

▶ **FILE #:** 1-J-17-RZ

AGENDA ITEM #: 49

AGENDA DATE: 1/12/2017

▶ **APPLICANT:** NET LEASE ALLIANCE, LLC

OWNER(S): NJAJKS, LLC

TAX ID NUMBER: 120 G B 010, 011

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 7621 Kingston Pike

▶ **LOCATION:** North side Kingston Pike, south side West Town Way, east side Leonard Rogers St.

▶ **APPX. SIZE OF TRACT:** 4.24 acres

SECTOR PLAN: West City

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

ACCESSIBILITY: Access is from West Town Way, an interstate frontage road that has varying number of lanes (1 - 2). The site also has frontage but currently no access to Kingston Pike, a major arterial with varying number of lanes (7 - 10) within 190' right of right way, and Lenard Rogers Street, a major collector with 86' of pavement within 144' of right of way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Fourth Creek

▶ **PRESENT ZONING:** C-5 (Tourist Commercial)

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

▶ **EXISTING LAND USE:** Vacant hotel.

▶ **PROPOSED USE:** Commercial retail

EXTENSION OF ZONE: Yes, from the west

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: I-40 right of way / C-5 (tourist commercial district)

South: West Town Mall / SC-3 (regional shopping center district)

East: TN Highway Patrol Office / C-5 (tourist commercial district)

West: Hotel, vacant commercial land / C-3 (general commercial district)

NEIGHBORHOOD CONTEXT: Regional shopping district with West Town Mall to the south and various other retail and office uses on the south side of I-40. The West Hills residential neighborhood on the north side of the interstate.

STAFF RECOMMENDATION:

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

The requested C-3 zoning will allow the continued use of the existing hotel or redevelopment of the site for commercial or office uses. The proposal is consistent with the One Year Plan and sector plan proposals for the site.

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. This property is within a regional commercial shopping district, which includes West Town Mall to the south.
2. The current C-5 (tourist commercial) zoning limits the types of commercial uses to those most important for travelers, including hotels & resorts, restaurants, gas stations and souvenir shops.
3. There is an existing hotel on the site which has been vacant for several years. The area around West Town Mall continues to be a viable regional shopping district but tourist related services, such as hotels, have been locating in other parts of the city.

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

1. The C-3 district is for personal and business services and general retail business. Districts in this category are intended to include areas where commercial development has displaced or is displacing residential development, or is moving in on vacant lands. 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 subject site is within a regional commercial shopping district and meets the intent of encouraging infill commercial development within existing commercial areas.

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. Public water and sanitary sewer utilities are available in the area.
2. Access to the site will require TDOT driveway permits for all new vehicular access points. The existing access is on the north side of the property from West Town Way. TDOT has stated that any new driveways will be right-in/right-out but has not approved any new driveway locations at this time.
3. There are existing sidewalks on two sides of the block where the subject site is located, on the east side along Buckingham Drive and the south side along Kingston Pike. Any future redevelopment of the site should make a pedestrian connection to the existing sidewalk system.

