

▶ **FILE #:** 11-A-10-RZ

**AGENDA ITEM #** 24

**AGENDA DATE:** 11/10/2010

▶ **APPLICANT:** BHAVIN BHALODZA  
OWNER(S): BHAVIN MOSELEY CLARENCE E & LORENA

TAX ID NUMBER: 122 D E 018

JURISDICTION: City Council District 1

▶ **LOCATION:** Northwest side Maryville Pike, northeast of Edington Rd.

▶ **APPX. SIZE OF TRACT:** 15000 square feet

SECTOR PLAN: South City

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

ACCESSIBILITY: Access is via Maryville Pike, a minor arterial street with 23' of pavement width within 40' of right-of-way.

UTILITIES: Water Source: Knox-Chapman Utility District  
Sewer Source: Knoxville Utilities Board

WATERSHED: Goose Creek

▶ **PRESENT ZONING:** C-1 (Neighborhood Commercial)

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

▶ **EXISTING LAND USE:** Retail

▶ **PROPOSED USE:** Liquor store

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted for this site, but a similar request on the adjacent property to the northeast was approved by MPC, but then denied by City Council in 2005 (7-C-05-RZ).

SURROUNDING LAND USE AND ZONING:  
North: Warehouse business / I-4 (Heavy Industrial)  
South: Maryville Pike - Construction business / I-3 (General Industrial)  
East: Deli / C-1 (Neighborhood Commercial)  
West: Barber shop / C-1 (Neighborhood Commercial)

NEIGHBORHOOD CONTEXT: The area around the intersection of Edington Rd. and Maryville Pike is developed with commercial and industrial uses under C-1, C-3, I-3 and I-4 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 site. C-3 uses would be compatible with the surrounding land uses and zoning pattern.

**COMMENTS:**

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

1. The proposal is compatible with the scale and intensity of the surrounding land uses and zoning pattern.
2. C-3 zoning is in place on four properties in the immediate area, consistent with the sector and One Year

Plans.

3. The site is located between two existing businesses, a deli and a barber shop, both zoned C-1. Both uses are compatible with the proposed liquor store or other uses allowed under C-3 zoning. The proposed liquor store is not permitted under C-1 zoning, but would be permitted under the proposed C-3 zoning.

**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. Public water and sewer utilities are available to serve the site.
2. The proposal would have a minimal impact on streets and no impact on schools.
3. The recommendation is compatible with surrounding development and will have a minimal impact on the adjacent properties.

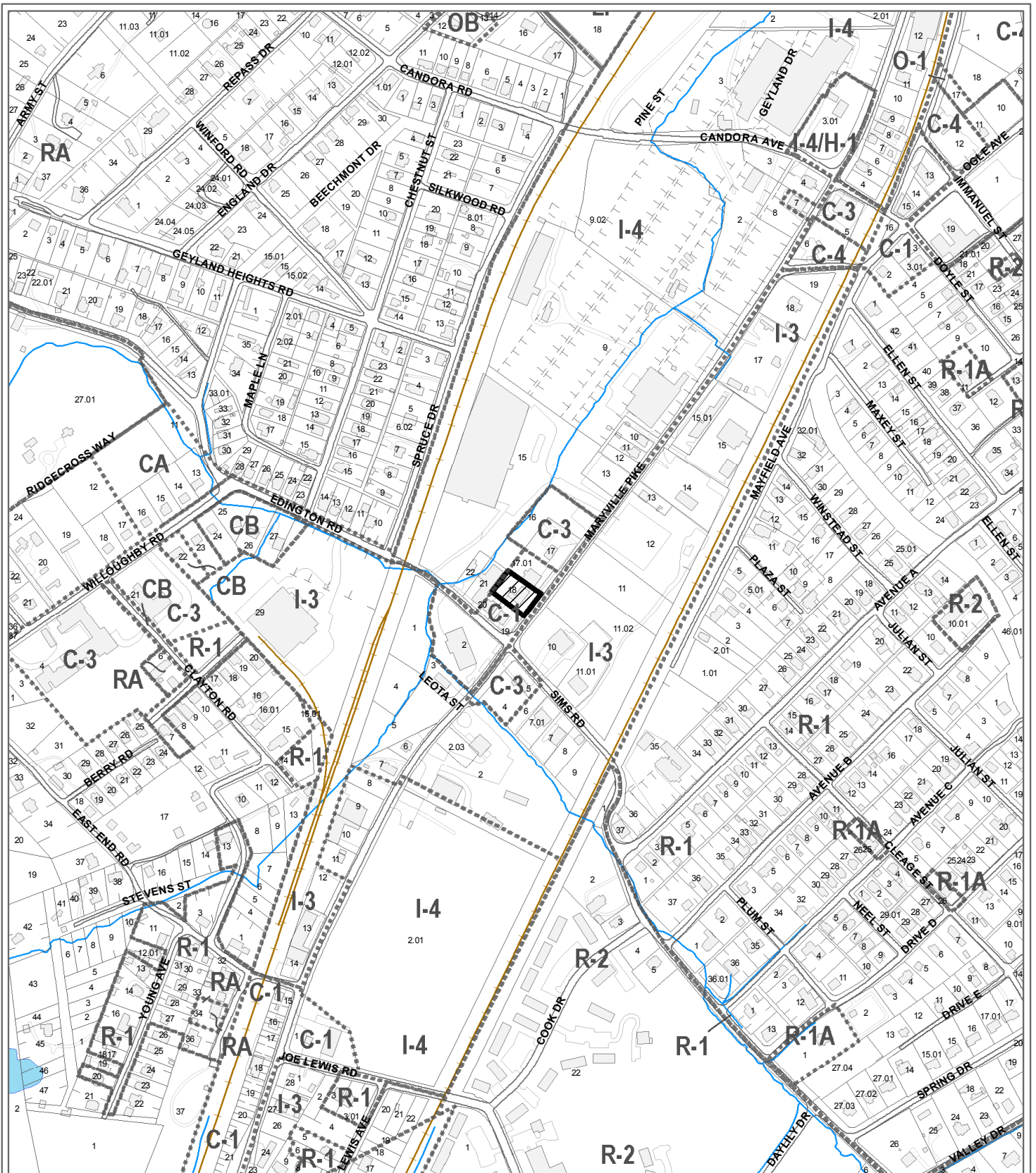
**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS:**

1. The City of Knoxville One Year Plan proposes general commercial uses for the site, consistent with C-3 zoning.
2. The South City Sector Plan proposes commercial uses for this site, consistent with the proposal.
3. This site is located within the Urban Growth Area (inside City limits) on the Knoxville-Knox County Growth Policy Plan map.
4. This request may lead to future requests for C-3 zoning on surrounding properties that are currently zoned I-3, I-4 and C-1.

**ESTIMATED TRAFFIC IMPACT:** Not calculated.

**ESTIMATED STUDENT YIELD:** Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 12/14/2010 and 12/28/2010. 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.



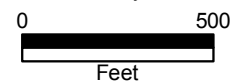
**11-A-10-RZ  
REZONING**

From: C-1 (Neighborhood Commercial)  
To: C-3 (General Commercial)



Petitioner: Bhalodza, Bhavin

Map No: 122  
Jurisdiction: City



Original Print Date: 10/26/2010  
Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902