

▶ **FILE #:** 7-L-17-RZ

AGENDA ITEM #: 57

AGENDA DATE: 7/13/2017

▶ **APPLICANT:** THOMAS E. SMITH

OWNER(S): Thomas E. Smith

TAX ID NUMBER: 106 J D 032 PORTION ZONED RP-1

[View map on KGIS](#)

JURISDICTION: City Council District 3

STREET ADDRESS: 7407 Middlebrook Pike

▶ **LOCATION:** North side Middlebrook Pike, west of Francis Rd.

▶ **APPX. SIZE OF TRACT:** 1.3 acres

SECTOR PLAN: Northwest County

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

ACCESSIBILITY: Access is via Middlebrook Pike, a major arterial street with 4 lanes and a center median within 110' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Fourth Creek and Ten Mile Creek

▶ **PRESENT ZONING:** RP-1 (Planned Residential)

▶ **ZONING REQUESTED:** C-1 (Neighborhood Commercial)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Small retail

EXTENSION OF ZONE: Yes, extension of C-1 zoning from the south

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Residential apartments / RP-1 (Planned Residential)

South: Business, Middlebrook Pike / C-1 (Neighborhood Commercial)

East: Business / C-1 (Neighborhood Commercial)

West: Business / C-1 (Neighborhood Commercial)

NEIGHBORHOOD CONTEXT: This area on the north side of Middlebrook Pike is developed with small businesses under C-1 zoning. To the south, on the opposite side of Middlebrook Pike, is Shannondale Retirement Community, zoned R-2.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE C-1 (Neighborhood Commercial) zoning.**

C-1 zoning is consistent with both the One Year Plan and sector plan proposals for the property and is a logical extension of C-1 zoning from the south, to extend the same zoning over the entire parcel.

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 proposed C-1 zoning is compatible with the scale and intensity of the surrounding development and zoning pattern.
2. The proposal is a logical extension of C-1 zoning from the south.
3. The proposal is consistent with the One Year and sector plan proposals for the site.

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

1. The C-1 zone, as described in the zoning ordinance, is established to provide areas in which the principal use of land is devoted to the neighborhood store. It is a restricted commercial district, limited to a narrow range of retail, service and convenience goods only on the first floor of a structure. This district is designed for areas where large commercial operations are undesirable, but where individual proprietary stores are useful and desirable for the neighborhood.
2. Based on the above general intent, this site is appropriate for C-1 zoning and 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 no impact on schools. The impact on the street system would depend on the type of commercial development proposed. Water and sewer utilities are in place to serve the site.
2. The proposal is compatible with surrounding development and zoning, so the impact on adjacent properties should be minimal. Neighborhood commercial zoning and uses are already located to the east and west along this section of Middlebrook Pike.
3. This area is already developed with neighborhood commercial uses to the east and west, which will not be negatively impacted by commercial development of this site. C-1 uses should have minimal impact on nearby residential uses. No other area of the County will be impacted by this rezoning request.

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 City of Knoxville One Year Plan propose mixed uses for this site, consistent with the requested C-1 zoning.
2. The site is located within the City of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. The 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.



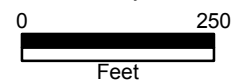
**7-L-17-RZ
REZONING**

From: RP-1 (Planned Residential)
To: C-1 (Neighborhood Commercial)



Petitioner: Smith, Thomas E.

Map No: 106
Jurisdiction: City



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

OYP: NC

SP: NC

KNOXVILLE KNOX COUNTY

MPC METROPOLITAN PLANNING COMMISSION TENNESSEE

Suite 403 • City County Building 400 Main Street Knoxville, Tennessee 37902 865 • 215 • 2500 FAX • 216 • 2068 www.knoxmpc.org

REZONING PLAN AMENDMENT

Name of Applicant: THOMAS E. SMITH

Date Filed: 5/30/17 Meeting Date: 7/13/17

Application Accepted by: Marc Payne

Fee Amount: \$1200.00 File Number: Rezoning 7-2-17-RZ

Fee Amount: File Number: Plan Amendment



PROPERTY INFORMATION
Address: 7407 MIDDLEBROOK PK.
General Location: N. SIDE OF MIDDLEBROOK, 1 BLOCK WEST OF FRANCIS ROAD
Parcel ID Number(s): 106JDO32
Tract Size: 2.22 ACRES
Existing Land Use: VACANT
Planning Sector: NORTHWEST COUNTY
Growth Policy Plan:
Census Tract: 46.14
Traffic Zone: 224 (2000)
Jurisdiction: [X] City Council THIRD District [] County Commission District

