

▶ **FILE #:** 5-B-12-RZ

**AGENDA ITEM #:** 30

**AGENDA DATE:** 5/10/2012

▶ **APPLICANT:** KEITH JACKSON

OWNER(S): Keith and Tracey Jackson

TAX ID NUMBER: 60 H A PART OF 003 ZONED R-1A

JURISDICTION: City Council District 4

▶ **LOCATION:** Northwest side Old Millertown Pike, northeast of Loves Creek Rd., southeast of Millertown Pike

▶ **APPX. SIZE OF TRACT:** 3.62 acres

SECTOR PLAN: Northeast County

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

ACCESSIBILITY: Access is via Old Millertown Pike, a local street with 15-17' of pavement width within 40' of right-of-way, or from Millertown Pike, a minor arterial street with 35' of pavement width within 100-120' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Love Creek

▶ **PRESENT ZONING:** R-1A (Low Density Residential)

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Retail development permitted under C-3 zoning

EXTENSION OF ZONE: Yes, extension of C-3 from the north and west

HISTORY OF ZONING: Non noted

SURROUNDING LAND USE AND ZONING: North: Shopping center / C-3 (General Commercial)

South: Nursery / R-1A (Low Density Residential)

East: Railroad right-of-way and residences / A (Agricultural)

West: Business and vacant land / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT: This area to the west of railroad right-of-way is developed with commercial uses, under C-3, C-6 and SC-3 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 zoning from the northwest.

**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. C-3 is an extension of zoning from the northwest. The northwestern portion of the subject parcel, which provides access to Millertown Pike, is already zoned C-3. Approval of this request would establish the entire parcel under one zoning category.

3. The sector plan proposes commercial uses for the property. The One Year Plan proposes general commercial uses. C-3 zoning is consistent with both of those proposals.

**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. Water and sewer utilities are in place to serve this site.

2. The proposal would have no impact on schools. The impact on the street system would depend on the type of commercial development proposed.

3. The proposal is compatible with surrounding development and zoning, so the impact on adjacent properties should be minimal. Commercial zoning and uses are located to the north and west of the site. A landscaping, nursery business is located to the south.

**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 Northeast County Sector Plan proposes commercial uses for this site, consistent with the proposed C-3 zoning.

2. The One Year Plan proposes general commercial uses, consistent with the proposal.

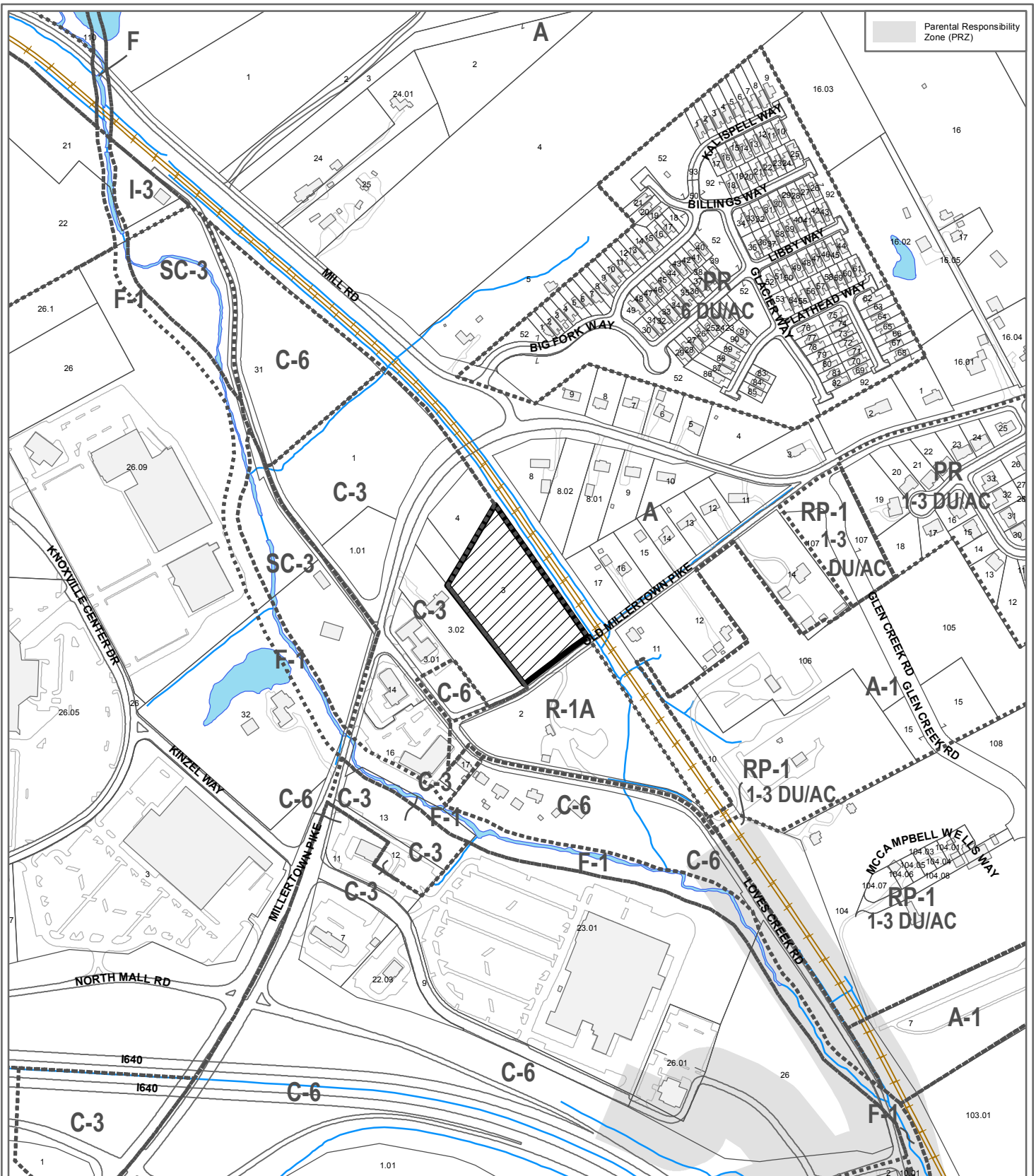
3. This site is located within the Urban Growth Area (inside the City) on the Knoxville-Knox County-Farragut Growth Policy Plan.

4. Approval of this request could lead to future requests for commercial zoning, consistent with the adopted plans for the area. The nursery site to the south is currently zoned R-1A, but is proposed for commercial uses by both the sector plan and the One Year Plan.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 6/12/2012 and 6/26/2012. 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.



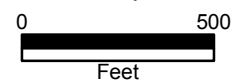
**5-B-12-RZ  
REZONING**

From: R-1A (Low Density Residential)  
To: C-3 (General Commercial)



Petitioner: Jackson, Keith

Map No: 60  
Jurisdiction: City



Original Print Date: 4/17/2012  
Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902