

▶ **FILE #:** 10-C-09-RZ

AGENDA ITEM #: 33

AGENDA DATE: 10/8/2009

▶ **APPLICANT:** SHARON JOHNSON
 OWNER(S): HUTCHISON BETTY K & LESLIE E

TAX ID NUMBER: 60 H A PART OF 00302

JURISDICTION: City Council District 4

▶ **LOCATION:** Southeast side Millertown Pike, northeast of Loves Creek Rd.

▶ **APPX. SIZE OF TRACT:** 1.95 acres

SECTOR PLAN: Northeast County

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

ACCESSIBILITY: Access is via Millertown Pike, a minor arterial street with 26' of pavement width within 90' of right of way, or Old Millertown Pike, a local street with 12-13' of pavement width within 40' of right of way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Love Creek

▶ **PRESENT ZONING:** R-1A (Low Density Residential)

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

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Fabric store

EXTENSION OF ZONE: Yes, extension of C-3 from the north and west

HISTORY OF ZONING: None noted for this site

SURROUNDING LAND USE AND ZONING: North: House / C-3 (General Commercial)

South: Old Millertown Pike - Landscaping and nursery business / R-1A (Low Density Residential)

East: Vacant land / R-1A (Low Density Residential)

West: Gas station, restaurant, convenience store / C-3 (General Commercial) & R-2 (General Residential)

NEIGHBORHOOD CONTEXT: This section of Millertown Pike between the railroad and I-640 is developed primarily with commercial uses, under C-3, C-6 and SC-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 is an extension of zoning from the northwest. The northwestern portion of the subject parcel is already

zoned C-3. Approval of this request would establish the entire parcel under one zoning category.
3. The sector plan proposes commercial uses for the property. The One Year Plan proposes general commercial uses. 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.
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 north and west of the site. A landscaping, nursery business is located to the south.

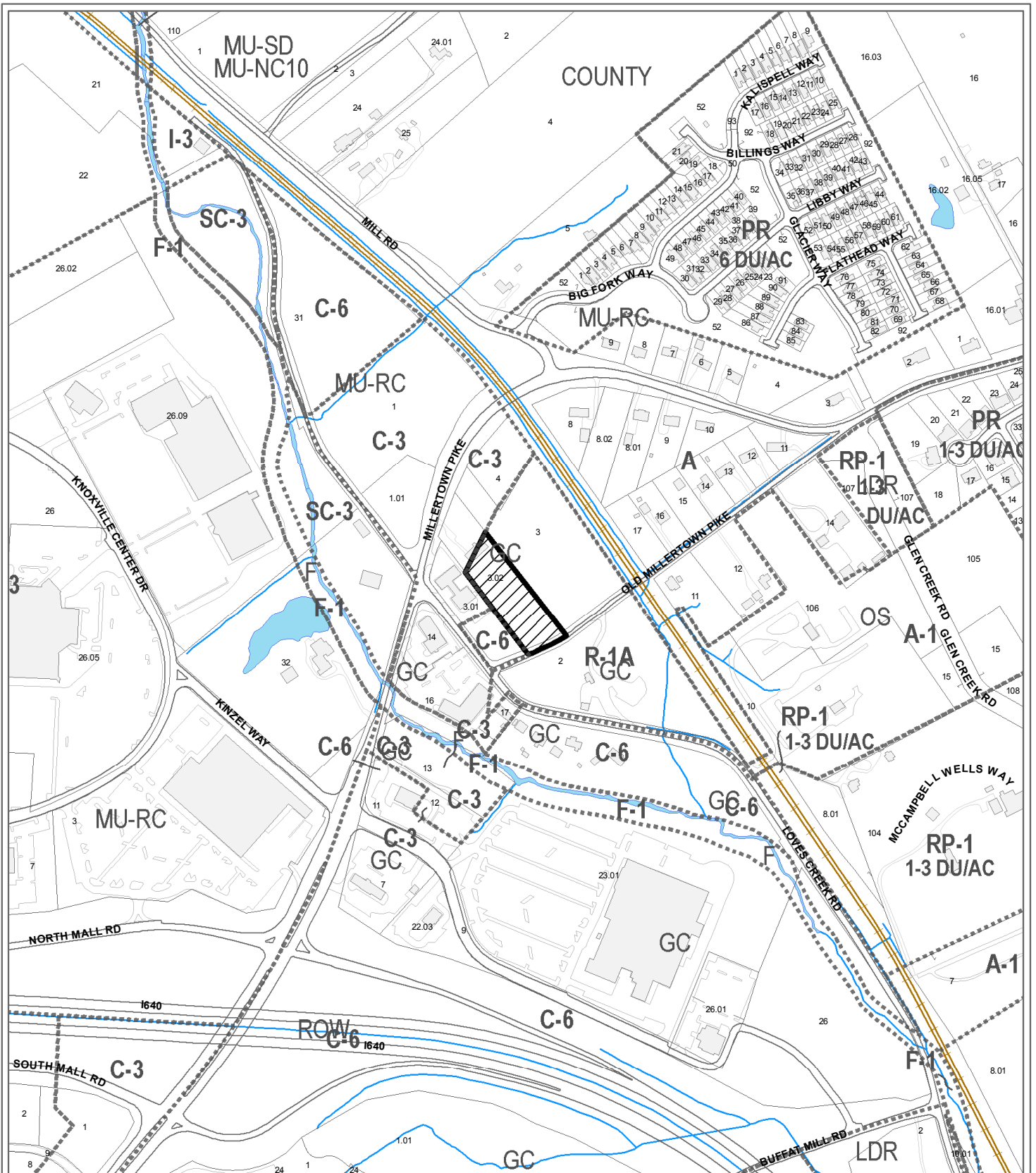
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northeast County Sector Plan proposes commercial uses for this site, consistent with the proposed C-3 zoning.
2. The One Year Plan proposes general commercial uses, 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 11/3/2009 and 11/17/2009. 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.



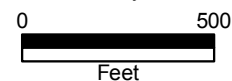
**10-C-09-RZ
REZONING**

From: R-1A (Low Density Residential)
To: C-3 (General Commercial)



Petitioner: Johnson, Sharon

Map No: 60
Jurisdiction: City



Original Print Date: 9/22/2009
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902