

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 12-C-24-RZ **Related File Number:**
Application Filed: 10/28/2024 **Date of Revision:**
Applicant: WHITE REALTY & SERVICE CORPORATION

PROPERTY INFORMATION

General Location: Northeast corner of the intersection of Kingston Pike and Bearden Rd
Other Parcel Info.:
Tax ID Number: 121 B B 041 **Jurisdiction:** City
Size of Tract: 5.06 acres
Accessibility: Access is via Kingston Pike, a major arterial street with a 55-ft pavement width within a 64-ft right-of-way. Access is also via Bearden Road, a local street with a 25-ft pavement width within a 42-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Commercial
Surrounding Land Use:
Proposed Use: **Density:**
Planning Sector: West City **Plan Designation:** MU-SD (Mixed Use Special District), SP (Stream Protection)
Growth Policy Plan: N/A (Within City Limits)
Neighborhood Context: This section of Kingston Pike is characterized by a diverse array of service-oriented commercial and office uses. There are sidewalks on both sides of the corridor. Bearden High School is nearby to the east, and there is a bus stop in front of the subject property.

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

Street: 5941 KINGSTON PIKE
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-G-3 (General Commercial)
Former Zoning:
Requested Zoning: C-G-1 (General Commercial)
Previous Requests:
Extension of Zone: Yes, it is a minor extension from the east and across the corridor.
History of Zoning: A rezoning from the O-1 (Office, Medical and Related Services) and SC-1 (Neighborhood Shopping Center) districts to the C-3 (General Commercial) district was approved in 1987 (6-L-87-RZ)

PLAN INFORMATION (where applicable)

Current Plan Category: MU-SD (Mixed Use Special District), SP (Stream Protection)

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: Jessie Hillman

Staff Recomm. (Abbr.): Approve the C-G-1 (General Commercial) district because it is a minor extension that is consistent with established development of the site.

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 SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. The subject property is located on an established commercial corridor along Kingston Pike that sees ongoing redevelopment as lots transfer hands to different businesses and service-providers. The property itself is a built-out commercial strip shopping center that is more aligned with the dimensional standards of the requested C-G-1 (General Commercial) zoning district than the existing C-G-3 (General Commercial) zoning district.
2. The C-G-1 district would be a minor extension, as there is C-G-1 zoning adjacent to the east and across Kingston Pike as well. The C-G-1 district is prevalent throughout this section of Kingston Pike. The development conditions on the subject property and the surrounding area supports consideration of the proposed downzoning to a less intensive General Commercial district.

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

1. The C-G district is intended to provide for a heterogeneous mix of retail, personal service, office, and residential uses along commercial nodes and corridors. It promotes mixed-use development in a pedestrian-oriented environment that recalls the City's traditional business districts, and offers flexibility in the creation of integrated commercial, office and residential spaces.
2. The C-G district is divided into three levels of intensity related to the overall form and design of the development; however, uses are the same across all levels. These levels are designated as the C-G-1, C-G-2, and C-G-3 districts, with the C-G-1 district being the lowest intensity. The main factor in the level of intensity is the maximum building height, which is 45 ft in C-G-1 and unlimited in C-G-3. The C-G-3 district requires that portions of buildings be located close to front and side streets (build-to zone and build-to percentage), which is not required in the C-G-1 district.
3. C-G-1 zoning used to be the only C-G district without design standards, but this was amended in September of this year so that all intensity levels of the C-G zoning district have the same design standards relating to fenestration, façade and site design (case 5-B-24-OA).
4. The existing building form and configuration on the subject property is reflective of the C-G-1 district and would enable modest redevelopment that maintains that character. This is a fully occupied and active commercial strip. Demolishing the existing structures to redevelop in a way that is consistent with the dimensional standards of C-G-3 zoning would be challenging and unlikely to occur. Since the C-G-1 district would remove barriers to minor improvements and upgrades to the shopping center, staff recommend approval of the rezoning request.

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 C-G-1 district is consistent with how the subject property is already constructed and operating. There are no adverse impacts anticipated to occur with maintaining this commercial layout.

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. Rezoning to the C-G-1 district is consistent with the West City Sector Plan's MU-SD WC-1 (Mixed Use Special District Bearden Village) land use classification. It promotes a more pedestrian-oriented commercial layout. While the C-G-1 district does not require a build-to zone or percentage that places buildings next to the sidewalk, it does not prohibit this from occurring. The existing strip commercial design of the subject property already connects directly to the Kingston Pike sidewalk network and provides sheltered pedestrian access to all the shops on site. With the new design standards that are now being applied to the C-G-1 district, future redevelopment will adhere to elements intended to serve the pedestrian interest as well. This includes site design elements that ensure safe pedestrian access from the public right-of-way and pedestrian circulation within the development.

2. The rezoning is aligned with the General Plan's Development Policy 8.10 to encourage redevelopment of obsolete commercial strip space by providing incentives for infill rather than greenfield development. While this commercial strip center is by no means obsolete, this rezoning does remove barriers to infill expansion and improvement that would otherwise be challenging under the current C-G-3 zoning.

ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY 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. The subject property is located in an urbanized area with ample infrastructure capacity to accommodate the requested rezoning.

Action: Approved

Meeting Date: 12/12/2024

Details of Action:

Summary of Action: Approve the C-G-1 (General Commercial) district because it is a minor extension that is consistent with established development of the site.

Date of Approval: 12/12/2024

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: 1/7/2025

Date of Legislative Action, Second Reading: 2/6/2025

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: