

▶ **FILE #:** 11-A-08-RZ **AGENDA ITEM #:** 37
 POSTPONEMENT(S): 11/13/2008 **AGENDA DATE:** 12/11/2008
 ▶ **APPLICANT:** RENEW WHEELER
 OWNER(S): PREMIERE PUBLISHING INC

TAX ID NUMBER: 81 L E 008
 JURISDICTION: City Council District 4
 ▶ **LOCATION:** West side N. Broadway, south of Bluff Ave.
 ▶ **APPX. SIZE OF TRACT:** 1 acres
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ACCESSIBILITY: Access is via N. Broadway, 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:** Retail business
 ▶ **PROPOSED USE:** Retail auto sales lot
 EXTENSION OF ZONE: No
 HISTORY OF ZONING: Property was denied C-4 zoning in 2002. (4-K-02-RZ)
 SURROUNDING LAND USE AND ZONING:
 North: Residence / C-3 Commercial
 South: Apartments / R-3 Residential
 East: Broadway and businesses / C-3 and C-6 Commercial
 West: Residences / R-1A/H-1 Historic Residential
 NEIGHBORHOOD CONTEXT: This developed site is part of the strip commercial development pattern that occurs along this section of N. Broadway within C-3, C-4 , C-6 and SC-2 zones.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council DENY C-4 (Highway & Arterial Commercial) zoning.**
 C-4 zoning permits outdoor display of merchandise such as autos, trucks, or mobile homes. These types of sales activities tend to be more invasive to nearby uses with loud noise, exterior lighting and appearance than indoor retail businesses. This site was denied C-4 zoning in 2002 by both MPC and City Council. There does not appear to be any significant new development or zoning changes in the area since the denial of C-4 rezoning for this site that would warrant approval of this C-4 rezoning request.

COMMENTS:

REZONING REQUIREMENTS:
 NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR IN THE CITY GENERALLY:
 1. This site was denied C-4 zoning in 2002 by both MPC and City Council.

2. There does not appear to be any significant new development or zoning changes in the area since the denial of C-4 rezoning for this site that would warrant approval of this C-4 rezoning request.
3. The proposal is not compatible with the scale and intensity of the current surrounding land uses and zoning pattern.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. C-4 is not consistent with the existing residential zoning to the south and west nor the commercial zoning to the north and east.
2. C-4 zoning, if approved, would permit outside sales display which could be more disruptive to nearby residential uses than the established C-3 permitted indoor retail sales and office uses.

THE EFFECTS OF THE PROPOSAL:

1. Public water and sewer utilities are available to serve the site.
2. The proposal will have no impact on schools.
3. Additional traffic turning movements on and off this site will be generated as a result of expanding the commercial uses to include auto sales permitted by this C-4 zoning change. Additional traffic along this section of N. Broadway is not desirable because it is already impacted by the interstate on and off ramp connections in front of this site.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS:

1. The current City of Knoxville One Year Plan proposes GC (General Commercial) uses for the site, consistent with the established C-3 or requested C-4 zones.
2. The current Central City Sector Plan, as updated by the Broadway-Central-Emory Place Small Area Plan proposes mixed use buildings for the site, which is not consistent with the proposed C-4 zoning.
3. This request could lead to future requests for C-4 zoning on surrounding properties in the area, which are currently zoned C-3.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 1/13/2009 and 1/27/2009. 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-A-08-RZ
REZONING**

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



Petitioner: Wheeler, Renee

Map No: 81
Jurisdiction: City

Original Print Date: 10/28/2008 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

