

▶ **FILE #:** 2-A-18-RZ

AGENDA ITEM #: 27

AGENDA DATE: 2/8/2018

▶ **APPLICANT:** GRAHAM CORPORATION

OWNER(S): Graham Corporation

TAX ID NUMBER: 68 N D 015-019

[View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS:

▶ **LOCATION:** Northwest side Kermit Dr., northeast of Clinton Hwy.

▶ **APPX. SIZE OF TRACT:** 2.5 acres

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Kermit Dr., a local street with 19' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT ZONING:** SC-1 (Neighborhood Shopping Center) & C-3 (General Commercial)

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

▶ **EXISTING LAND USE:** Vacant, residential

▶ **PROPOSED USE:** Commercial uses

EXTENSION OF ZONE: Yes, extension of C-4 zoning from the southeast across Kermit Dr.

HISTORY OF ZONING: Request for C-4 zoning on parcels 14-18 in 2001 was withdrawn prior to hearing (10-I-01-RZ). Parcels 14-16 were rezoned from SC-1 to C-3 in 2007 (4-M-07-RZ).

SURROUNDING LAND USE AND ZONING: North: Various businesses / C-3 (General Commercial)

South: Kermit Dr., Joe Neubert Collision Center / C-4 (Highway & Arterial Commercial) with conditions

East: Vacant office building / C-3 (General Commercial)

West: Surface parking / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT: This area is developed with commercial and office uses under O-1, SC-1, C-3 and C-4 zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE C-3 (General Commercial) zoning. (Applicant requested C-4.)**

The predominant commercial zoning in the area is C-3. C-3 is a logical extension of zoning from three sides, and will allow reasonable use of the property for offices or businesses. C-4 zoning is not appropriate for this site, which has access only from Kermit Dr., which is classified as a local street. Although the current SC-1 zoning is not appropriate for parcels 16-19, C-4 should be reserved only for properties that have frontage on a highway or arterial street. Approval of the recommendation will result in all five requested parcels having the same C-3 zoning. Parcel 15 is already zoned C-3.

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 recommended C-3 zoning is compatible with the scale and intensity of the surrounding development and zoning pattern.
2. C-3 is a logical extension of zoning from three sides, and will allow reasonable use of this small property for either office or commercial.
3. The location of the property along a local street in a primarily commercial area makes it appropriate for C-3 uses, but not C-4.
4. The proposal is consistent with the One Year and sector plan proposals for the site, and C-3 is a logical extension of zoning from three sides.

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

1. The recommended 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. 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.
3. Based on the above general intent, this site is more appropriate for C-3 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 recommended C-3 zoning is compatible with surrounding development and zoning, so the impact on adjacent properties should be minimal. The request is a logical extension of zoning from three sides.
3. The area is developed primarily with commercial businesses which will not be negatively impacted by commercial zoning of this site. No other area of the County will be impacted by this rezoning request.

