

▶ **FILE #:** 7-P-13-RZ

AGENDA ITEM #: 38

AGENDA DATE: 7/11/2013

▶ **APPLICANT:** FALCONNIER DESIGN CO.- DAMON A. FALCONNIER

OWNER(S): CLF Partnership

TAX ID NUMBER: 95 A H 023

JURISDICTION: City Council District 6

▶ **LOCATION:** West side Harriet Tubman St., south of McCalla Ave.

▶ **APPX. SIZE OF TRACT:** 3.98 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Harriett Tubman St., a minor collector street with 40' of pavement width within 50' of right-of-way. The site also backs up to S. Bell St., a local street with 26' of pavement width within 45' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **PRESENT ZONING:** I-2 (Restricted Manufacturing & Warehousing)

▶ **ZONING REQUESTED:** C-6 (General Commercial Park)

▶ **EXISTING LAND USE:** Storage / warehouse

▶ **PROPOSED USE:** Church and ministry center

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Machine shop, offices, businesses / I-2 (Restricted Manufacturing & Warehousing)

South: Warehouse / I-2 (Restricted Manufacturing & Warehousing)

East: Harriett Tubman St. - Residences / R-1 (Low Density Residential)

West: S. Bell St. - Business / I-2 (Restricted Manufacturing & Warehousing)

NEIGHBORHOOD CONTEXT: The area surrounding this site is developed with various types of light industrial and commercial businesses under I-2 and C-3 zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE C-6 (General Commercial Park) zoning.**

The requested C-6 zoning is consistent with both the One Year Plan and sector plan proposals for the property. C-6 zoning will allow the proposed church, as well as commercial and some light industrial uses on the site. C-6 uses will be compatible with the surrounding land uses and zoning pattern. C-6 zoning also requires administrative plan review and approval by MPC staff prior to issuance of building permits.

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. C-6 zoning is consistent with both the sector plan and One Year Plan designations for the property.
2. C-6 uses will be compatible with the surrounding land uses and zoning pattern.
3. C-6 zoning is appropriate for this site, which is adjacent to other light industrial and commercial uses and zoning, and has access to a minor collector 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 is an appropriate zone for this site. C-6 zoning 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. 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. An office/warehouse facility is currently located 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.
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 designates this site within a mixed use special district of the Magnolia Avenue Corridor Plan, consistent with the proposed C-6 zoning.
2. The Central City Sector Plan designates this site within a mixed use special district of the Magnolia Avenue Corridor Plan, consistent with the proposed C-6 zoning.
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 calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 8/6/2013 and 8/20/2013. 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.



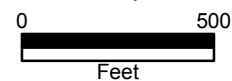
**7-P-13-RZ
REZONING**

From: I-2 (Restricted Manufacturing and Warehousing)
To: C-6 (General Commercial Park)



Petitioner: Falconnier Design Co., Damon A. Falconnier

Map No: 95
Jurisdiction: City



Original Print Date: 6/27/2013
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902