

▶ **FILE #:** 12-C-12-RZ

AGENDA ITEM #: 24

AGENDA DATE: 12/13/2012

▶ **APPLICANT:** THE MASZERA COMPANY, LLC

OWNER(S): The Maszera Company

TAX ID NUMBER: 123 B B 003 PART ZONED O-1

JURISDICTION: City Council District 1

▶ **LOCATION:** Northeast side Chapman Hwy., southeast side Woodlawn Pike

▶ **APPX. SIZE OF TRACT:** 1 acre

SECTOR PLAN: South City

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

ACCESSIBILITY: Access is via Chapman Hwy., a four-lane major arterial street with 75' of pavement width within 120' of right-of-way, or via Woodlawn Pike, a minor collector street with 21' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Goose Creek

▶ **PRESENT ZONING:** O-1 (Office, Medical, and Related Services)

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

▶ **EXISTING LAND USE:** Commercial

▶ **PROPOSED USE:** Commercial

EXTENSION OF ZONE: Yes, extension of C-3 from all sides

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Woodlawn Pike - Bank / C-3 (General Commercial)

South: Paved surface parking / C-3 (General Commercial)

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

West: Chapman Hwy. - Businesses / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT: This site is located on the corner of Chapman Hwy. and Woodlawn Pike, adjacent to the South Knoxville Branch Library, in an area that is currently used as paved parking for the library and the shopping center tenants. The majority of this area around this intersection is zoned for and developed with commercial uses, under C-3, C-4 and C-6 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 property and is an extension of C-3 zoning from all sides.

COMMENTS:

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR

CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. The proposed C-3 zoning is compatible with the scale and intensity of the surrounding development and zoning pattern.
2. The location of the property at the intersection of arterial and collector streets is appropriate for C-3 uses.
3. The proposal is consistent with the one year and sector plan proposals for the site and C-3 is a logical extension of zoning from all sides.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE 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 PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. The proposal would have no impact on schools. The impact on the street system would depend on the type of commercial development proposed. Water and sewer utilities are in place to serve the site.
2. The proposal is compatible with surrounding development and zoning, so the impact on adjacent properties should be minimal. Commercial zoning and uses are on all sides of the subject property.
3. The area is developed primarily with commercial businesses which will not be negatively impacted by commercial development of this site. No other area of the County will be impacted by this rezoning request.

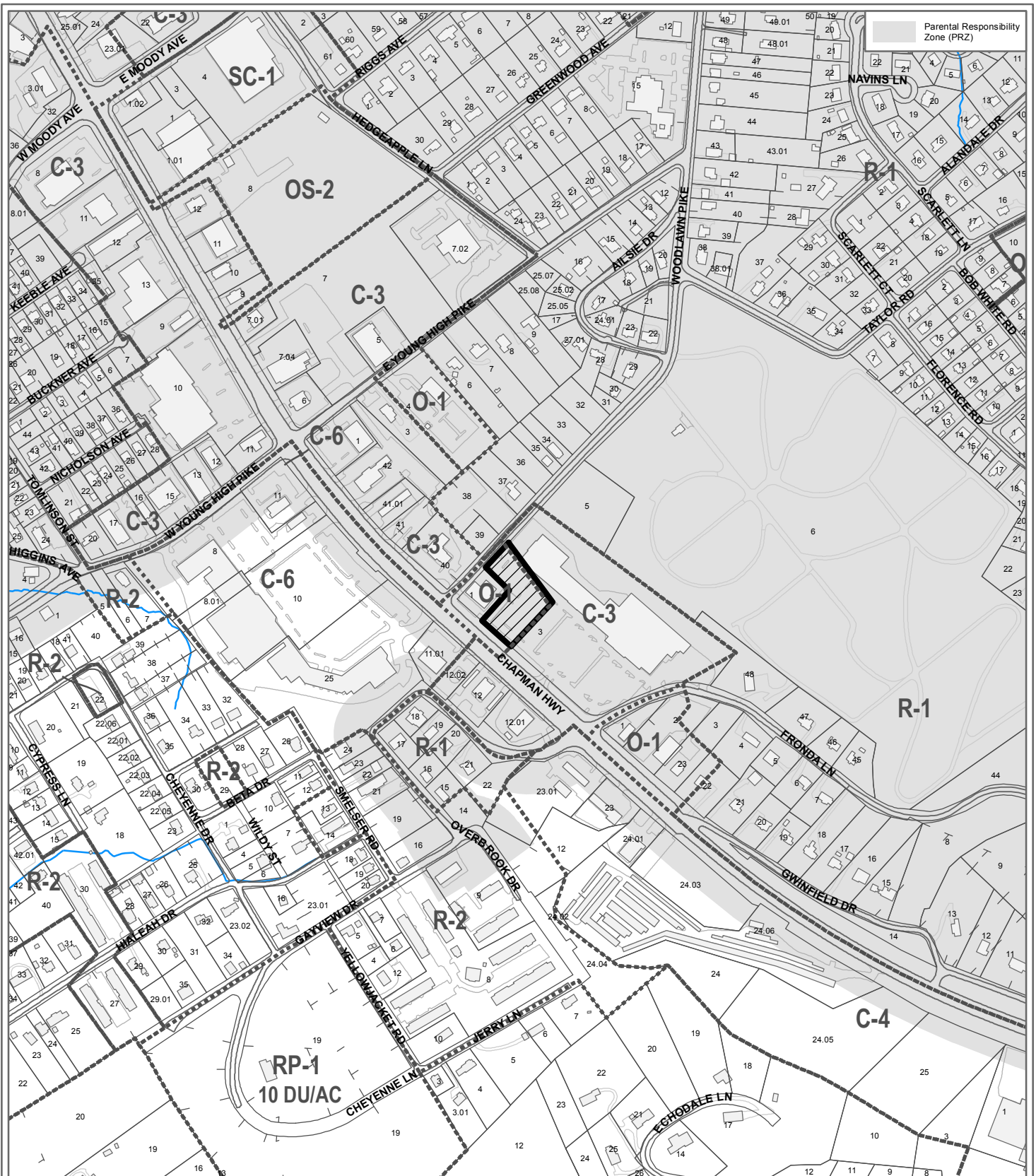
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The South City Sector Plan proposes commercial uses for this site, consistent with the proposed C-3 zoning.
2. The site is located within the City of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. The proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 1/8/2013 and 1/22/2013. 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.



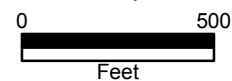
**12-C-12-RZ
REZONING**

From: O-1 (Office, Medical, and Related Services)
To: C-3 (General Commercial)



Petitioner: The Maszera Company, LLC

Map No: 123
Jurisdiction: City



Original Print Date: 11/19/2012 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902