

▶ **FILE #:** 12-D-13-RZ

AGENDA ITEM #: 27

AGENDA DATE: 12/12/2013

▶ **APPLICANT:** **ROCKY HILL INVESTMENT GROUP**

OWNER(S): F. William Gray

TAX ID NUMBER: 133 E C 001 & 002

JURISDICTION: City Council District 2

STREET ADDRESS: No address assigned

▶ **LOCATION:** **Southeast side S. Northshore Dr., southwest side Currier Ln.**

▶ **APPX. SIZE OF TRACT:** **1.1 acres**

SECTOR PLAN: Southwest County

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

ACCESSIBILITY: Access is via S. Northshore Dr., a major arterial street with 20' of pavement width within 50' 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-6 (General Commercial Park)**

▶ **EXISTING LAND USE:** **Vacant land**

▶ **PROPOSED USE:** **Restaurant and recreational facilities**

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: S. Northshore Dr. - Shopping center, businesses / SC-1 (Neighborhood Shopping Center)

South: Vacant land / CA (General Business)

East: Restaurant and bar / C-3 (General Commercial)

West: Animal hospital / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT: This site is located within the Rocky Hill business area around the intersection of S. Northshore Dr. and Morrell Rd., which is primarily developed with commercial uses under C-3, SC-1, C-1 and CA zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE C-6 (General Commercial Park) zoning, subject to one condition.**

1. Limited to C-3 (General Commercial) uses and recreational facilities.

With the above condition, the proposed rezoning is compatible with surrounding development and zoning.

COMMENTS:

The subject property is currently zoned C-3, which allows the proposed restaurant, as well as numerous other commercial uses. However, the applicant also wishes to develop some recreational facilities associated with

the restaurant. The Knoxville Inspections and Permitting Department has opined that the recreational uses may not be located in the C-3 zone, leading to this rezoning application. Staff is simply recommending to maintain only C-3 uses for the site with the addition of recreational facilities. Unconditioned C-6 zoning would allow some light manufacturing, warehousing and other commercial uses that may not be appropriate at this location. Also, there is no established C-6 zoning in the area. C-6 zoning also requires administrative plan review and approval by MPC staff prior to issuance of building permits.

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 recommended conditional C-6 zoning is consistent with both the One Year Plan and sector plan proposals for the property.
2. The recommended limited C-6 zoning will be compatible with the surrounding land uses and zoning pattern.
3. Limited C-6 zoning is appropriate for this site, which is in a developed commercial area and has access to a major arterial street.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The requested C-6 zoning is intended to encourage the clustering of commercial activities within areas specifically designed to accommodate the activities and to discourage the proliferation of commercial uses along major thoroughfares and noncommercial areas. The following 6 concepts are emphasized in the zoning ordinance: 1) To encourage the clustering of commercial activities within areas specifically designed to accommodate the activities and to discourage the proliferation of commercial uses along major thoroughfares and noncommercial areas, 2) To provide for the orderly development of commercial activities so that any adverse impact on surrounding uses and on the general flow of traffic can be ameliorated, 3) To encourage an orderly and systematic development design providing the rational placement of activities, parking and auto circulation, pedestrian circulation, access and egress, loading and landscaping, 4) To encourage commercial development which is consistent with the long range, comprehensive, general plan for Knoxville and Knox County, 5) To allow for mixing of light industrial (manufacturing) uses with compatible commercial uses as stated within the C-6 zoning district, and 6) To encourage general commercial activities to locate in areas that have access to a major street system.
2. Based on the above description, C-6 zoning may not be appropriate zone for this site. But with the recommended zoning condition, C-6 zoning will allow C-3 uses on the site, in addition to some recreational uses. C-6 zoning also requires administrative plan review and approval by MPC staff prior to issuance of building permits.

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. Conditioned C-6 zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.
2. The impact on the street system will depend on the type of development proposed. The site is currently vacant. The applicant is seeking C-6 zoning in order to allow some recreational uses on the site.
3. C-6 zoning requires administrative plan review and approval by MPC staff prior to issuance of building permits for new construction, building expansion or major site improvements. Since the subject property is currently vacant, a development plan will have to be approved by MPC staff prior to any development.
4. Public water and sewer utilities are available to serve the site.