Requested Change
REZONING
FROM: (REAR PORTION OF LOT) RP-1
TO: C-1

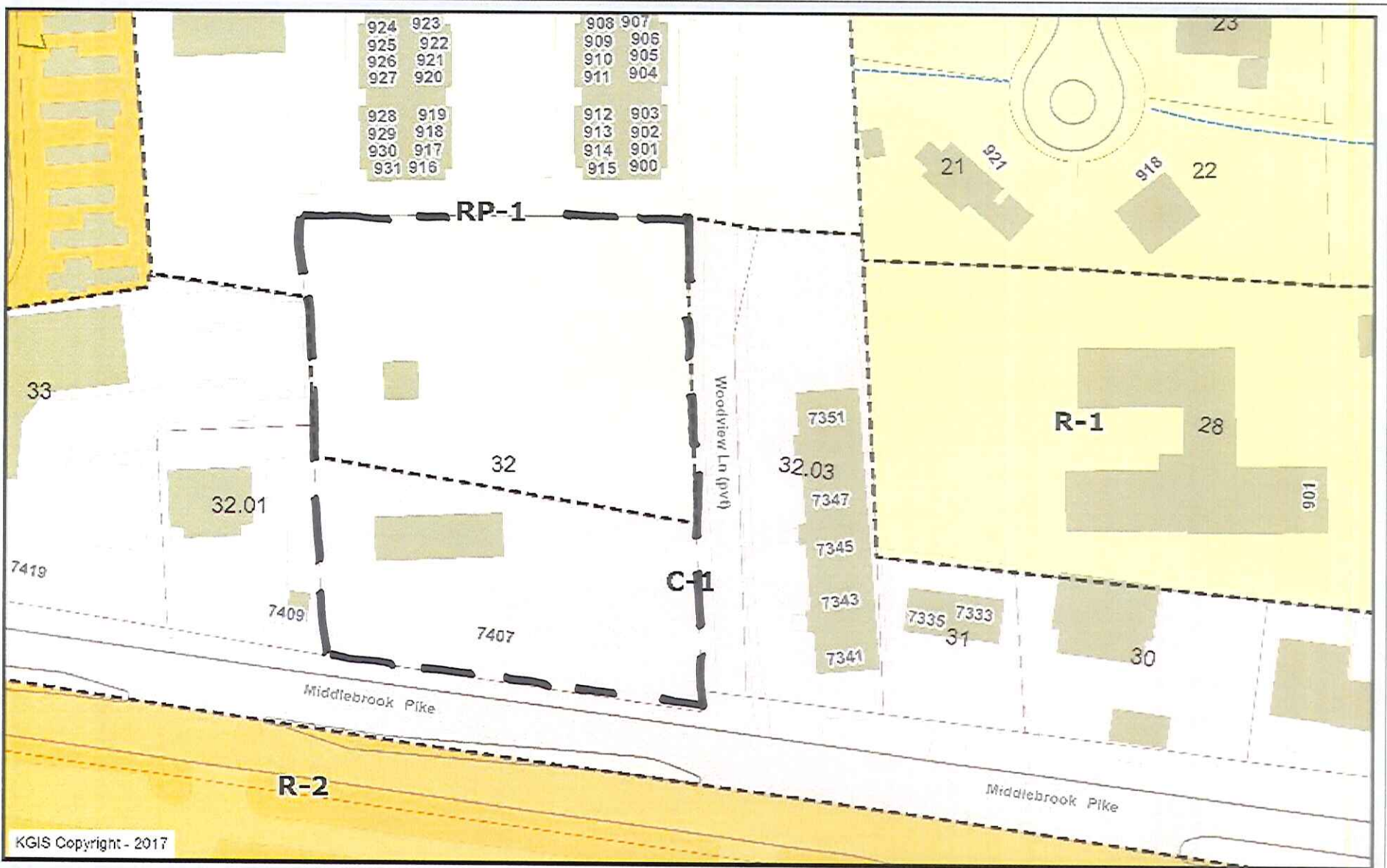
PLAN AMENDMENT
[] One Year Plan [] Sector Plan
FROM:
TO:

PROPOSED USE OF PROPERTY
SMALL RETAIL
Density Proposed Units/Acre
Previous Rezoning Requests:

PROPERTY OWNER OPTION HOLDER
PLEASE PRINT
Name: THOMAS E. SMITH
Company:
Address: 1010 WYNDHAM WAY, APT 1613
City: KNOXVILLE State: TN Zip: 37923
Telephone: 865-200-5142
Fax:
E-mail: DAVLINS@HOTMAIL.COM

APPLICATION CORRESPONDENCE
All correspondence relating to this application should be sent to:
PLEASE PRINT
Name: MATT SHERROD
Company: HOWARD & HOWARD
Address: 4820 OLD KNESTON PIKE
City: KNOXVILLE State: TN Zip: 37919
Telephone: (865) 588-4091
Fax:
E-mail: MATT@HOWARDHOWARDLAW.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: David B. Smith - Heir
PLEASE PRINT
Name: DAVID B. SMITH
Company:
Address:
City: State: Zip:
Telephone: 865-200-5142
E-mail: davlins1@hotmail.com



Letter Landscape

Printed: 5/31/2017 at 3:47:45 PM

Knoxville - Knox County - KUB Geographic Information System



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