



AGENDA ITEM #: 8

MEMORANDUM

TO: Metropolitan Planning Commission

FROM: Ken Pruitt, Assistant Development Services Manager

DATE: Wednesday, January 02, 2008

SUBJECT: An amendment to the City of Knoxville Zoning Ordinance, Article 4 Section 7, C-1 Neighborhood Commercial District, to remove "Dwelling units" as a permitted use and add "Dwelling units" as a Use Permitted on Review.

1-A-08-OA

STAFF RECOMMENDATION:

APPROVE the Amendment

BACKGROUND:

Dwellings within C-1 Neighborhood Commercial Districts may have a positive or negative impact on the commercial area and the surrounding development based on the scale and/or character of the proposal. These residential proposals should be reviewed in a public forum where the neighborhood has an opportunity to review the development.

Proposed amendment to Article 4, SECTION 7, C-1 NEIGHBORHOOD COMMERCIAL DISTRICT making dwelling units a use permitted on review. (1-A-08-OA)

Deleted language is struck through and new language is bolded.

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
7. **Dwelling units in conjunction with another permitted use**

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.