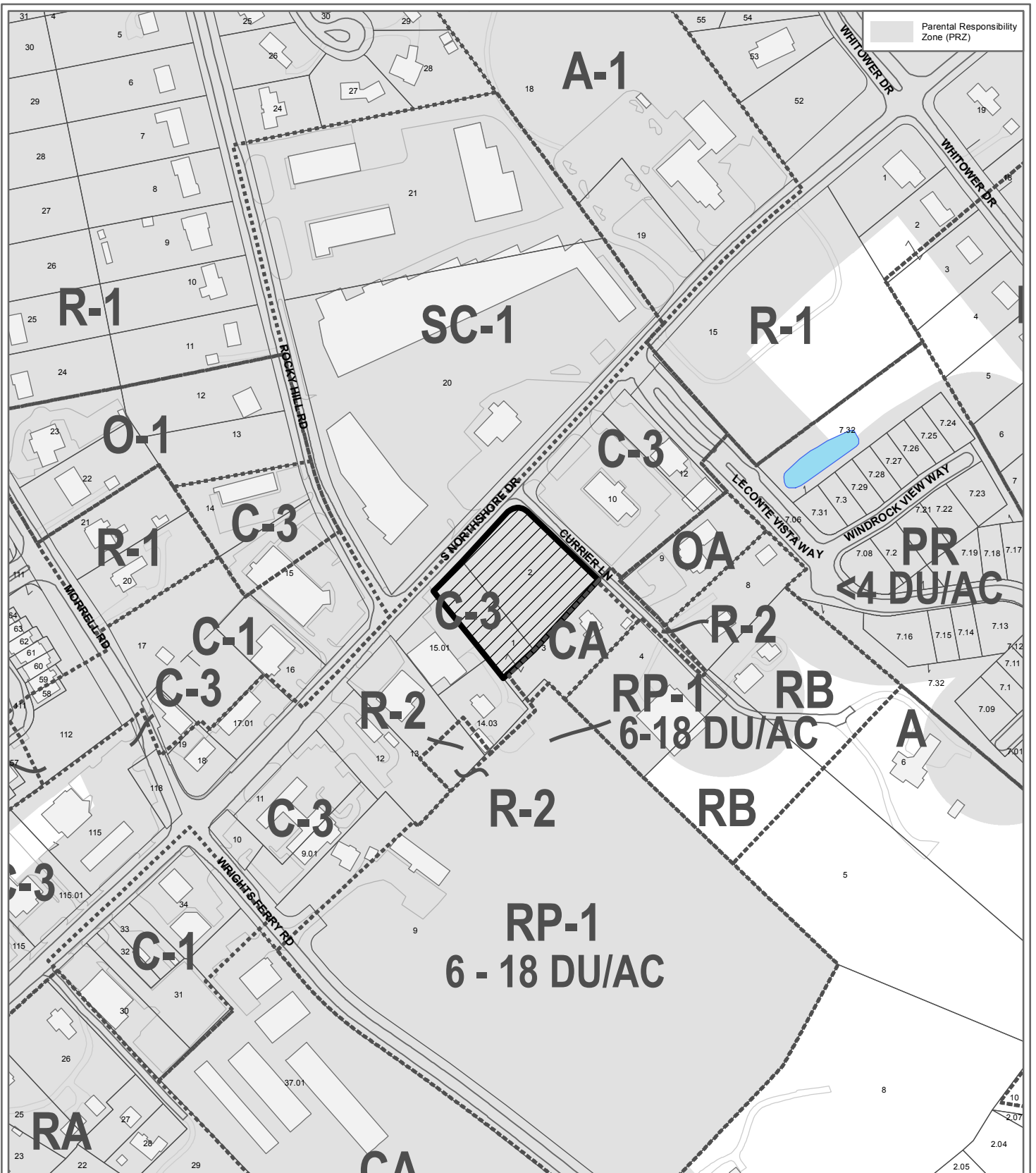
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The City of Knoxville One Year Plan proposes general commercial uses for this site, consistent with the proposed C-6 zoning.
2. The Southwest County Sector Plan proposes commercial uses for this site, consistent with the proposed C-6 zoning district.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 1/7/2014 and 1/21/2014. 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-D-13-RZ
REZONING**

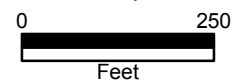
From: C-3 (General Commercial)
To: C-6 (General Commercial Park)



Petitioner: Rocky Hill Investment Group

Map No: 133

Jurisdiction: City



Original Print Date: 11/22/2013 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902