

▶ **FILE #:** 7-K-08-RZ

**AGENDA ITEM #:** 55

**AGENDA DATE:** 7/10/2008

▶ **APPLICANT:** SHAN WILCOX

OWNER(S): ENGLAND JAMES L JR % HOWARDS RESTAURANT

TAX ID NUMBER: 79 M A 035

JURISDICTION: City Council District 3

▶ **LOCATION:** Northeast side Western Ave., northwest of John May Dr.

▶ **APPX. SIZE OF TRACT:** 1.2 acres

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Western Ave., a major arterial street with a 22' pavement width within an 88' right of way.

UTILITIES: Water Source: Knoxville Utilities Board  
 Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

▶ **PRESENT ZONING:** O-1 (Office, Medical, and Related Services)

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

▶ **EXISTING LAND USE:** Undeveloped land

▶ **PROPOSED USE:** Commercial

EXTENSION OF ZONE: Yes, property directly to the west is zoned C-3, and property to the east is zoned C-6.

HISTORY OF ZONING: The subject property was rezoned to O-1 in 1997 (5-L-97-RZ). A request for C-3 zoning was denied in 1995 (10-J-95-RZ).

SURROUNDING LAND USE AND ZONING:  
 North: Residences / R-1 (Low Density Residential)  
 South: Vacant and residences / R-1A (Low Density Residential)  
 East: Self-storage facility / C-6 (General Commercial Park)  
 West: Vacant / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT: This site is located in an area with a mix of residential, office and commercial uses.

**STAFF RECOMMENDATION:**

▶ **APPROVE C-3 (General Commercial) zoning.**

This property is located on the north side of Western Ave., near the intersection of John May Dr. and Western Ave. C-3 zoning is compatible with the adjoining C-6 zoning to the east and the recently approved C-3 zoning to the west. MPC approved C-3 zoning on the parcel to the east in January of 2008 (1-F-08-RZ/1-D-08-PA). The One Year Plan proposes GC (General Commercial) uses for this property. This request will not substantially change the character of this area and will continue a commercial transition that has been occurring along this section of Western Ave. for several years.

**COMMENTS:**

NEED AND JUSTIFICATION

1. The proposal is compatible with the scale and intensity of surrounding land uses and zoning pattern.

2. There is C-3 & C-6 zoning located to the east and west of the site along Western Ave. A self-storage facility adjoins the property to the east and City Council recently rezoned the adjoining property to the west C-3 in January (1-F-08-RZ/1-D-08-PA).

3. The property is located along Western Ave., which is a major arterial street, making it suitable for C-3 zoning.

#### EFFECT OF THE PROPOSAL

1. Public water and sewer utilities are available in the area to serve the site.

2. The proposal will have no impact on schools, and the impact of Western Ave., a major arterial street, will be minimal.

3. The impact on adjacent properties will be minimal. Commercial uses are already established along this section of Western Ave.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The City of Knoxville One Year Plan proposes general commercial uses for the subject property.

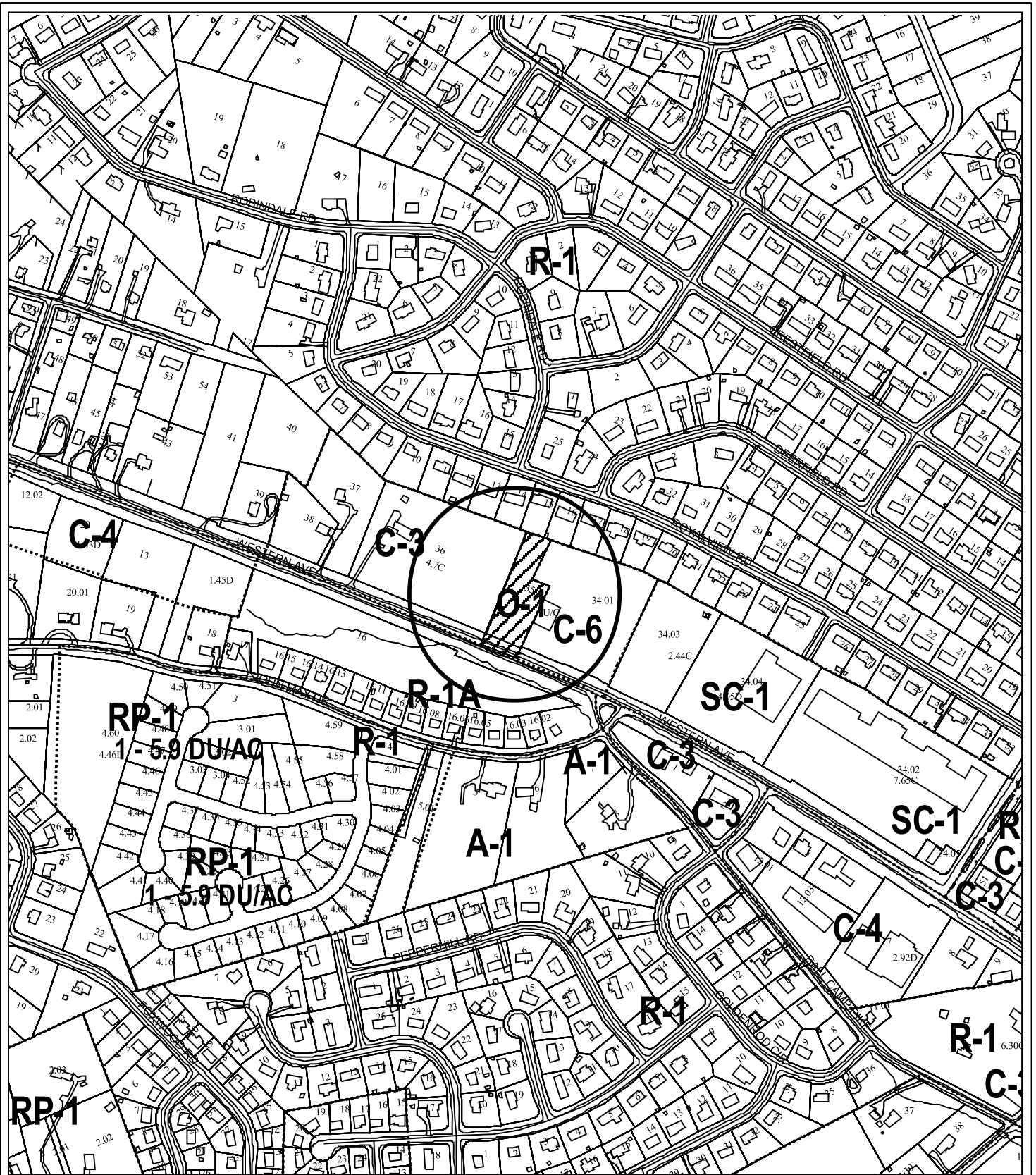
2. The Northwest City Sector Plan proposes office uses for the subject property.

3. The site is located within the Urban Growth Area (Inside the City Limits) of the Knoxville-Knox County-Farragut Growth Policy Plan. The Urban Growth Area recognizes a development pattern that is compact and enhances the local economy.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 8/12/2008 and 8/26/2008. 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.



**7-K-08-RZ  
REZONING**

Petitioner: Shan Wilcox

Map No: 79

Jurisdiction: City



From: O-1 (Office, Medical, and Related Services)  
To: C-3 (General Commercial)

Original Print Date: 06/19/08    Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902