

▶ **FILE #:** 4-D-18-RZ (REVISED) **AGENDA ITEM #:** 32
 POSTPONEMENT(S): 4/12/2018 **AGENDA DATE:** 5/10/2018
 ▶ **APPLICANT:** BILL PETTY FOR DWAYNE LAY
 OWNER(S): Dwayne Lay

TAX ID NUMBER: 81 B K 021 [View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS: 105 Cedar Ave

▶ **LOCATION:** East side Bruhin Rd., north side Cedar Ave.

▶ **APPX. SIZE OF TRACT:** 0.6 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Bruhin Rd., a minor arterial street with 36' of pavement width within 65' of right-of-way, or Cedar Ave., a local street with 24' of pavement width within 40' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT ZONING:** R-2 (General Residential) / IH-1 (Infill Housing Overlay)

▶ **ZONING REQUESTED:** C-3 (General Commercial) / IH-1 (Infill Housing Overlay)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Warehouse

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Residences - I-3 (General Residential) / IH-1 (Infill Housing Overlay) and R-2 (General Residential) / IH-1

South: Cedar Ave., business - C-3 (General Commercial) / IH-1

East: Residence - R-2 (General Residential) / IH-1

West: Bruhin Rd., manufacturing business - I-3 (General Industrial) / IH-1

NEIGHBORHOOD CONTEXT: This area is developed with a mix of industrial, commercial and residential uses under I-1, I-2, I-3, C-3 and R-2 zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE C-3 (General Commercial) / IH-1 (Infill Housing Overlay) zoning.**

The requested C-3 zoning is consistent with both the One Year Plan and sector plan proposals for the property and is consistent with the surrounding development pattern. C-3 zoning will allow office and commercial uses on the site, in addition to some light industrial uses. C-3 uses will be compatible with the surrounding land uses and zoning pattern.

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 zoning is consistent with both the sector plan and One Year Plan designations for the property.
2. C-3 uses will be compatible with the surrounding land uses and zoning pattern.
3. C-3 zoning is appropriate for this site, which is adjacent to other commercial and light industrial uses and zoning, and has access to a minor arterial street.

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 zoning and development.
3. The IH-1 Infill Housing Overlay will remain in place regardless of the change to the base zoning. The IH-1 guidelines apply to residential development only, so will not impact this proposal.

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. C-3 zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.
2. The impact on the street system will depend on the type of development proposed.
3. Public water and sewer utilities are available to serve the site.

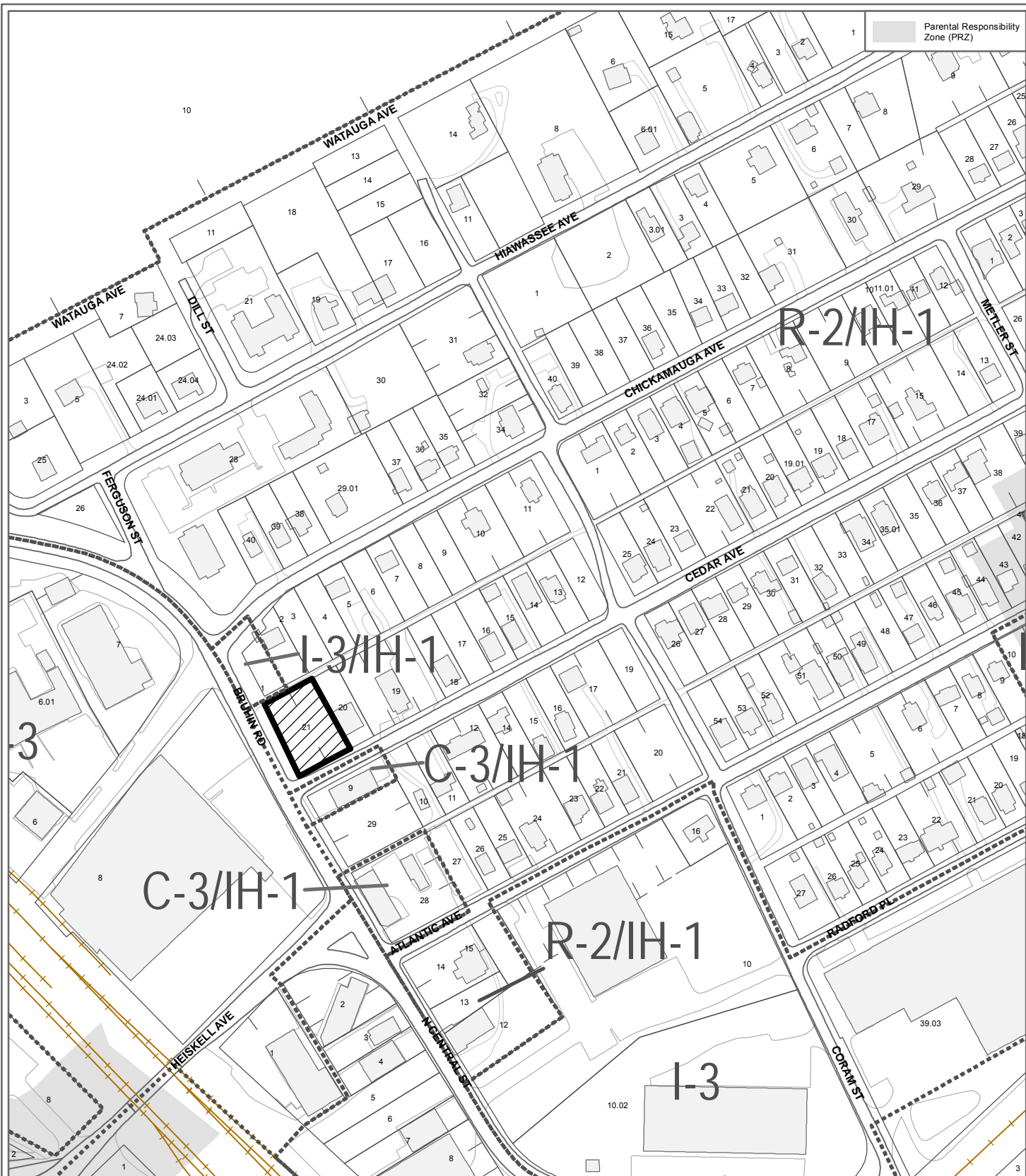
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Central City Sector Plan proposes GC (General Commercial) uses for this site, consistent with the proposed C-3 zoning.
2. The City of Knoxville One Year Plan proposes GC (General Commercial) uses for this site, consistent with the proposed 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 proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

