

▶ **FILE #:** 3-D-15-RZ **AGENDA ITEM #:** 22
 POSTPONEMENT(S): 3/12/15, 4/9/15 **AGENDA DATE:** 5/14/2015

▶ **APPLICANT:** **SCHAAD PROPERTIES**
 OWNER(S): Patrick Schaad

TAX ID NUMBER: 120 I A 4.06,4.07,4.17,4.20 &4.21 [View map on KGIS](#)
 JURISDICTION: City Council District 2
 STREET ADDRESS:

▶ **LOCATION:** **North side Kingston Pike, west of Downtown West Blvd.**
 ▶ **APPX. SIZE OF TRACT:** **5.3 acres**
 SECTOR PLAN: West City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ACCESSIBILITY: Access is via Kingston Pike, a major arterial street with 5 lanes, including center turn lane, within 85-95' of right-of-way.
 UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
 WATERSHED: Ten Mile Creek

▶ **PRESENT ZONING:** **C-3 (General Commercial)**
 ▶ **ZONING REQUESTED:** **C-4 (Highway and Arterial Commercial)**
 ▶ **EXISTING LAND USE:** **Vacant, restaurant, businesses**
 ▶ **PROPOSED USE:** **Any use permitted in the C-4 zone**
 EXTENSION OF ZONE: Yes, extension of C-4 from the east and west
 HISTORY OF ZONING: None noted
 SURROUNDING LAND USE AND ZONING: North: I-40/75 right-of-way / C-3 (General Commercial)
 South: Kingston Pike, business / C-3 (General Commercial) and C-6 (General Commercial Park)
 East: Businesses / C-3 (General Commercial) and C-4 (Highway & Arterial Commercial)
 West: Restaurant and retail center / C-4 (Highway & Arterial Commercial)
 NEIGHBORHOOD CONTEXT: This site is located within an area of commercial development along Kingston Pike, zoned C-3, C-4 and C-6.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE C-4 (Highway & Arterial Commercial) zoning.**

This request is consistent with both the One Year Plan and sector plan proposals for the property and is an extension of C-4 zoning from the east and west. The plans propose general commercial uses for the site, which allows consideration of C-4 zoning.

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-4 zoning is compatible with the scale and intensity of the surrounding development and zoning pattern. All abutting properties are zoned either C-3, C-4 or C-6 for commercial uses. Commercial uses have long been established along Kingston Pike. This particular site is situated between Kingston Pike and I-40/75 and is the former location for a motel, which has now been demolished.
2. The proposal is an extension of C-4 zoning from the east and west.
3. The proposal is consistent with the One Year and sector plan proposals.

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

1. The C-4 (Highway & Arterial Commercial) zone is established to provide areas in which the principal use of land is devoted to commercial establishments which cater specifically to the needs of motor vehicle oriented trade. It is the intent to provide a location for a limited amount of merchandise, equipment and material being offered for retail sale that, because of the type of material or transportation requirements, are suitable for display and storage outside of the confines of an enclosed building.
2. Based on the above general intent, this site is appropriate for C-4 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. C-4 zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.
2. This site, situated between Kingston Pike and I-40/75 is appropriate for highway and arterial commercial uses. C-4 is an extension of zoning from the east and west. C-4 uses would have a minimal impact on surrounding properties.
3. Public water and sewer utilities are available to serve the site. C-4 zoning is consistent with other zoning and density in the immediate area and will not adversely affect any other part of the County.

