

▶ **FILE #:** 7-A-15-RZ

**AGENDA ITEM #:** 37

**AGENDA DATE:** 7/9/2015

▶ **APPLICANT:** JOHN FAWAZ

OWNER(S): John Fawaz

TAX ID NUMBER: 107 D E 023 & 024

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 3023 Sutherland Ave

▶ **LOCATION:** North side Sutherland Ave., west side Harry St.

▶ **APPX. SIZE OF TRACT:** 0.3 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Sutherland Ave., a minor arterial street with 31' of pavement width within 48' of right-of-way; Harry St., a local street with 24' of pavement width within 37' of right-of-way; and an alley to the rear of the property that runs parallel to Sutherland Avenue. The site is also serviced by one KAT route and is approximately 750 feet from a Third Creek Greenway access point.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

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

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

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Office building

EXTENSION OF ZONE: No

HISTORY OF ZONING:

SURROUNDING LAND USE AND ZONING: North: Houses, Office - Warehousing / R-2 General Residential & I-2 Restricted Manufacturing and Warehousing District

South: Commercial - Wholesale / I-2 Restricted Manufacturing and Warehousing District

East: Office / I-2 Restricted Manufacturing and Warehousing District

West: Office - Commercial / I-2 Restricted Manufacturing and Warehousing District

NEIGHBORHOOD CONTEXT: The properties fronting Sutherland Avenue are a mix of office, commercial, warehousing and wholesale uses. North of the site is a residential neighborhood that is primarily single family houses. The Third Creek 500-year floodplain covers a small portion of the front of the property along Sutherland Avenue.

**STAFF RECOMMENDATION:**

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

The requested C-3 zoning is consistent with both the One Year Plan and Central City Sector Plan. The current I-2 zoning on the property is not consistent with the land use plans. C-3 zoning will allow the proposed office use on the site, as well as commercial uses. C-3 uses are compatible with the surrounding land uses and zoning pattern.

**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-3 zoning is consistent with both the Central City Sector Plan (2014) and One Year Plan designations for the property.
2. C-3 uses will be compatible with the surrounding land uses and zoning pattern.
3. C-3 zoning is appropriate for this site, which is adjacent to residential, office, commercial and warehouse uses, and has access to a minor arterial street.

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

1. The requested C-3 zoning is intended for personal and business services and general retail business. Districts in this category are intended to include areas where commercial development has displaced or is displacing residential development, or is moving in on vacant lands. 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 description, C-3 zoning is appropriate for this site because it is a vacant site along a commercial corridor. C-3 zoning will allow the proposed office use, as well as commercial uses.

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-3 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 applicant is proposing to construct an office building at this location, which is not permitted within the current I-2 zoning.
3. The Third Creek 500-year floodplain extends onto a small portion the site along Sutherland Avenue. There appears to be area outside of the 500-year floodplain to construct a new building and any site improvement is required to meet the City of Knoxville Flood Damage Prevention and Control ordinance.
4. Public water and sewer utilities are available to serve the site.

