

▶ **FILE #:** 6-A-11-RZ

AGENDA ITEM # 22

AGENDA DATE: 6/9/2011

▶ **APPLICANT:** E & E PARTNERSHIP

OWNER(S): Mike Edwards E & E Partnership

TAX ID NUMBER: 82 P L 012

JURISDICTION: City Council District 6

▶ **LOCATION:** Northwest side E. Magnolia Ave., southwest side N. Bertrand St.

▶ **APPX. SIZE OF TRACT:** 1.57 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Magnolia Ave., a 4 lane major arterial street with center turn lane within 100' of right-of-way, N. Bertrand St., a local street with 30' of pavement width within 40' of right-of-way, E. Fifth Ave., a local street with 30' of pavement width within 60' of right-of-way, or Austin St., a local street with 30' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **PRESENT ZONING:** R-2 (General Residential)

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

▶ **EXISTING LAND USE:** Vacant commercial building

▶ **PROPOSED USE:** Wholesale electrical distribution

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

HISTORY OF ZONING: Property was rezoned from C-6 to R-2 in 2006 with the required one year plan amendment (1-A-06-RZ/1-A-06-PA).

SURROUNDING LAND USE AND ZONING: North: E. Fifth Ave. - Apartments / O-1 (Office, Medical & Related Services)

South: Magnolia Ave. - Shopping center / SC-1 (Neighborhood Shopping Center)

East: N. Bertrand St. - Vacant lots and tire store / R-2 (General Residential) and C-3 (General Commercial)

West: Austin St. - House and apartments / O-1 (Office, Medical & Related Services)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of residential, office and commercial uses under O-1, R-2, C-3 and SC-1 zoning.

STAFF RECOMMENDATION:

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

C-3 zoning will allow redevelopment and reuse of this commercial building. It is consistent with the sector plan proposal, as amended by the Magnolia Avenue Corridor Plan, and is compatible with surrounding land uses and zoning.

COMMENTS:

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

1. C-3 zoning is compatible with the scale and intensity of the surrounding development and zoning.
2. This site has been identified in the Magnolia Avenue Corridor Plan as appropriate for redevelopment within the Hall of Fame, Magnolia Gateway corridor identified in the plan. C-3 is listed as an appropriate interim zone for this property until form-based codes are developed.
3. C-3 zoning is a logical extension of zoning from the southeast.

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 impact on schools and the street system will depend on the type of redevelopment that eventually takes place.
3. Approval of C-3 zoning will allow the property and existing building to be used once again for non-residential purposes, as it once was. The building used to house Swan's Bakery, many years ago.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Central City Sector Plan, as amended by the Magnolia Avenue Corridor Plan, designates the area containing this site as a mixed use special district, eligible for C-3 zoning.
2. C-3 zoning is consistent with the City of Knoxville One Year Plan, which also designates the site as the same mixed use special district.
3. Approval of this request could lead to future requests for C-3 zoning on other parcels in the area. These requests will need to be reviewed on a case-by-case basis according to 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 7/12/2011 and 7/26/2011. 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.



**6-A-11-RZ
REZONING**

From: R-2 (General Residential)

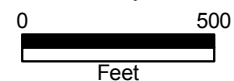
To: C-3 (General Commercial)



Petitioner: E & E Partnership

Map No: 82

Jurisdiction: City



Original Print Date: 5/19/2011
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised: