

▶ **FILE #:** 12-G-17-RZ

AGENDA ITEM #: 45

AGENDA DATE: 12/14/2017

▶ **APPLICANT:** DALE THOMPSON

OWNER(S): Joe C. Holdredge

TAX ID NUMBER: 82 F R 021

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 2821 E Magnolia Ave

▶ **LOCATION:** Northwest side E. Magnolia Ave., southwest of Milligan St.

▶ **APPX. SIZE OF TRACT:** 17500 square feet

SECTOR PLAN: East City

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

ACCESSIBILITY: Access is via E. Magnolia Ave., a major arterial street with 4 lanes and a center turning lane within 100' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Williams Creek

▶ **PRESENT ZONING:** O-1 (Office, Medical, and Related Services)

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

▶ **EXISTING LAND USE:** Office building

▶ **PROPOSED USE:** Commercial

EXTENSION OF ZONE: Yes, extension of C-3 zoning from the northeast

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Drive-through restaurant / C-3 (General Commercial)

South: Veteran Center / C-4 (Highway & Arterial Commercial)

East: E. Magnolia Ave., restaurant / C-3 (General Commercial)

West: House / R-2 (General Residential)

NEIGHBORHOOD CONTEXT: The properties fronting along this section of E. Magnolia Ave. is primarily developed with commercial uses under C-3 and C-4 zoning. Residential uses, zoned R-2, are located to the rear of the businesses.

STAFF RECOMMENDATION:

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

C-3 is a logical extension of commercial zoning from the north and south, is compatible with the scale and intensity of surrounding development and zoning pattern and is consistent with the adopted future land use plans for the area. The subject parcel is the currently the only non-commercially zoned property in the entire block.

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 is a logical extension of commercial zoning from the north and south.
2. C-3 uses are compatible with the surrounding land use and zoning pattern.
3. C-3 zoning is appropriate for this site, which is adjacent to other commercial uses and zoning. C-3 zoning is consistent with the proposed future land uses on adopted plans.

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 to be rezoned to C-3.

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. The recommended C-3 zoning is compatible with the surrounding land uses and zoning pattern.
2. C-3 zoning will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.
3. The existing street is adequate to handle any additional traffic generated by allowing commercial uses on 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 and the Central City Sector Plan designate this property as part of a MU-SD (Mixed Use - Special District) EC-1. This designation allows consideration of the C-3 zoning.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This recommended C-3 zoning 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 1/16/2018 and 1/30/2018. 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-G-17-RZ
REZONING**

From: O-1 (Office, Medical, and Related Services)

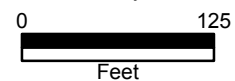
To: C-3 (General Commercial)



Petitioner: Thompson, Dale

Map No: 82

Jurisdiction: City



Original Print Date: 11/13/2017 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

REZONING PLAN AMENDMENT

Name of Applicant: DALE THOMPSON

Date Filed: 10/27/17 Meeting Date: 12/14/17

Application Accepted by: GERALD GREEN

Fee Amount: \$1,000 - File Number: Rezoning 12-G-17-RZ

Fee Amount: File Number: Plan Amendment



PROPERTY INFORMATION

Address: ~~8823~~ Magnolia Avenue
 General Location: ~~Cold Springs Add~~
 NW side PT 10 12
 E. Magnolia Ave, SW of Milligan St
 Parcel ID Number(s): 082FR021
 Tract Size: 100 X 175 17,500 S.F.
 Existing Land Use: Office Building
 Planning Sector: East City
 Growth Policy Plan: Inside City
 Census Tract: 19
 Traffic Zone: 37
 Jurisdiction: City Council Co District
 County Commission + District

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT Name: Joe C Holdredge
 Company:
 Address: 5112 Yosemite Trail
 City: Knoxville State: TN Zip: 37909
 Telephone: 865-567-6325
 Fax:
 E-mail: jillht16@gmail.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT Name: Dale Thompson
 Company: Beacon Properties
 Address: 7520 Holly Crest Lane
 City: Knoxville State: TN Zip: 37938
 Telephone: 865-207-3479
 Fax: 865-938-9888
 E-mail: tomsondw@gmail.com

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature:
 PLEASE PRINT Name: Dale Thompson
 Company: Beacon Properties
 Address: 7520 Holly Crest Lane
 City: Knoxville State: TN Zip: 37938
 Telephone: 865-207-3479
 E-mail: tomsondw@gmail.com

Requested Change

REZONING

FROM: Commercial O-1
 TO: C-3 General Commercial

PLAN AMENDMENT

One Year Plan Sector Plan

FROM:
 TO:

PROPOSED USE OF PROPERTY

COMMERCIAL

Density Proposed Units/Acre
 Previous Rezoning Requests: None noted

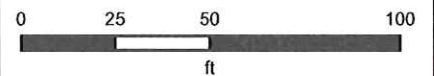


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