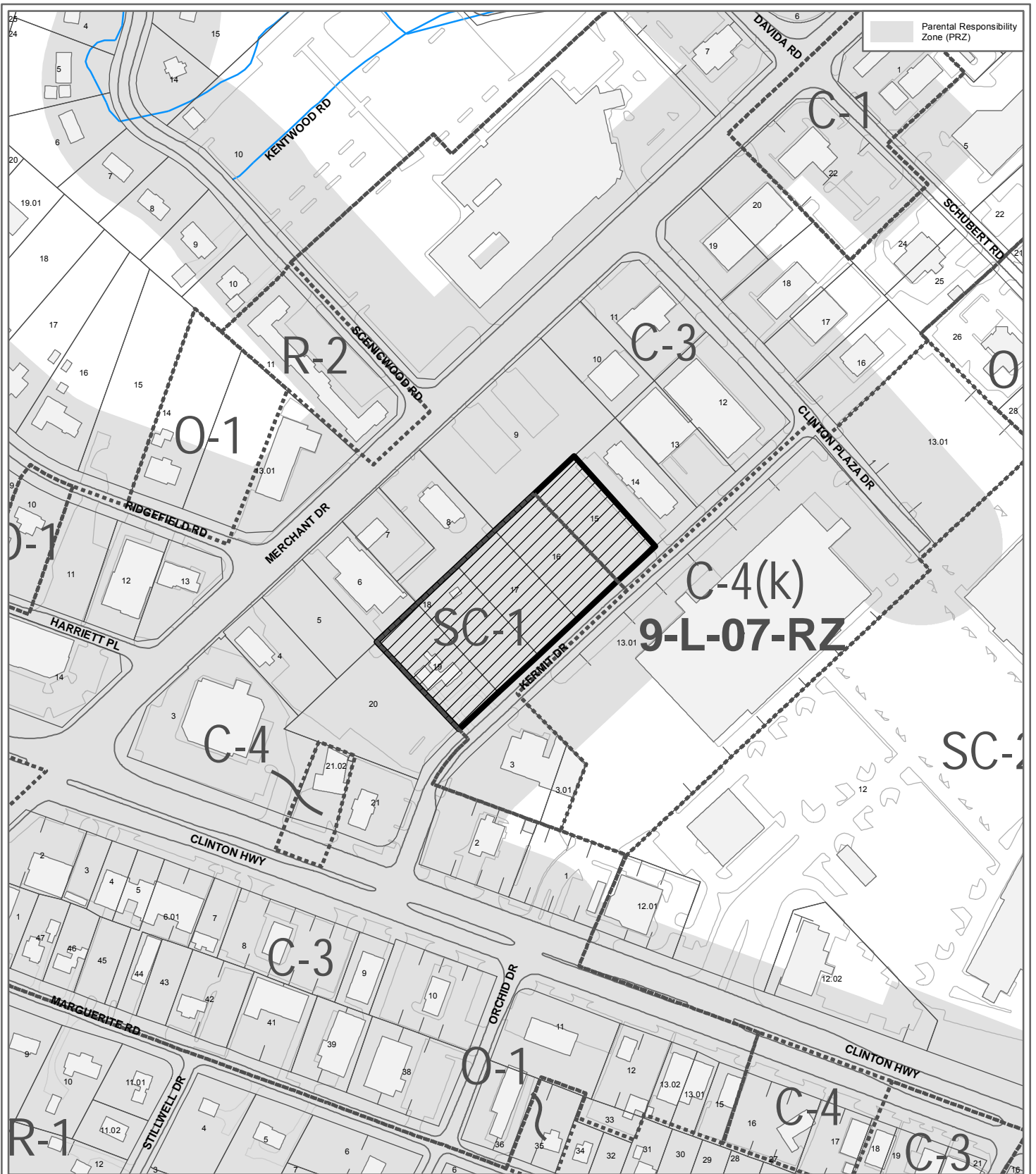
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. Both the Northwest City Sector Plan and the City of Knoxville One Year Plan propose GC (General Commercial) uses for this site, consistent with either the recommended C-3 or the proposed C-4 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 3/13/2018 and 3/27/2018. 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.



**2-A-18-RZ
REZONING**

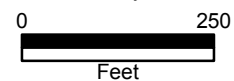
From: SC-1 (Neighborhood Shopping Center) & C-3 (General Commercial)
To: C-4 (Highway and Arterial Commercial)



Petitioner: Graham Corporation

Map No: 68

Jurisdiction: City



Original Print Date: 1/16/2018

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

REZONING **PLAN AMENDMENT**

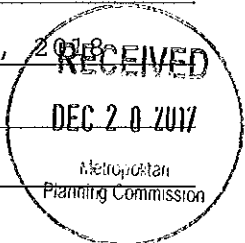
Name of Applicant: Graham Corporation

Date Filed: 12/20/2017 Meeting Date: February 8, 2018

Application Accepted by: M. Payne

Fee Amount: \$1,000 File Number: Rezoning 2-A-18-RZ

Fee Amount: File Number: Plan Amendment



PROPERTY INFORMATION

Address: 817, 819, 821, 823, 901 Kermit Dr
 General Location: near the intersection of Merchant Drive & Clinton Highway
1/2 Kermit Drive, 1/4 of Clinton Hwy
 Parcel ID Number(s): 068ND015, 068ND016, 068ND017, 068ND018, 068ND019
 Tract Size: 2+ acres
 Existing Land Use: Vacant, Residential
 Planning Sector: Northwest City
 Growth Policy Plan: Urban
 Census Tract: 39.02
 Traffic Zone: 147
 Jurisdiction: City Council 5 District
 County Commission 2 District

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT
 Name: Tim Graham
 Company: Graham Corporation
 Address: P.O. Box 12489
 City: Knoxville State: TN Zip: 37912
 Telephone: (865) 693-7000
 Fax: (865) 219-7421
 E-mail: info@grahamcorporation.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
 Name: Tim Graham
 Company: Graham Corporation
 Address: P.O. Box 12489
 City: Knoxville State: TN Zip: 37912
 Telephone: (865) 693-7000
 Fax: (865) 219-7421
 E-mail: info@grahamcorporation.com

Requested Change
REZONING

FROM: SC-1/C-3
 TO: C-4

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____
 TO: _____

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] 12-19-17

PLEASE PRINT
 Name: Tim Graham
 Company: Graham Corporation
 Address: P.O. Box 12489
 City: Knoxville State: TN Zip: 37912
 Telephone: (865) 693-7000
 E-mail: info@grahamcorporation.com

PROPOSED USE OF PROPERTY

Commercial uses- such as retail, or office, as is permitted in C-4 zoning

Density Proposed _____ Units/Acre
 Previous Rezoning Requests: _____

