

► **FILE #:** 7-F-17-RZ

AGENDA ITEM #: 51

AGENDA DATE: 7/13/2017

► **APPLICANT:** RITA NEUBERT STATEWIDE REALTY INC.

OWNER(S): Statewide Realty, Inc

TAX ID NUMBER: 72 A A 005 PORTION ZONED C-3

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 6324 Asheville Hwy

► **LOCATION:** South side Asheville Hwy., east of E. Governor John Sevier Hwy.

► **APPX. SIZE OF TRACT:** 0.7 acres

SECTOR PLAN: East County

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

ACCESSIBILITY: Access is via Asheville Hwy., a major arterial street with 4 lanes and a center median within 170' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Fawver Creek

► **PRESENT ZONING:** C-3 (General Commercial)

► **ZONING REQUESTED:** C-4 (Highway and Arterial Commercial)

► **EXISTING LAND USE:** Business

► **PROPOSED USE:** Produce market / bait shop

EXTENSION OF ZONE: No, but there is C-4 nearby and abutting, similar CA zoning

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Asheville Hwy., vacant land / CA (General Business)

South: Commercial building and parking / CA (General Business)

East: Businesses / CA (General Business)

West: Businesses / CA (General Business)

NEIGHBORHOOD CONTEXT:

STAFF RECOMMENDATION:

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

C-4 zoning is consistent with the scale and intensity of the surrounding development and zoning pattern. The mixed use designations of the sector plan and one year plan both allow consideration of C-4 zoning for this site.

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. The proposal is compatible with the scale and intensity of the surrounding land uses and zoning pattern.
2. CA, CB, C-3 and C-4 zoning are in place on several properties in the immediate area, including adjacent

properties.

3. The site is located in an area of already established commercial uses and the proposal is consistent with that pattern.

4. The proposal is consistent with both the sector plan and one year plan proposals for the site.

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. The proposal would have a minimal impact on streets and no impact on schools. The impact on the streets will depend on the type of development proposed. Asheville Hwy. is a major arterial street capable of handling the additional traffic that may be generated under C-4 zoning.

2. The proposal is compatible with surrounding development and will have a minimal impact on the adjacent 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 East County Sector Plan and the Knoxville One Year Plan show this property within a mixed use special district (MU-SD-EC06). C-4 zoning may be considered within this special mixed use district.

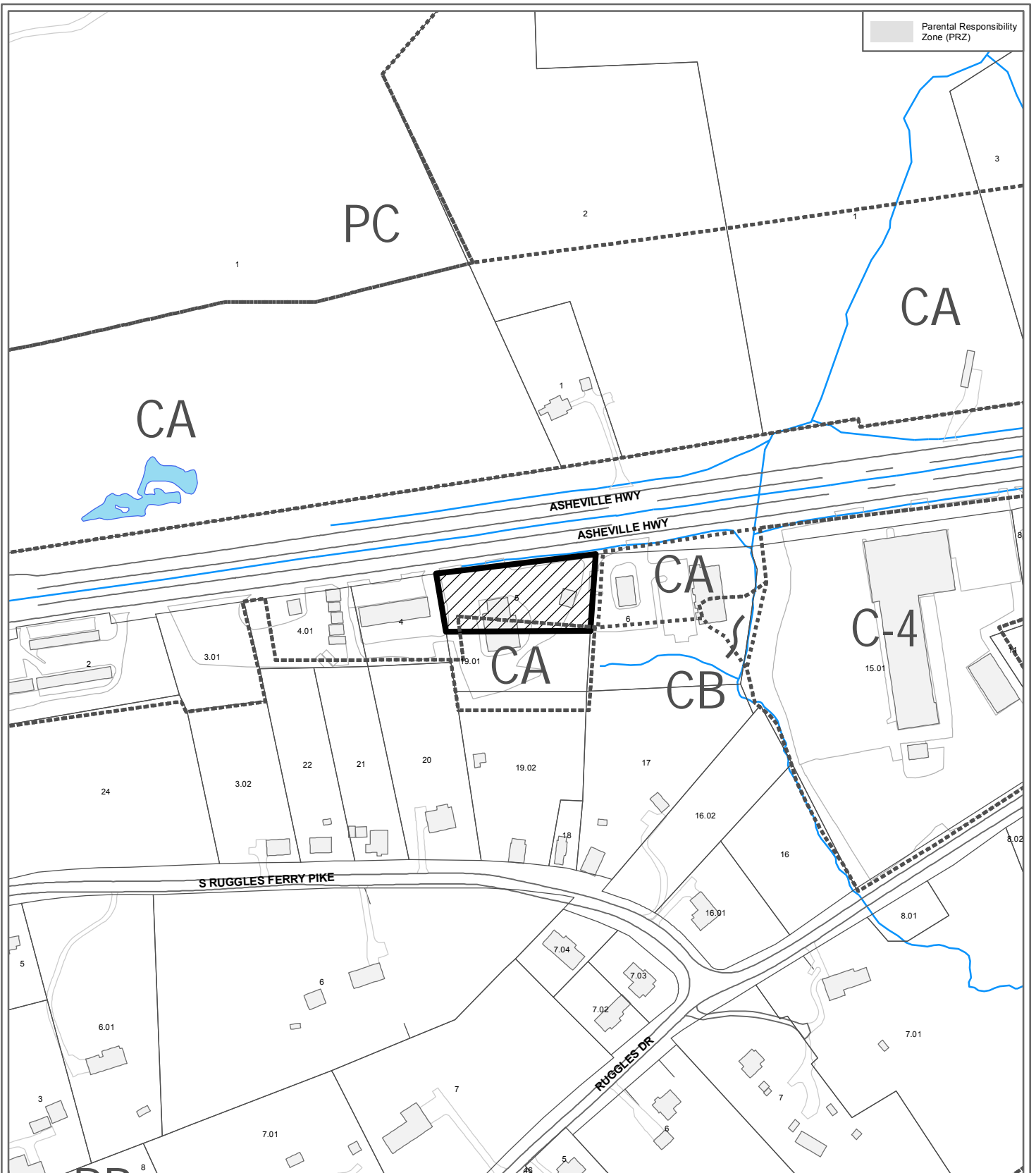
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.

