

▶ **FILE #:** 2-D-11-RZ

AGENDA ITEM # 27

AGENDA DATE: 2/10/2011

▶ **APPLICANT:** HUMANE SOCIETY OF THE TENNESSEE VALLEY

OWNER(S): Humane Society of the Tennessee Valley

TAX ID NUMBER: 120 D D 015

JURISDICTION: City Council District 2

▶ **LOCATION:** North side Kingston Pike, west of Westfield Rd.

▶ **APPX. SIZE OF TRACT:** 1.25 acres

SECTOR PLAN: West City

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

ACCESSIBILITY: Access is via Kingston Pike, a major arterial street with 4 lanes and a center turn lane within 150' of right-of-way.

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

WATERSHED: Fourth Creek

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

▶ **ZONING REQUESTED:** C-4 (Highway and Arterial Commercial)

▶ **EXISTING LAND USE:** Business

▶ **PROPOSED USE:** Animal shelter, veterinary care, etc

EXTENSION OF ZONE: Yes, extension of C-4 from the south

HISTORY OF ZONING: None noted for this site, but a few other sites in the area have been rezoned to C-4 over time to allow outdoor displays

SURROUNDING LAND USE AND ZONING: North: Retail businesses / C-3 (General Commercial)
 South: Kingston Pike - Businesses / C-3 (General Commercial) and C-4 (Highway & Arterial Commercial)
 East: Shopping center / C-3 (General Commercial)
 West: Retail businesses / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT: The properties fronting on Kingston Pike in this area are developed with retail businesses and offices under C-3, C-4 and C-6 zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE C-4 (Highway & Arterial Commercial) zoning.**

C-4 is an extension of zoning from the south and is consistent with both the One Year Plan and sector plan proposals for the site. C-4 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-4 zoning is in place on several properties in the immediate area including two properties to the south across Kingston Pike. One of these is the current location of the Humane Society of the Tennessee Valley's facilities to the southwest, on the southeast corner of Lockett Rd. and Kingston Pike. The applicant is

looking to relocate these facilities to the subject property.

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-4 (Highway & Arterial Commercial) zone, is established to provide areas in which the principal use of land is devoted to commercial establishments which cater specifically to the needs of motor vehicle oriented trade. It is the intent to provide a location for a limited amount of merchandise, equipment and material being offered for retail sale that, because of the type of material or transportation requirements, are suitable for display and storage outside of the confines of an enclosed building.
2. Based on the above general intent, this site is appropriate for C-4 development. Several nearby businesses, have outdoor display of merchandise or equipment.

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.

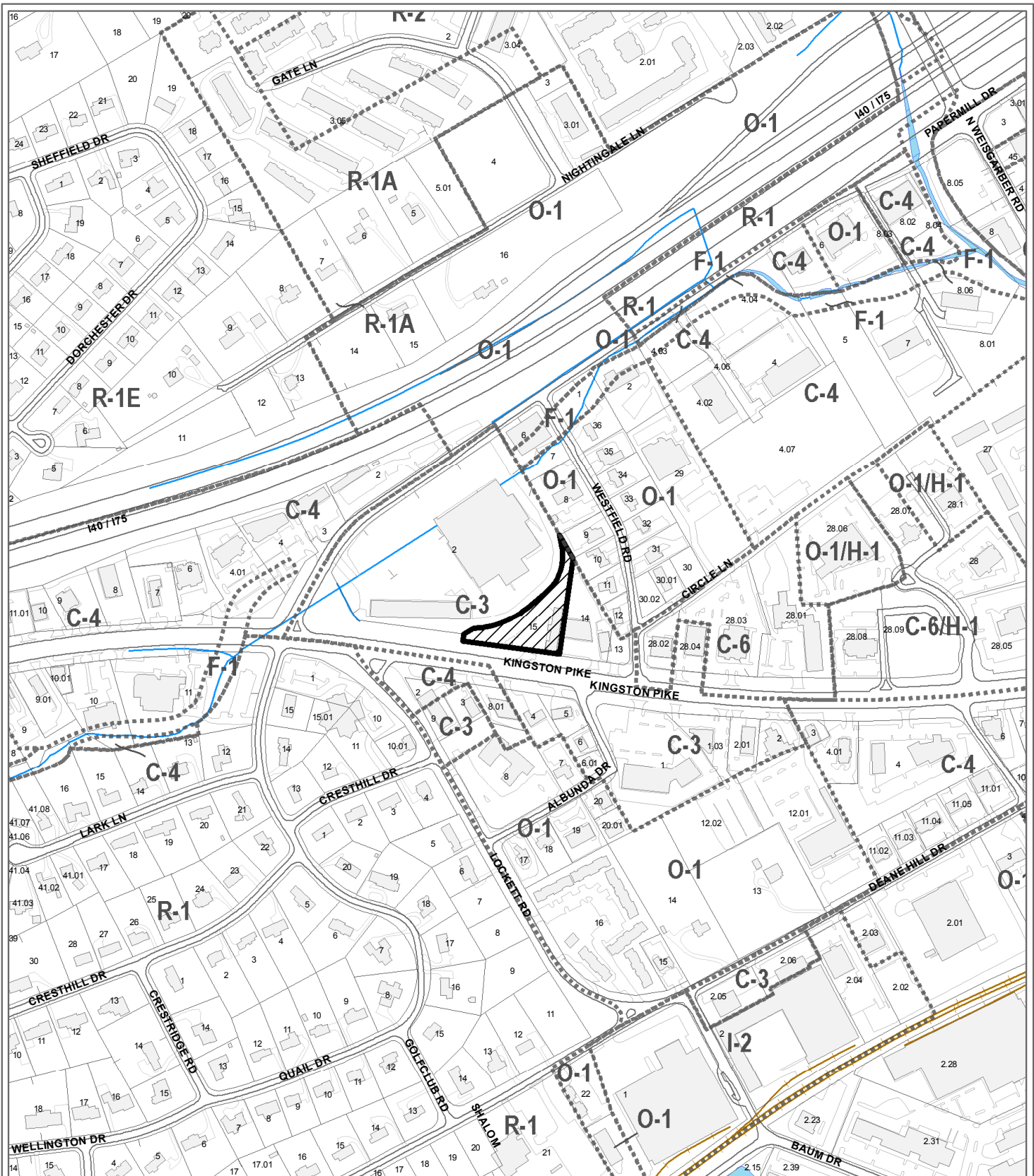
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS:

1. The City of Knoxville One Year Plan designates this site as MU-SD (MU-WC2), a special mixed use district which allows consideration of C-4 zoning.
2. The West City Sector Plan also designates this site as MU-SD (MU-WC2), a special mixed use district which allows consideration of C-4 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-4 zoning on surrounding properties that are currently zoned C-3 or 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 3/8/2011 and 3/22/2011. 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.



**2-D-11-RZ
REZONING**

From: C-3 (General Commercial)
To: C-4 (Highway and Arterial Commercial)



Petitioner: Humane Society of the Tennessee Valley

Map No: 120
Jurisdiction: City

Original Print Date: 1/26/2011
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

