

▶ **FILE #:** 9-C-11-RZ

**AGENDA ITEM #** 25

**AGENDA DATE:** 9/8/2011

▶ **APPLICANT:** TERRY E. ROMANS

OWNER(S): Farmers Mutual of Tennessee - Gordon Watson

TAX ID NUMBER: 82 P A 002

JURISDICTION: City Council District 4

▶ **LOCATION:** West side N. Hall of Fame Dr., south side N. Fourth Ave.

▶ **APPX. SIZE OF TRACT:** 0.64 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via N. Hall of Fame Dr., a minor arterial street with 4 lanes and 46' of pavement width within 100' of right-of-way, or N. Fourth Ave., a local street with 33' 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:** I-2 (Restricted Manufacturing and Warehousing)

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

▶ **EXISTING LAND USE:** Store

▶ **PROPOSED USE:** Office building

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

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: N. Fourth Ave. - Insurance office / O-1 (Office, Medical & Related Services)

South: Business / C-3 (General Commercial)

East: N. Hall of Fame Dr. - Machine and welding business / I-3 (General Industrial)

West: Residential apartments and house / I-2 (Restricted Manufacturing & Warehousing)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of uses, under various zoning districts, including I-3, I-2, O-1 and C-3.

**STAFF RECOMMENDATION:**

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

C-3 zoning is consistent with the former use of this property as a small market and deli and the proposed use as an office building. The proposal is compatible with the scale and intensity of surrounding development. The proposal is consistent with the sector plan, as amended by the Magnolia Avenue Corridor Plan.

**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. The proposal is consistent with the mixed use designation of the property by the Magnolia Avenue Corridor Plan.
3. C-3 zoning allows office uses, as proposed by the applicant, but would also allow general commercial uses, if so desired. The area containing this site is within the 'Magnolia Avenue Area 6' designation on the Magnolia Avenue Corridor Plan, which allows consideration of C-3, O-3, RP-1 or RP-2 zoning until form based zoning codes are developed and adopted for the area.
4. C-3 zoning is a logical extension of zoning from the south.

**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 will have no impact on schools and a minimal impact on the street system.
3. If approved, C-3 zoning will allow office or commercial uses on the property.

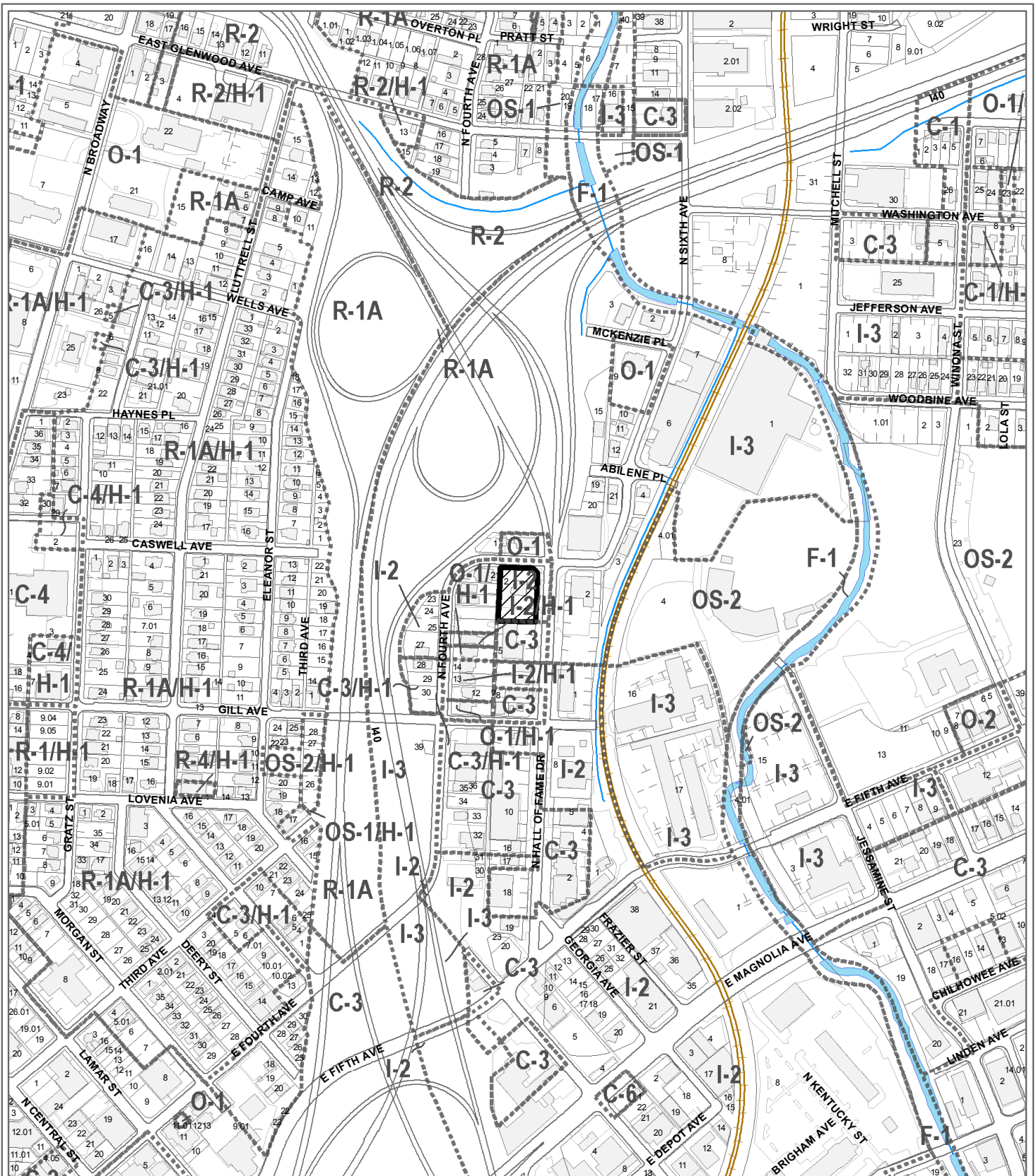
**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

1. The Central City Sector Plan, as amended by the Magnolia Avenue Corridor Plan, designates the area containing this site as 'Magnolia Avenue Area 6', eligible for C-3 zoning.
2. C-3 zoning is consistent with the City of Knoxville One Year Plan, which designates the area the same as the sector plan.
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. The sector plan in this area allows consideration of C-3, O-3, RP-1 and RP-2 zoning.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 10/4/2011 and 10/18/2011. 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.



**9-C-11-RZ  
REZONING**

From: I-2 (Restricted Manufacturing and Warehousing)  
To: C-3 (General Commercial)



Petitioner: Romans, Terry E.

Map No: 82  
Jurisdiction: City

Original Print Date: 8/23/2011  
Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