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 8/15/2017 and 8/29/2017. 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.



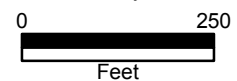
**7-F-17-RZ
REZONING**

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



Petitioner: Neubert, Rita, Statewide Realty Inc.

Map No: 72
Jurisdiction: City



Original Print Date: 6/15/2017
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

OYP: MU

SP: MU

KNOXVILLE-KNOX COUNTY

MPC
METROPOLITAN
PLANNING
COMMISSION

TENNESSEE

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
FAX • 215 • 2068
www.knoxmpc.org

REZONING **PLAN AMENDMENT**

Name of Applicant: RITA NEUBERT - Statewide Realty Inc.

Date Filed: 5/23/17 Meeting Date: 7/13/17

Application Accepted by: M. Payne

Fee Amount: 1000.00 File Number: Rezoning 7-F-17-RZ

Fee Amount: ~ File Number: Plan Amendment ~



6324 PROPERTY INFORMATION
 Address: 6326 ASHEVILLE HWY
 General Location: 3/5 Asheville Hwy due west of S. Rich Rd.
 Parcel ID Number(s): 072 AA 005
 Tract Size: 296.83 x 113.39 x 1RR
 Existing Land Use: P-REC
 Planning Sector: MIXED USE
 Growth Policy Plan: Urban
 Census Tract: 53.01
 Traffic Zone: 13D
 Jurisdiction: City Council 4 District
 County Commission District

Requested Change
REZONING
 FROM: C3
 TO: C4
PLAN AMENDMENT
 One Year Plan Sector Plan
 FROM: _____
 TO: _____

PROPOSED USE OF PROPERTY
PRODUCE MARKET
BAIT SHOP
 Density Proposed _____ Units/Acre
 Previous Rezoning Requests: _____

PROPERTY OWNER **OPTION HOLDER**
 PLEASE PRINT
 Name: RITA NEUBERT
 Company: Statewide Realty Inc
 Address: 1813 RIVER SHORES DR.
 City: Knoxville State: TN Zip: 37914
 Telephone: 865-919-4141
 Fax: 1-888-771-0441
 E-mail: RPNEUBERT@YANOO.COM

APPLICATION CORRESPONDENCE
 All correspondence relating to this application should be sent to:
 PLEASE PRINT
 Name: RITA NEUBERT
 Company: Statewide Realty Inc
 Address: 1813 RIVER SHORES DR.
 City: Knoxville State: TN Zip: 37914
 Telephone: 865-919-4141
 Fax: 1-888-771-0441
 E-mail: RPNEUBERT@YANOO.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: [Signature]
 PLEASE PRINT
 Name: RITA NEUBERT
 Company: Statewide Realty Inc.
 Address: 1813 RIVER SHORES DR.
 City: Knoxville State: TN Zip: 37914
 Telephone: 865-919-4141
 E-mail: RPNEUBERT@YANOO.COM