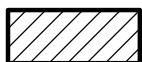
If approved, this item will be forwarded to Knoxville City Council for action on 6/5/2018 and 6/19/2018. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**4-D-18-RZ
REZONING**

From: R-2 (General Residential)/ IH-1 (Infill Housing Overlay)

To: C-6 (General Commercial Park)/ IH-1 (Infill Housing Overlay)



Original Print Date: 3/19/2018

Revised: 3/21/2018

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

Petitioner: Bill Petty for Dwayne Lay

Map No: 81

Jurisdiction: City



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

REVISED

5/2/18

Date Filed: 1/29/2018

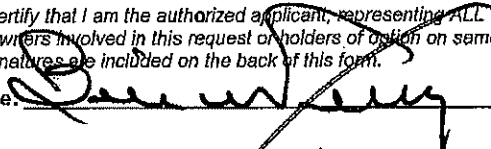
Name of Applicant: BILL PETTY FOR DWAYNE LAY

Meeting Date: 5/10/2018

Application Accepted By: Marc Payne

Rezoning File Number: 4-D-18-RZ

Plan Amendment File Number:

<p align="center">PROPERTY INFORMATION</p> <p>Street Address: 105 Cedar Ave</p> <p>General Location: East side Bruhin Rd., north side Cedar Ave.</p> <p>Tract Size: 0.6 acres</p> <p>Parcel ID: 81 B K 021</p> <p>Existing Land Use: Vacant land</p> <p>Planning Sector: Central City</p> <p>Growth Plan: Urban Growth Area (Inside City Limits)</p> <p>Census Tract(s): 29</p> <p>Traffic Zone(s): 144</p> <p>Jurisdiction: City Council District 5</p>	<p align="center">PROPERTY OWNER/OPTION HOLDER</p> <p>Dwayne Lay Knoxville, TN Telephone: _____ Fax: _____ Email: _____</p>
<p align="center">APPROVAL REQUESTED</p> <p align="center">Rezoning</p> <p>FROM: R-2 (General Residential) / IH-1 (Infill Housing Overlay)</p> <p>TO: C-3 (General Commercial) / IH-1 (Infill Housing Overlay)</p> <p align="center">Plan Amendment</p>	<p align="center">APPLICATION CORRESPONDENCE</p> <p><i>All correspondence relating to this application should be sent to:</i> Bill Petty 705 Gate Ln Suite 202 Knoxville, TN 37909 Telephone: 865-769-6969 Fax: 865-622-9541 Email: bpetty@prattaycock.com</p>
<p align="center">PROPOSED USE OF PROPERTY</p> <p>Warehouse</p> <p>Density Proposed:</p> <p>Previous Rezoning Requests: None noted</p>	<p align="center">APPLICATION AUTHORIZATION</p> <p><i>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.</i></p> <p>Signature:  Bill Petty 705 Gate Ln Suite 202 Knoxville, TN 37909 Telephone: 865-769-6969 Fax: 865-622-9541 Email: bpetty@prattaycock.com</p>

5/2/2018 9:29:10 AM

REZONING PLAN AMENDMENT

Name of Applicant: Bill Petty for Dwane Lay

Date Filed: 1/29/2018 Meeting Date: 4/12/2018

Application Accepted by: M. Payne

Fee Amount: 1,000.00 File Number: Rezoning 4-D-18-RZ

Fee Amount: X File Number: Plan Amendment X



PROPERTY INFORMATION

Address: 105 Cedar Avenue

General Location: E/S Bruhin Rd
N/S Cedar Ave

Parcel ID Number(s): 081BK021

Tract Size: 0.6

Existing Land Use: Vacant

Planning Sector: Central City

Growth Policy Plan: City

Census Tract: 29

Traffic Zone: 1A

Jurisdiction: City Council _____ District
 County Commission _____ District

Requested Change

REZONING

FROM: R-2

TO: C-6

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: N/A

TO: _____

PROPOSED USE OF PROPERTY

Warehouse

Density Proposed _____ Units/Acre

Previous Rezoning Requests: _____

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT

Name: Dwane Lay

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

Fax: _____

E-mail: _____

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: Bill W. Petty

Company: Pratt Aycock

Address: 705 Gate Lane, Suite 202

City: Knoxville State: TN Zip: 37909

Telephone: 865-769-6969

Fax: 865-622-9541

E-mail: bpetty@prattyaycock.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: Dwane E. Lay

Company: _____

Address: 135 Chickamauga Avenue

City: Knoxville State: TN Zip: 37917

Telephone: 865-525-4119

E-mail: _____