



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
PLAN AMENDMENT/REZONING REPORT**

FILE #: 10-A-08-RZ
10-A-08-PA

AGENDA ITEM #: 54
AGENDA DATE: 11/13/2008

POSTPONEMENT(S): 10/9/08

APPLICANT: RECI / RUSS LEWIS

OWNER(S): BURRIS BEATRICE GILES & ROSCOE BURRIS & GARY LYNN BOGGS
CARPENTER STEPHANIE LYNN & TODD CHARLES ANDERSON

TAX ID NUMBER: 93 L H 011 & 012

JURISDICTION: Council District 3

LOCATION: North side Middlebrook Pike, west of Keith Ave.

TRACT INFORMATION: 1.18 acres.

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Middlebrook Pike a four lane, median divided major arterial street.

UTILITIES: Water Source: KUB

Sewer Source: KUB

WATERSHED: Third Creek

PRESENT PLAN DESIGNATION/ZONING: O (Office) / R-2 (General Residential)

PROPOSED PLAN DESIGNATION/ZONING: GC (General Commercial) / C-3 (General Commercial)

EXISTING LAND USE: Residences

PROPOSED USE: Retail

EXTENSION OF PLAN DESIGNATION/ZONING: Yes

HISTORY OF ZONING REQUESTS: None noted for this site, but other property in the area has been designated GC and rezoned C-3 in the past.

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Business / GC/C-4 Commercial
South: Middlebrook Pike and businesses / O-1 and I-3 Industrial
East: Cemetery / OS/R-2 Residential
West: Vacant land GC/C-3 Commercial

NEIGHBORHOOD CONTEXT: This property is in an area of transition from residential to office and business uses that have been occurring under I-3, C-3 and O-1 zones,

STAFF RECOMMENDATION:

ADOPT resolution #10-A-08-PA, amending the Knoxville One Year Plan to GC (General Commercial)

for this property. (See attached Exhibit A.)

Commercial designation of this site is consistent with the GC land use designation and C-3 and C-4 zoning noted to the west and north of the site, and the LI designation and I-3 zoning located south of the site across Middlebrook Pike. The adjacent cemetery located on the east side of the property provides a buffer for the residential housing located on the east side of Keith Ave.

► **RECOMMEND that City Council APPROVE C-3 (General Commercial) zoning for the property**

C-3 zoning on this site is consistent with adjoining C-3 and C-4 zoning to the north and west.

COMMENTS:

ONE YEAR PLAN REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN

NEW ROAD OR UTILITY IMPROVEMENTS:

1. GC designation and C-3 and C-4 zoning are presently shown on the adjacent properties. Changing from an O (Office) designation to an GC (General Commercial) designation provides a compatible range of uses for this site that are in keeping with the surrounding development and the GC designation.

ERROR OR OMISSION IN CURRENT PLAN:

1. The current One Year Plan designation of Office does not reflect the recent commercial zoning and redevelopment that has occurred on surrounding property.

CHANGES IN GOVERNMENT POLICY:

1. Approval of the request will require amendment of the sector plan to expand the commercial designation.
2. Approval of the One Year Plan amendment for this property brings it into conformity with the surrounding zoning and development plan but not the sector plan's office designation.
3. This site is located within the Urban Growth Area (inside the city) on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. A GC designation on the subject property will accommodate a commercial zoning to permit a business use consistent with the established development pattern of the area that includes both residential, commercial, office and industrial uses.

CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:

1. Since the widening and improvement of Middlebrook Pike in this area the redevelopment of adjoining property has been to distribution, commercial and office uses.
2. Public water and sewer utilities are available to the site.
3. Middlebrook Pike can accommodate the proposed traffic generated from the proposed use.

REZONING REQUIREMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. The commercial proposal is an extension of zoning from the west and north.
2. There is an established commercial industrial zoning pattern on both sides of Middlebrook Pike. in this area. Other properties in the area have been rezoned office, commercial and industrial in recent years.
3. This zoning pattern is acceptable for this area.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The C-3 zone, as described in the zoning ordinance, is intended for general retail businesses and services, but not for manufacturing or for processing materials.
2. The site is relatively flat, is located along a major arterial highway and is surrounded by commercial and non-residential uses, so is appropriate for C-3 zoning.

EFFECTS OF THE PROPOSAL:

1. Public water and sewer utilities are available to serve the site.
2. Middlebrook Pike is a 4-lane major arterial highway that has the capacity to handle the additional traffic that will be generated by commercial development of this site.
3. The proposal is compatible with surrounding development and zoning.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS:

1. Approval of the One Year Plan amendment to GC General Commercial, for the proposed C-3 zoning

would not be consistent with the Central County Sector Plan.

2. This site is located within the Urban Growth Area (inside City) of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.

3. This request may lead to future sector plan and rezoning requests for commercial in the immediate area, which would be consistent with the established zoning pattern in the 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 12/16/2008 and 12/30/2008. 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.

