

▶ **FILE #:** 12-C-09-RZ

AGENDA ITEM #: 38

AGENDA DATE: 12/10/2009

▶ **APPLICANT:** T. SCOTT JONES

OWNER(S): JONES T SCOTT

TAX ID NUMBER: 94 J H 042

JURISDICTION: City Council District 6

▶ **LOCATION:** Northwest side Middlebrook Pike, southwest of N. Twenty-First St.

▶ **APPX. SIZE OF TRACT:** 0.3 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Middlebrook Pike, a four lane major arterial street within 100' of right of way.

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

WATERSHED: Third Creek

▶ **PRESENT ZONING:** I-2 (Restricted Manufacturing and Warehousing)

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

▶ **EXISTING LAND USE:** Vacant engineer's office

▶ **PROPOSED USE:** Law office

EXTENSION OF ZONE: Yes, extension from the southeast. C-3 is also located one lot over to the northeast.

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Coca Cola distributor / I-2 (Restricted Manufacturing & Warehousing) and I-3 (General Industrial)

South: Middlebrook Pike - Business / C-3 (General Commercial)

East: Contractor's office / I-2 (Restricted Manufacturing & Warehousing)

West: Highway ramp / I-2 (Restricted Manufacturing & Warehousing)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of industrial and commercial uses under C-3, C-4, I-2 and I-3 zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE C-3 (General Commercial) zoning.**

C-3 zoning is consistent with both the One Year Plan and sector plan proposals for the property and is an extension of zoning from the northwest.

COMMENTS:

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

1. The proposed C-3 zoning is compatible with the scale and intensity of the surrounding development and zoning pattern.
2. C-3 zoning is already established to the southeast and northeast.
3. The sector plan proposes commercial uses for the property. The One Year Plan proposes mixed uses,

limited to light industrial and general commercial. C-3 zoning is consistent with both of those proposals.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The C-3 zone, as described in the zoning ordinance, is for personal and business services and general retail businesses. This zoning category is intended to include areas where commercial development has displaced or is displacing residential development, or is moving in on vacant land. Further, the regulations are designed to guide future change so as to discourage formation of future commercial slums, to preserve the carrying capacity of the streets, and to provide for off-street parking and loading. It is not the intent of this district to encourage the extension of existing strip commercial areas, but rather to provide concentrations of general commercial activities.
2. Based on the above general intent, this site is appropriate for C-3 development.

THE EFFECTS OF THE PROPOSAL:

1. Water and sewer utilities are in place to serve this site.
2. The proposal would have no impact on schools. The impact on the street system would depend on the type of commercial development proposed, but considering the small size of the lot, it should be minimal.
3. The proposal is compatible with surrounding development and zoning, so the impact on adjacent properties should be minimal. Commercial zoning and uses are located to the southeast and northeast of the site.

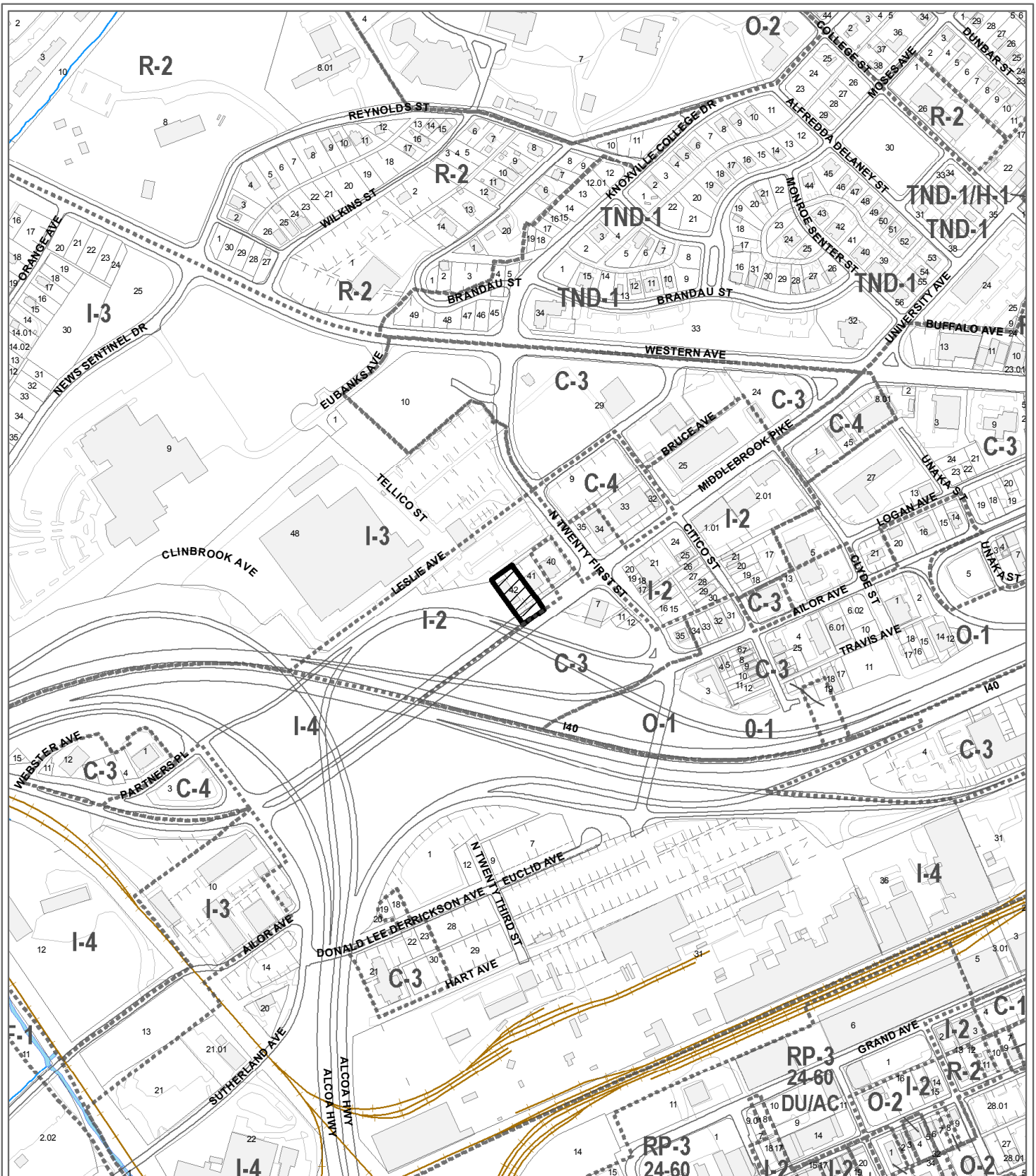
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Central City Sector Plan proposes commercial uses for this site, consistent with the proposed C-3 zoning.
2. The One Year Plan proposes mixed uses, limited to light industrial and general commercial, consistent with the proposal.
3. This site is located within the Urban Growth Area (inside the City) on the Knoxville-Knox County-Farragut Growth Policy Plan.
4. Approval of this request could lead to future requests for commercial zoning, consistent with the adopted plans for the area.

ESTIMATED TRAFFIC IMPACT: Not calculated.

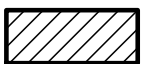
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 1/12/2010 and 1/26/2010. 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.



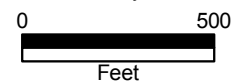
**12-C-09-RZ
REZONING**

From: I-2 (Restricted Manufacturing and Warehousing)
To: C-3 (General Commercial)



Petitioner: Jones, T. Scott

Map No: 94
Jurisdiction: City



Original Print Date: 11/19/2009 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902