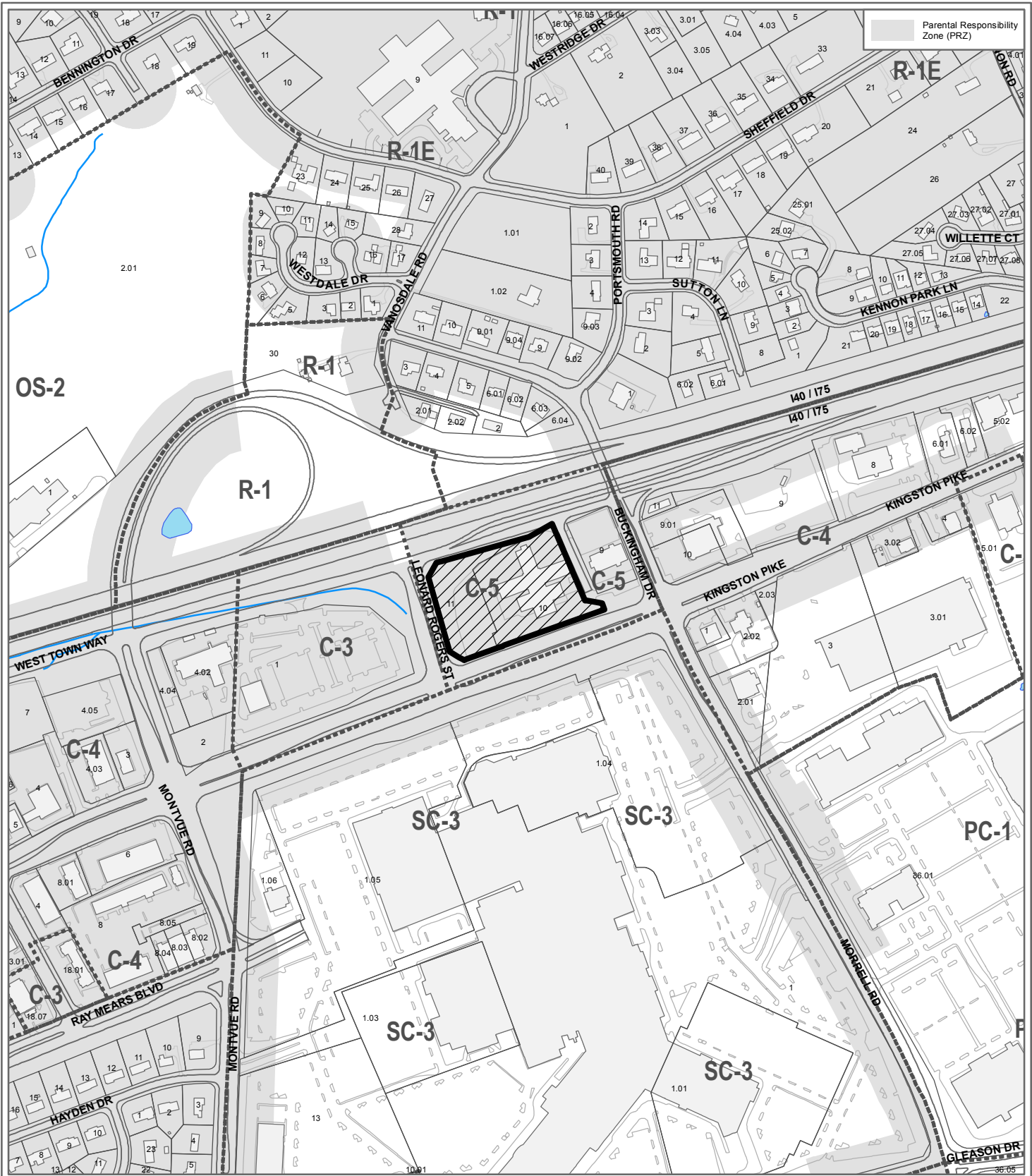
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The West City Sector Plan and the One Year Plan recommend Regional Mixed Use Center (MU-RC) uses for the site. This mixed use district includes West Town Mall, the commercial properties along Morrell Road, and the adjacent properties on the north side of Kingston Pike and south of I-40.
2. The recommended uses and zoning of the Regional Commercial (RS) land use classification are allowed to be considered in the MU-RC classification. The RS district allows consideration of the requested C-3 when it is used as infill within areas already zoned commercially.
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.

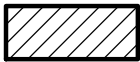
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 2/14/2017 and 2/28/2017. 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.



**1-J-17-RZ
REZONING**

From: C-5 (Tourist Commercial)
To: C-3 (General Commercial)



Petitioner: Net Lease Alliance, LLC

Map No: 120
Jurisdiction: City



Original Print Date: 12/21/2016 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

OYP: MU-RC

SP:

KNOXVILLE-KNOX COUNTY

M P C METROPOLITAN P L A N N I N G C O M M I S S I O N

T E N N E S S E E

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
FAX • 215 • 2068
www.knoxmpc.org

REZONING PLAN AMENDMENT

Name of Applicant: Netlease Alliance, LLC

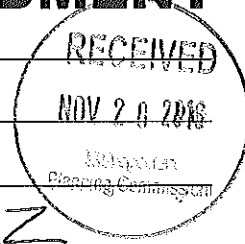
Date Filed: 11-21-16

Meeting Date: 1/2/17

Application Accepted by: Marc Payne

Fee Amount: \$1,000.00 File Number: Rezoning 1-J-17-RZ

Fee Amount: — File Number: Plan Amendment —



PROPERTY INFORMATION

Address: 7621 Kingston Pike
 General Location: West Town Mall area
~~15/16/17/18/19/20/21/22/23/24/25/26/27/28/29/30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/100~~
 Parcel ID Number(s): 120 GB 011 & 010
 Tract Size: 4.24 acres
 Existing Land Use: Commercial
 Planning Sector: West City
 Growth Policy Plan: Urban
 Census Tract: 44.03
 Traffic Zone: 159
 Jurisdiction: City Council Duane Grieve District
 County Commission _____ District

Requested Change

REZONING

FROM: C-5
 TO: C-3

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____
 TO: _____

PROPOSED USE OF PROPERTY

Commercial retail re-development

Density Proposed n/a Units/Acre _____
 Previous Rezoning Requests: _____

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT
 Name: NLAJKS, LLC
 Company: Net Lease Alliance, LLC
 Address: 725 Cool Springs Blvd, Suite 600
 City: Franklin State: TN Zip: 37067
 Telephone: 615-815-1465
 Fax: _____
 E-mail: cwilliams@netleasealliance.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
 Name: Chad Williams
 Company: Net Lease Alliance, LLC
 Address: 725 Cool Springs Blvd, Suite 600
 City: Franklin State: TN Zip: 37067
 Telephone: 615-815-1465
 Fax: _____
 E-mail: cwilliams@netleasealliance.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: Chad Williams
 Company: Net Lease Alliance, LLC
 Address: 725 Cool Springs Blvd, Suite 600
 City: Franklin State: TN Zip: 37067
 Telephone: 615-815-1465
 E-mail: cwilliams@netleasealliance.com