**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE CITY OF KNOXVILLE ONE YEAR PLAN**

WHEREAS, the Knoxville-Knox County Metropolitan Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and

WHEREAS, the Metropolitan Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Metropolitan Planning Commission has prepared the Knoxville One Year Plan Land Use Map, consistent with the requirements of the General Plan; and

WHEREAS, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within sector plans initiated by the Planning Commission or in response to applications from property owners; and

WHEREAS, RECI/Russ Lewis, has submitted an application to amend the One Year Plan from Office to General Commercial for property described in the application; and

WHEREAS, the Metropolitan Planning Commission staff recommends approval of the requested amendment to the One Year Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and

WHEREAS, the Metropolitan Planning Commission, at its regularly scheduled public hearing on 11/13/08 after consideration of the staff recommendation and testimony from those persons in support and opposed to the sector plan amendment, approved the amendment for the subject property as requested, and/or amended.

NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the amendment to the One Year Plan, with its accompanying, staff report and map, file # 10-A-08-PA.

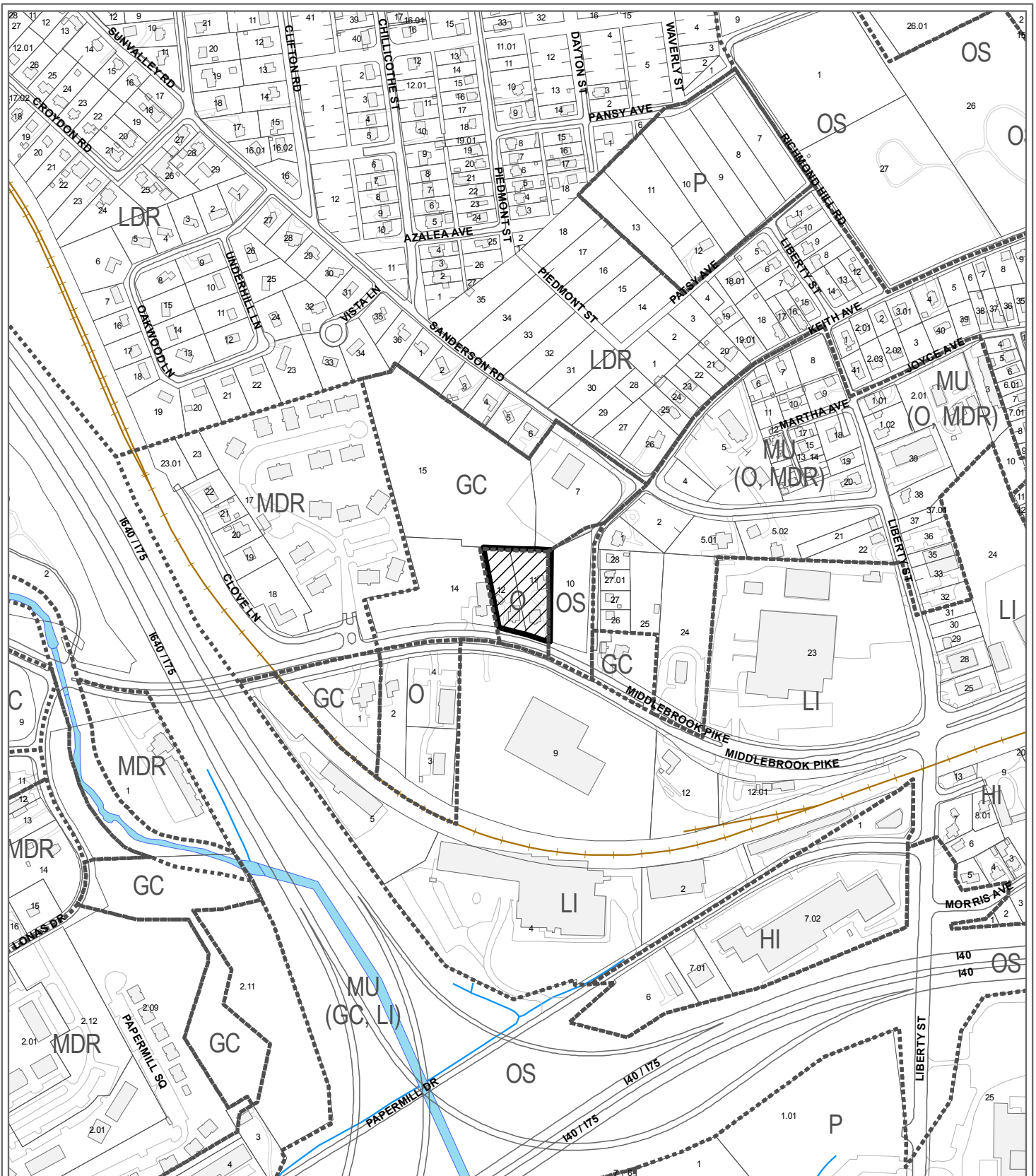
SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that the Council of the City of Knoxville likewise consider this amendment to the General Plan 2033.