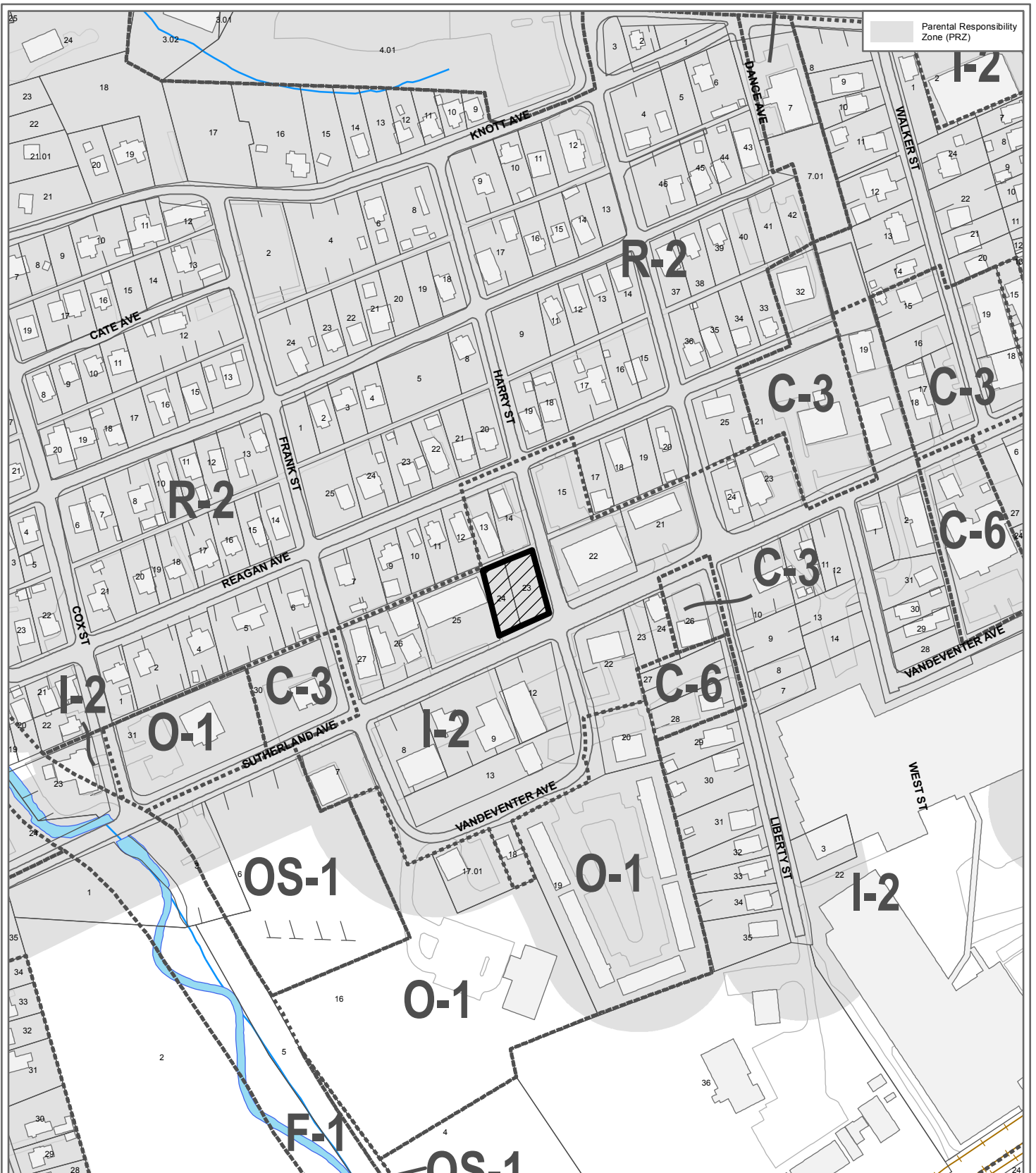
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The City of Knoxville One Year Plan proposes GC (General Commercial) for this site, consistent with the proposed C-3 zoning.
2. The Central City Sector Plan propose GC (General Commercial) for this site, consistent with the proposed C-3 zoning.
3. A portion of the site is designated as Stream Protection Area (SP) by the Central City Sector Plan, which recommends a 'planned zone' that entail site plan review. Though C-3 zoning is not recommended it is appropriate for this site because planned zones are not intended for small infill sites and site improvements will be subject to the City of Knoxville Stormwater and Flood Damage Prevention and Control ordinances.
4. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
5. 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 8/4/2015 and 8/18/2015. 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-A-15-RZ  
REZONING**

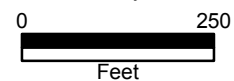
From: I-2 (Restricted Manufacturing and Warehousing)  
To: C-3 (General Commercial)



Petitioner: Fawaz, John

Map No: 107

Jurisdiction: City



Original Print Date: 6/24/2015  
Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902