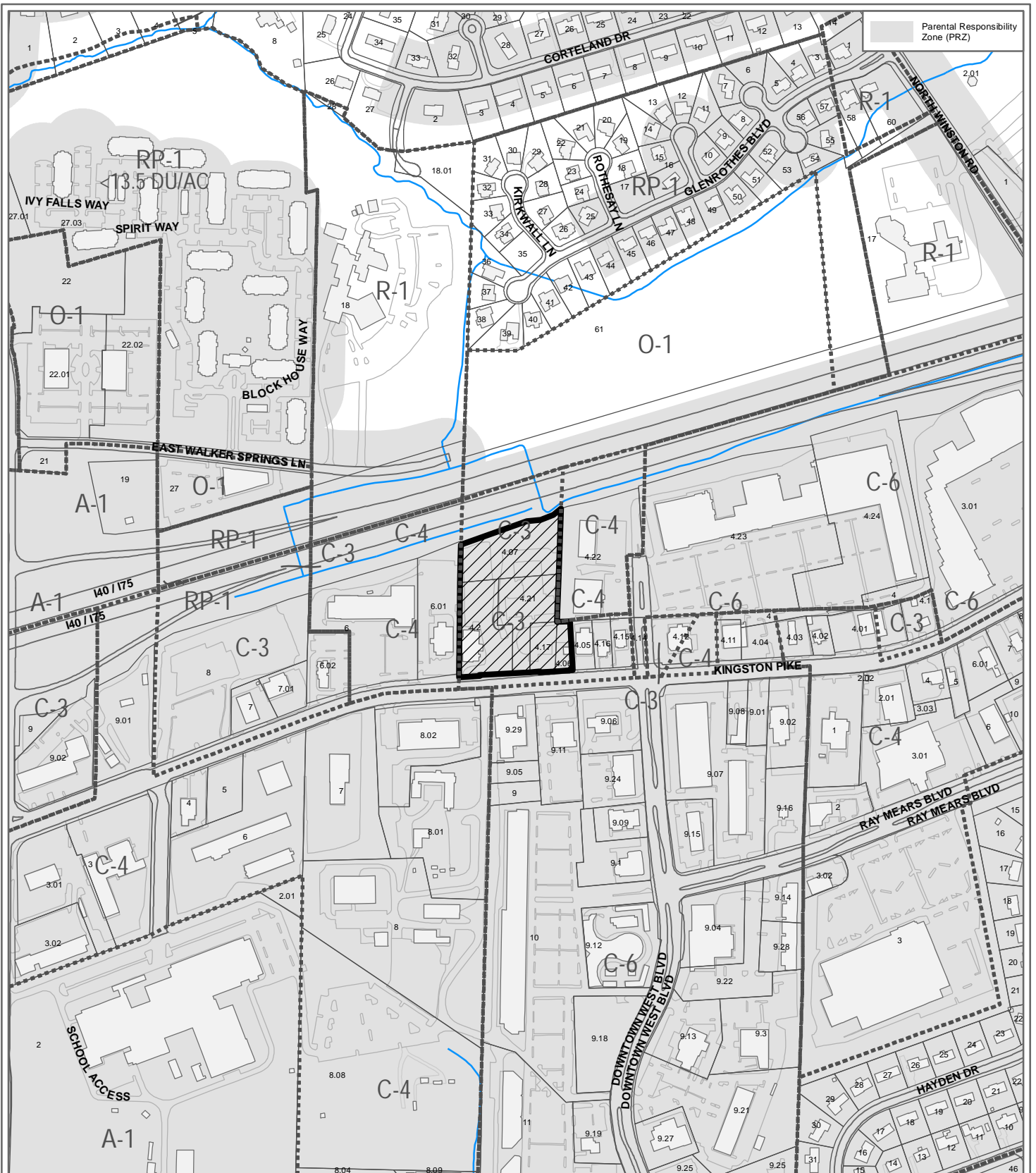
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. Both the West City Sector Plan and the Knoxville One Year Plan propose general commercial uses for this property, consistent with the proposed C-4 zoning.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. 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 6/9/2015 and 6/23/2015. 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.



**3-D-15-RZ
REZONING**

From: C-3 (General Commercial)
To: C-4 (Highway and Arterial Commercial)



Petitioner: Schaad Properties

Map No: 120
Jurisdiction: City

Original Print Date: 2/20/2015
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

