is not consistent with the established commercial and office development pattern and C-3 and O-1 zoning pattern found along E. Magnolia Ave. in this area.

COMMENTS:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The proposed truck rental use, as well as other uses permitted under C-4 zoning will not be compatible with the scale and intensity of the surrounding land uses and zoning pattern.
2. The E. Magnolia Ave. property located along this section of the major arterial street are developed with office and retail uses consistent with the current C-3 zoning.
3. The C-4 zone will permit uses that are not consistent with the Magnolia Ave Corridor Study plan for the redevelopment of this arterial street. The plan proposes office, residential and retail businesses along this street corridor that will compliment and encourage the redevelopment of the established historic structures

and provide a pleasant streetscape that is pedestrian friendly. The C-4 zone allows sale of merchandise that is expected and encouraged to be displayed outside, contrary to this plan.

THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available to serve the site. The proposal will not have an impact on schools.
2. The effect on adjacent properties will be minimal to the extent that commercial businesses are already located on both sides of E. Magnolia Ave. in this area. However, C-4 zoning would introduce a form of commercial use with the option for outside storage and display of merchandise that would be incompatible with the long term planning objectives for this corridor. The applicant has reasonable use of the property under the current C-3 zoning.

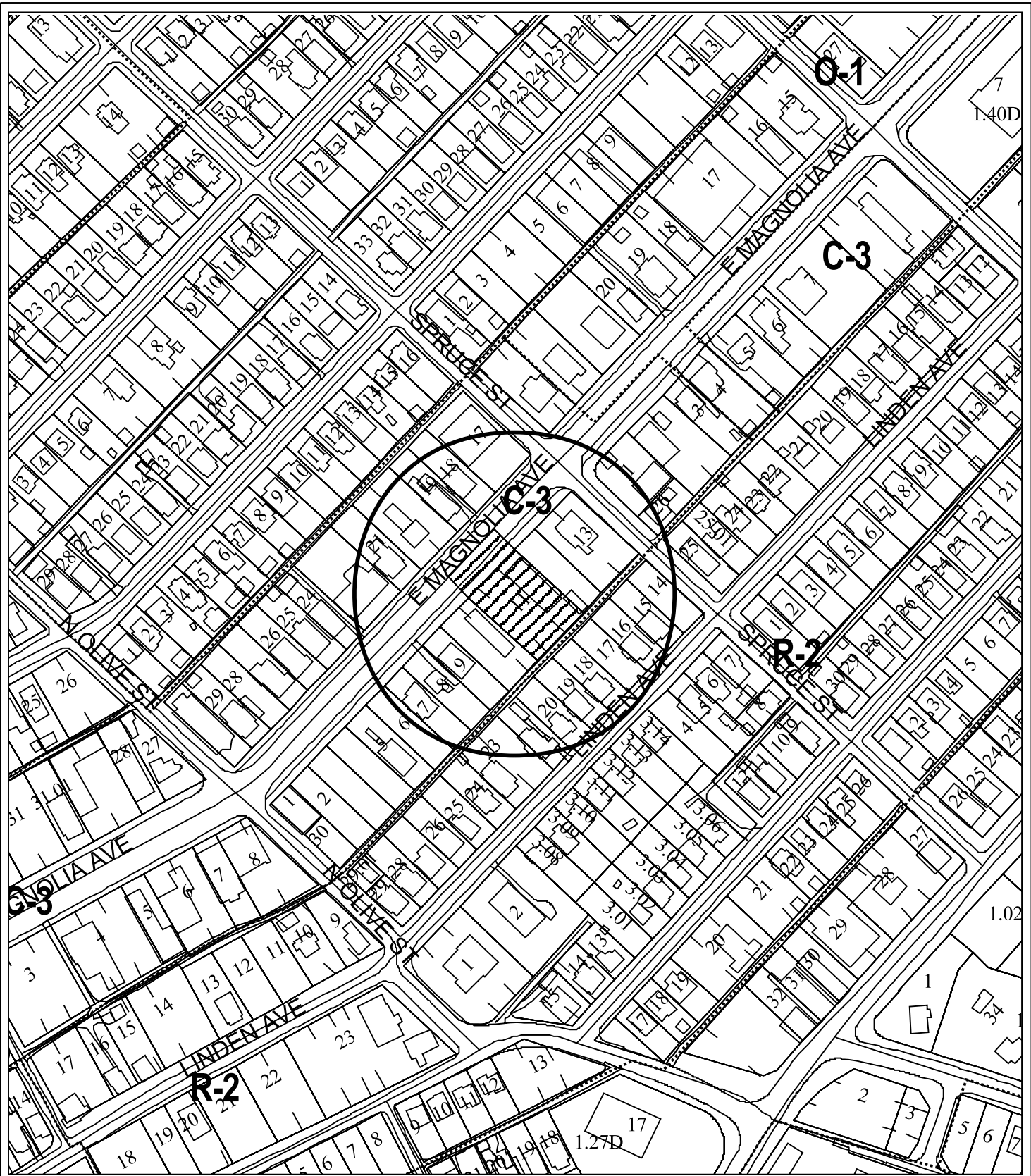
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The City of Knoxville One Year Plan proposes general commercial uses for the subject property.
2. The East City Sector Plan proposes commercial uses for the subject property.
3. Approval of this rezoning could lead to additional requests for C-4 zoning in this area.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 5/6/2008 and 5/20/2008. 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.



**4-D-08-RZ
REZONING**



From: C-3 (General Commercial)
To: C-4 (Highway and Arterial Commercial)

Original Print Date: 03/27/08 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: T. Scott Jones / Ed Navarro

Map No: 82

Jurisdiction: City

