

▶ **FILE #:** 1-H-09-RZ

AGENDA ITEM #: 45

AGENDA DATE: 1/8/2009

▶ **APPLICANT:** KEITH POPE/ BILLY MULLINS

OWNER(S): SAME

TAX ID NUMBER: 108 A D 022

JURISDICTION: City Council District 6

▶ **LOCATION:** South side Division St., east side Cary St.

▶ **APPX. SIZE OF TRACT:** 1 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Division St., a minor collector street with a 22' pavement width within a 60' 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:** Residence

▶ **PROPOSED USE:** General office for Juvenile Court Services

EXTENSION OF ZONE: Yes, the property directly across Cary St., to the west, is zoned C-3.

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Knox County park & juvenile services / O-2 (Civic & Institutional)
 South: Residence & retail uses / I-2 (Restricted Manufacturing & Warehousing)
 East: Office & vacant / I-2 (Restricted Manufacturing & Warehousing)
 West: Vacant / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT: This site is in a mixed use area of offices, business, and residential uses that have developed under O-2, C-3 and I-2 zones.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE O-1 (Office, Medical & Related Services) zoning. Applicant requested C-3 (General Commercial) zoning.**

O-1 zoning is consistent with other office and business uses found in the area and will accommodate the proposed juvenile treatment facility. The current City of Knoxville One Year Plan proposes MU (Mixed) uses for the site with GC (General Commercial) and O (Office) uses being encouraged. The request for C-3 zoning is consistent with the One Year Plan; however, the Central City Sector Plan proposes office uses for this site.

COMMENTS:

REZONING REQUIREMENTS:
 NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR IN THE

CITY GENERALLY:

1. O-1 zoning of this site for office development would be compatible with established office, institutional, multi-family and retail commercial uses located along this section of Division St.
2. The proposal is compatible with the scale and intensity of the current surrounding land uses and zoning pattern.
3. O-1 zoning will accommodate the applicant's proposed use of the property.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. O-1 zoning is consistent with the existing O-2 zoning located across Division St. to the north of the subject property.
2. The site is appropriate for development allowed under O-1 zoning.

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. The proposed office will have minimal impact on street traffic.

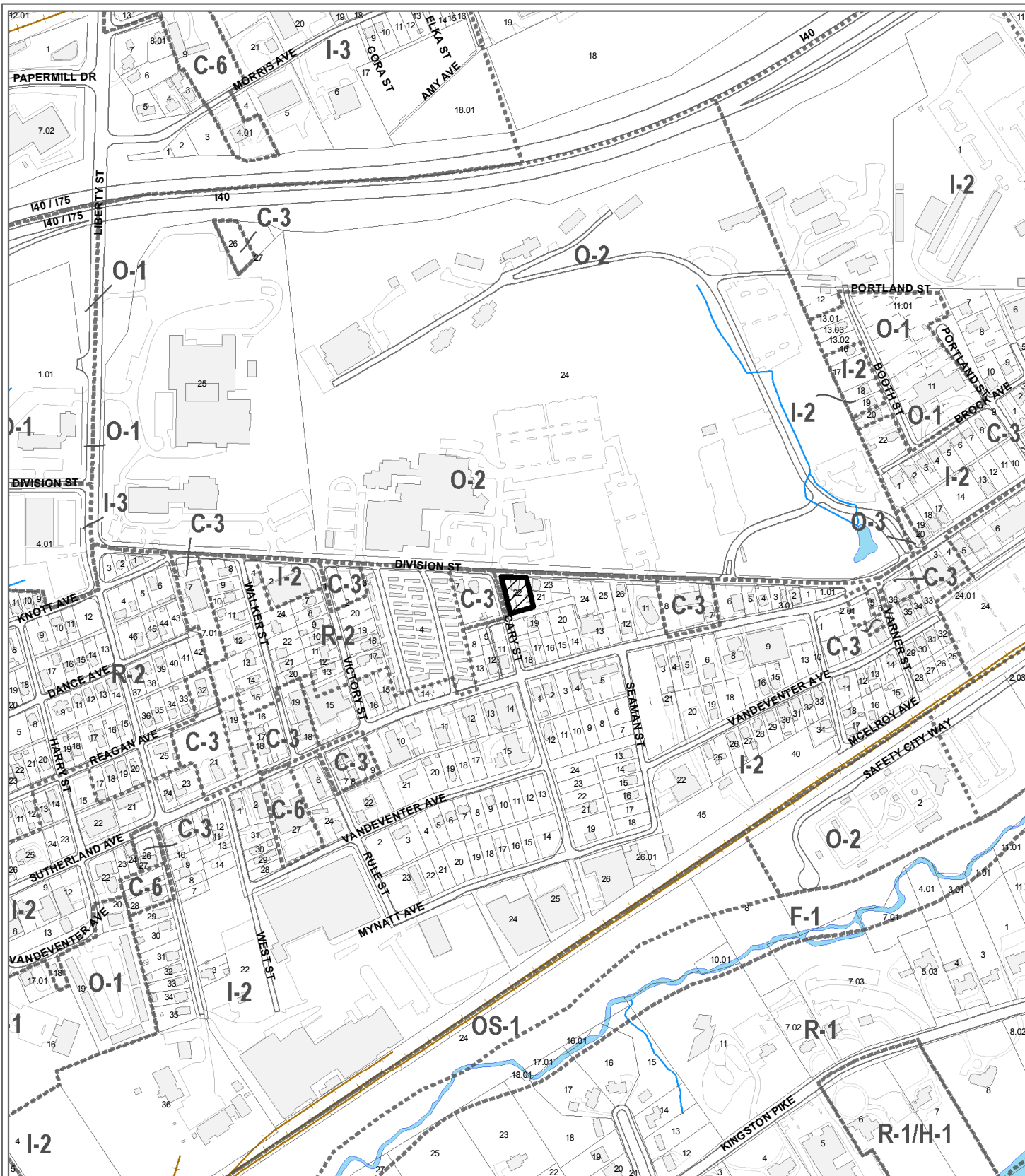
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS:

1. The current Central City Sector Plan proposed office uses for the site, consistent with the recommended O-1 zoning.
2. The current City of Knoxville One Year Plan proposes MU (GC & O) - mixed uses including general commercial and office uses - for the site, consistent with the proposed C-3 zoning.
3. This request could lead to future requests for O-1 & C-3 zoning on surrounding properties in the area, which are currently zoned I-2.

ESTIMATED TRAFFIC IMPACT: Not calculated.

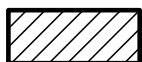
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 2/10/2009 and 2/24/2009. 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.



**1-H-09-RZ
REZONING**

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



Original Print Date: 12/23/2008 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Keith Pope/ Billy Mullins

Map No: 108
Jurisdiction: City

