

▶ **FILE #:** 7-I-18-RZ

AGENDA ITEM #: 40

AGENDA DATE: 7/12/2018

▶ **APPLICANT:** LAND DEVELOPMENT SOLUTIONS

OWNER(S): Rooney Land Development, LLC

TAX ID NUMBER: 120 I A 013

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 8529 Kingston Pike

▶ **LOCATION:** North side Kingston Pike, east side Walker Springs Rd.

▶ **APPX. SIZE OF TRACT:** 1.3 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 4 lanes with a center turn lane and 70' of pavement width within 100' of right-of-way, or Walker Springs Rd., a minor arterial street with 4 lanes and 52' of pavement width within 115-160' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Ten Mile Creek

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

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

▶ **EXISTING LAND USE:** Shoney's restaurant

▶ **PROPOSED USE:** Car wash

EXTENSION OF ZONE: Yes, extension of C-3 zoning from the south and east

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Vacant commercial building / C-4 (Highway & Arterial Commercial)

South: Kingston Pike, tire retailer / C-3 (General Commercial)

East: Professional offices / C-3 (General Commercial)

West: Walker Springs Rd., auto dealership / C-4 (Highway & Arterial Commercial)

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

STAFF RECOMMENDATION:

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

C-3 is a logical extension of zoning from the south and east and is consistent with the adopted land use plans for the area.

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 zoning from the south east.
2. C-3 zoning is consistent with the general commercial plan designation of the West City Sector Plan and the Knoxville One Year Plan.
3. C-3 zoning is appropriate for this site, which is adjacent to other commercial uses and zoning.
4. C-3 is a less intense commercial zoning than the current C-4 zoning of the property.

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 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 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 property is located along Kingston Pike, in an area that is heavily developed with a mix of commercial uses.

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 proposes general commercial uses for the site, consistent with the requested C-3 zoning.
2. The West City Sector Plan proposes general commercial uses for the site, consistent with the requested C-3 zoning.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. 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 8/14/2018 and 8/28/2018. 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.

REZONING **PLAN AMENDMENT**

Name of Applicant: Land Development Solutions

Date Filed: 5/29/18 Meeting Date: 7/12/18

Application Accepted by: M. Payne

Fee Amount: \$1,000. File Number: Rezoning 7-I-18-RZ

Fee Amount: H File Number: Plan Amendment H

PROPERTY INFORMATION

Address: 8529 Kingston Pike

General Location: Intersection of Kingston Pike & Walker Springs Road

Parcel ID Number(s): 120IA013

Tract Size: ~1.3 acres

Existing Land Use: Restaurant

Planning Sector: West City

Growth Policy Plan: _____

Census Tract: 57.04

Traffic Zone: 168

Jurisdiction: City Council 2 District
 County Commission _____ District

**Requested Change
REZONING**

FROM: C-4

TO: C-3

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____

TO: _____

PROPOSED USE OF PROPERTY

Carwash

Density Proposed _____ Units/Acre

Previous Rezoning Requests: _____

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT

Name: Jim Rooney

Company: Rooney Land Development LLC

Address: 3205 Airport Hwy

City: Alcoa State: TN Zip: 37701

Telephone: 865-218-9347

Fax: _____

E-mail: jrooney@3mmholdings.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: E. J. (Rusty) Baksa, Jr. P.E.

Company: Land Development Solutions

Address: 310-K Simmons Rd

City: Knoxville State: TN Zip: 37922

Telephone: 865-671-2281

Fax: _____

E-mail: rbaksa@ldstn.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: E. J. (Rusty) Baksa, Jr. P.E.

Company: Land Development Solutions

Address: 310-K Simmons Rd

City: Knoxville State: TN Zip: 37922

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