Date

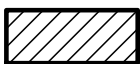
Chairman

Secretary



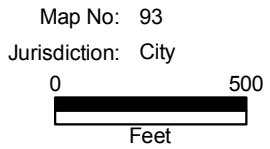
**10-A-08-PA / 10-A-08-RZ
PLAN AMENDMENT**

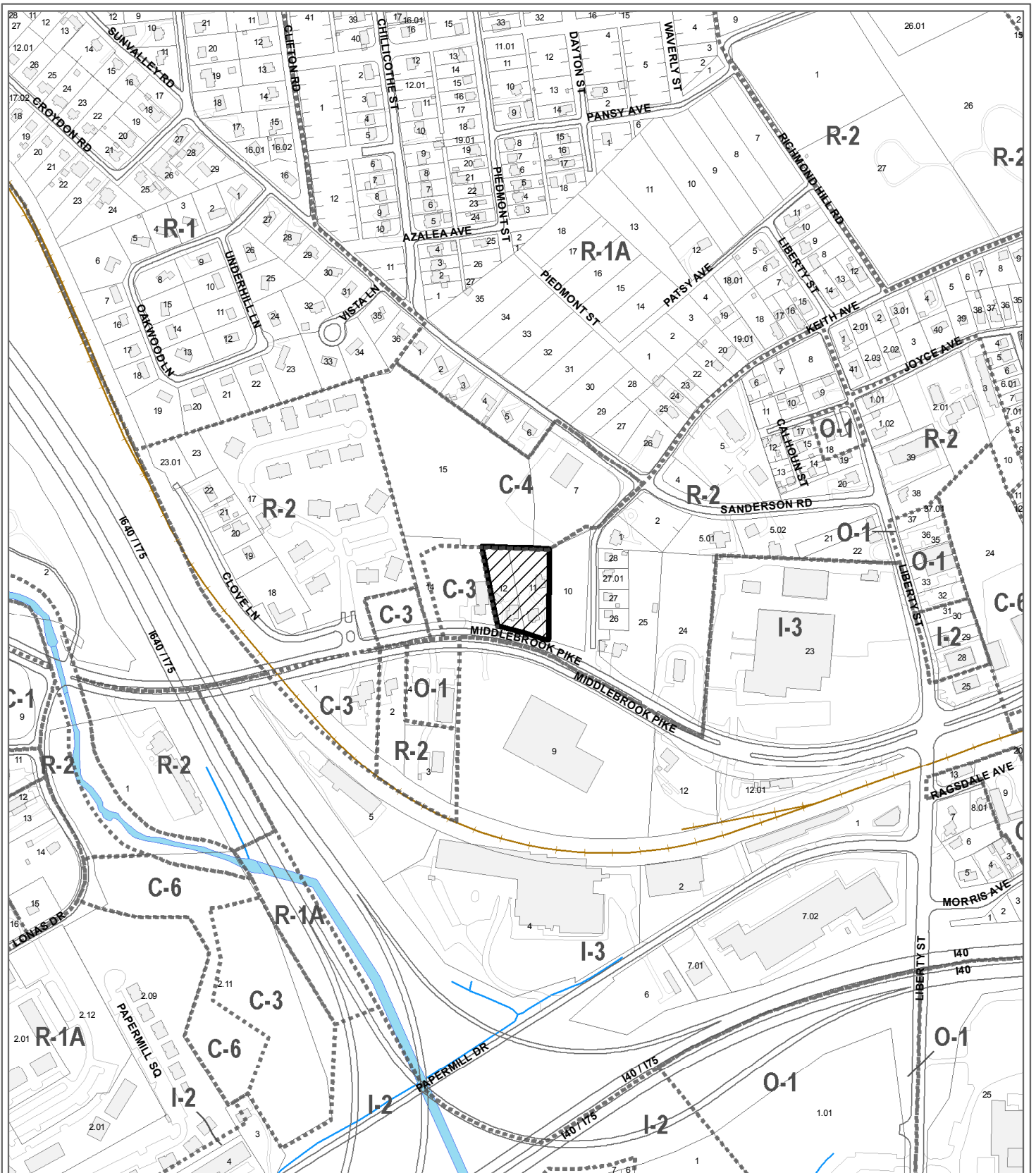
Petitioner: RECI / Russ Lewis



From: O (Office)
To: GC (General Commercial)

Original Print Date: 9/18/2008 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902





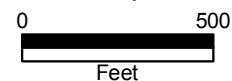
**10-A-08-RZ
REZONING**

From: R-2 (General Residential)
To: C-3 (General Commercial)



Petitioner: RECI / Russ Lewis

Map No: 93
Jurisdiction: City



Original Print Date: 9/17/2008 Revised:
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