

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 11-P-24-RZ

Related File Number:

Application Filed: 9/30/2024

Date of Revision:

Applicant: TIM GRAHAM

PROPERTY INFORMATION

General Location: Northwest side of Kermit Dr, northeast of Clinton Hwy

Other Parcel Info.:

Tax ID Number: 68 N D 019

Jurisdiction: City

Size of Tract: 0.52 acres

Accessibility: Access is via Kermit Drive, a local street with 19 ft of pavement width within 50 ft of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land

Surrounding Land Use:

Proposed Use:

Density:

Planning Sector: Northwest City Plan Designation: MU-CC (Mixed Use Community Center)

Growth Policy Plan: N/A (Within City Limits)

Neighborhood Context: The subject property is within a large commercial area off of Clinton Highway and Merchant Drive, that comprises of primarily commercial and office uses.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 901 KERMIT DR

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-H-1 (Highway Commercial)

Former Zoning:

Requested Zoning: C-H-2 (Highway Commercial)

Previous Requests:

Extension of Zone: Yes, C-H-2 (Highway Commercial) abuts this property to the east.

History of Zoning: The property was rezoned from SC-1 (Neighborhood Shopping Center) to C-3 (General Commercial) in 2018 (2-A-18-RZ).

PLAN INFORMATION (where applicable)

Current Plan Category: MU-CC (Mixed Use Community Center)

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Kelsey Bousquet

Staff Recomm. (Abbr.): Approve the C-H-2 (Highway Commercial) district because it is consistent with the City of Knoxville's One-Year Plan and the surrounding development.

Staff Recomm. (Full):

Comments: PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

THE PROPOSED AMENDMENT IS NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY GENERALLY

1. The subject property is located near the intersection of Clinton Highway and Merchant Drive. In 2020, the City of Knoxville completed an Improvement Project at this intersection, allowing for more efficient turn movements and vehicle storage, extended sidewalks, and added signalized pedestrian crossings and refuge islands.
2. Development in this section of Clinton Highway has largely been commercial in nature. City building permit records show that 15 commercial permits have been obtained within a quarter mile of the subject property in the last two years, indicating an ongoing commercial trend in development.

THE PROPOSED AMENDMENT IS CONSISTENT WITH THE INTENT AND PURPOSES OF THIS CODE.

1. The C-H-2 (Commercial Highway) zoning district is intended to accommodate higher-intensity commercial uses of a predominantly auto-oriented character, including retail, rental, and service establishments. The subject property meets the C-H zone's description.
2. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any future development is compatible with the surrounding land uses. The property is already zoned C-H-1, and the different levels of C-H (C-H-1, C-H-2) allow the same uses, so the rezoning would not affect the applicant's ability to use the property for the intended use.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. The proposed C-H-2 district is consistent with the commercial development of the area and the surrounding districts, which include the O (office), C-H-1, and C-H-2 districts. The O, C-H-1, and C-H-2 districts have similar setback and lot size requirements. However, the C-H-2 district permits a maximum building height of 90 ft. In contrast, the O and C-H-1 districts have a maximum building height of 45 ft. The increased height allowance is not anticipated to have adverse impacts.
2. The C-H-2 district has design standards, whereas the C-H-1 district does not. The design standards are intended to foster attractive development that is compatible with the surrounding environment by regulating building design and fenestration items, such as building materials, visual elements, and pedestrian access.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE KNOXVILLE-KNOX COUNTY GENERAL PLAN AND ITS COMPONENT PARTS, INCLUDING ADOPTED SECTOR PLANS, CORRIDOR PLANS, AND RELATED DOCUMENTS.

1. The proposed rezoning supports the General Plan's Development Policy 9.3, to ensure the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities. The dimensional standards and allowable uses permitted in the C-H-2 district align with the neighboring land uses, which consist primarily of retail, dining, and service-oriented establishments of various sizes.
2. The subject property is designated MU-CC (Mixed Use Community Center) under the City's One Year Plan and Northwest City Sector Plan. The C-H zone is a permitted zone in the MU-CC land use

classification. Properties with the MU-CC land use type are encouraged to be located within a 0.25-mile radius of an arterial and arterial street intersection. The subject property is within 0.25-miles of the intersection of Merchant Drive, a minor arterial street, and Clinton Highway, a major arterial street.

WHETHER ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, STORM SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED.

1. This is an urbanized area with ample utility and facility infrastructure to support a rezoning of this site. The subject property is served by the Knoxville Utility Board (KUB) for water and sewer services.
2. There are two Knoxville Area Transit (KAT) bus route stops within walking distance of the subject property.

Action: Approved

Meeting Date: 11/14/2024

Details of Action:

Summary of Action: Approve the C-H-2 (Highway Commercial) district because it is consistent with the City of Knoxville's One-Year Plan and the surrounding development.

Date of Approval: 11/14/2024

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 12/10/2024

Date of Legislative Action, Second Reading: 1/7/2025

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: