

▶ **FILE #:** 4-H-11-RZ

AGENDA ITEM # 37

AGENDA DATE: 4/14/2011

▶ **APPLICANT:** KIN PROPERTIES, INC.

OWNER(S): Leonard Weiselberg

TAX ID NUMBER: 121 A A 02802

JURISDICTION: City Council District 2

▶ **LOCATION:** North side Kingston Pike, east side Westfield Rd., southeast side Circle Ln.

▶ **APPX. SIZE OF TRACT:** 0.42 acres

SECTOR PLAN: West City

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

ACCESSIBILITY: Primary access is from Kingston Pike, a major arterial street with 4 lanes and a center turn lane within 160' of right-of-way. Secondary access is available from Westfield Rd., a local street with 23' of pavement width within 50' of right-of-way, or Circle Ln., a local street with 18' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Fourth Creek

▶ **PRESENT ZONING:** C-6 (General Commercial Park)

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

▶ **EXISTING LAND USE:** Retail sales

▶ **PROPOSED USE:** Retail sales

EXTENSION OF ZONE: Yes, extension of C-3 from the east

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Circle Ln. - Offices / O-1 (Office, Medical & Related Services)

South: Kingston Pike - Businesses / C-3 (General Commercial)

East: Shopping center / C-3 (General Commercial)

West: Westfield Rd. - Business / C-6 (General Commercial Park)

NEIGHBORHOOD CONTEXT: This area is developed with commercial uses fronting on Kingston Pike, under C-3, C-4 and C-6 zoning. To the north of the site are office uses, zoned O-1.

STAFF RECOMMENDATION:

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

C-3 is an extension of zoning from the south, east and west and 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 several properties in the immediate area including two adjacent properties to the south, east and west. The subject property is already developed with a Verizon Wireless retail store, which has established driveway connections to the adjacent C-3 site to the east.
3. The site is located along Kingston Pike, a major arterial street, within a strip of commercial development and 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.

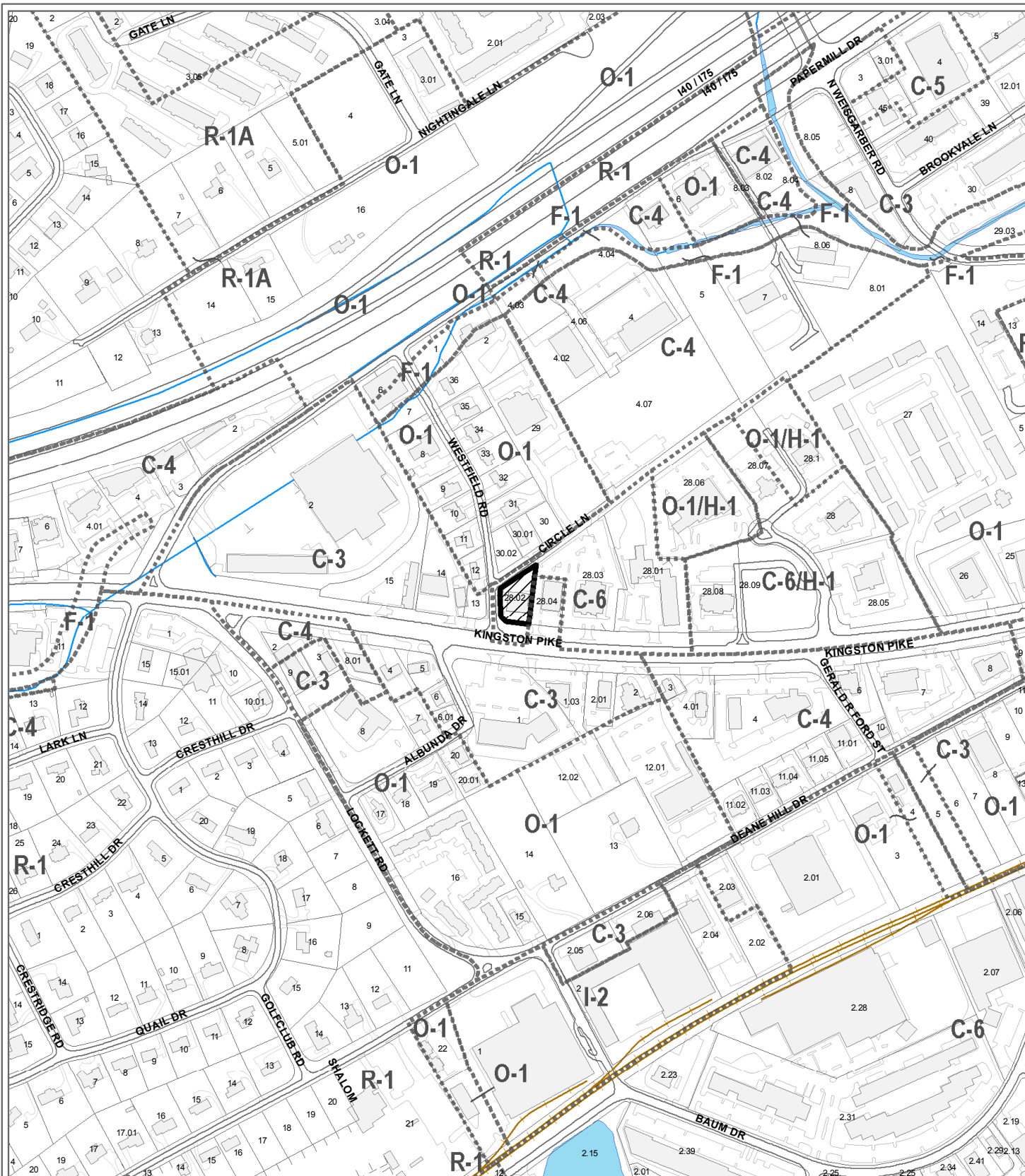
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS:

1. The City of Knoxville One Year Plan designates this site as GC (General Commercial), which allows consideration of C-3 zoning.
2. The West City Sector Plan also designates this site as GC (General Commercial), which allows consideration of C-3 zoning.
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 C-6. These would need to be considered on a case-by-case basis based on their own merits.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 5/17/2011 and 5/31/2011. 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.



**4-H-11-RZ
REZONING**

From: C-6 (General Commercial Park)
To: C-3 (General Commercial)



Original Print Date: 3/24/2011
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Kin Properties, Inc.

Map No: 121

Jurisdiction: City