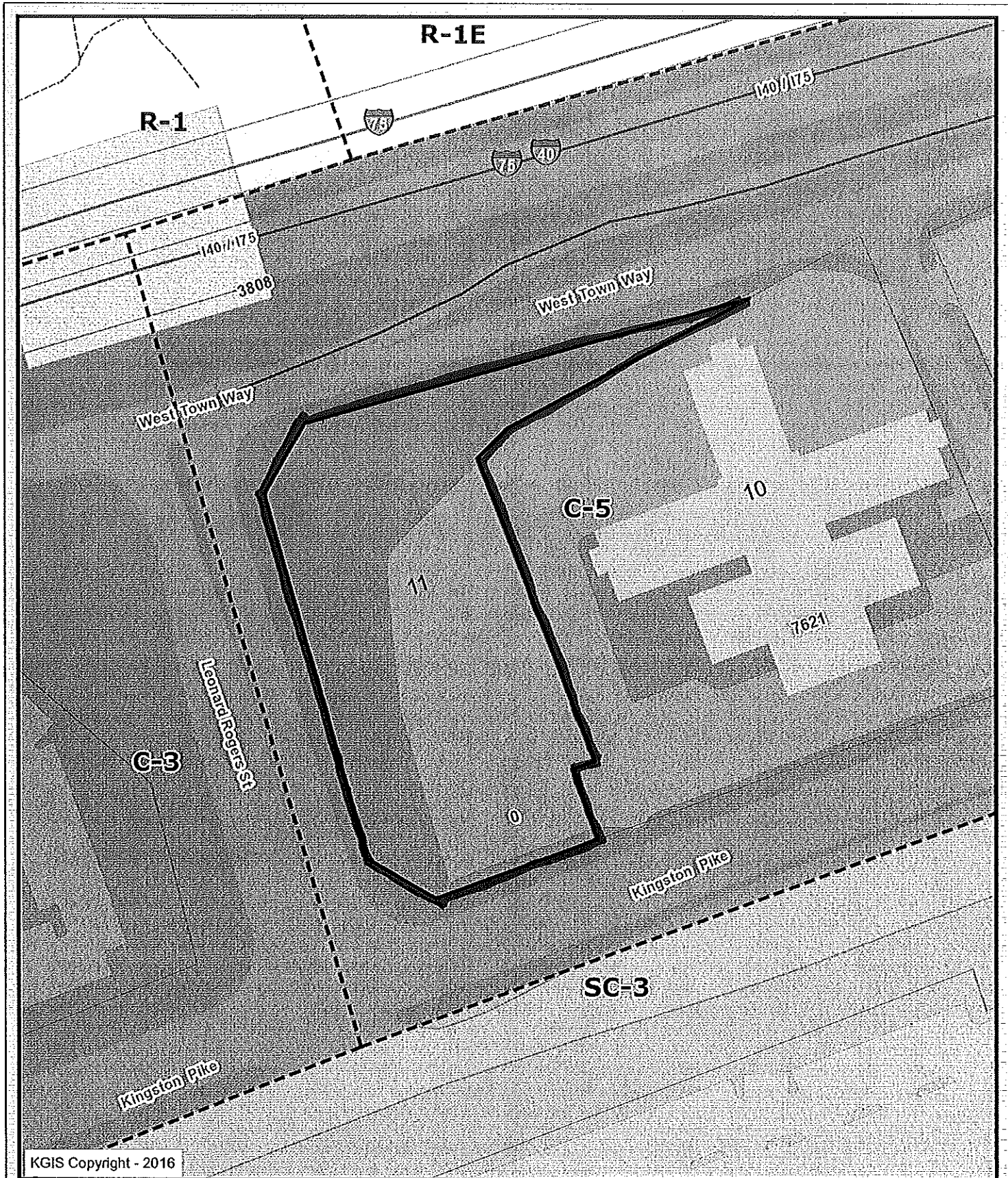
NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:

Please Print or Type in Black Ink:

(If more space is required attach additional sheet.)

Name	Address	City	State	Zip	Owner	Option
BALLYBUNION INVESTMENTS, INC.	11350 STE 200 EXECUTIVE PLAZA	HUNT VALLEY, MD		21031	<input checked="" type="checkbox"/>	

NLAJKS, LLC	725 COOL SPRINGS, BLVD., SUITE 600	FRANKLIN, TN		37067		<input checked="" type="checkbox"/>
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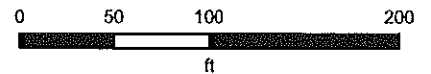


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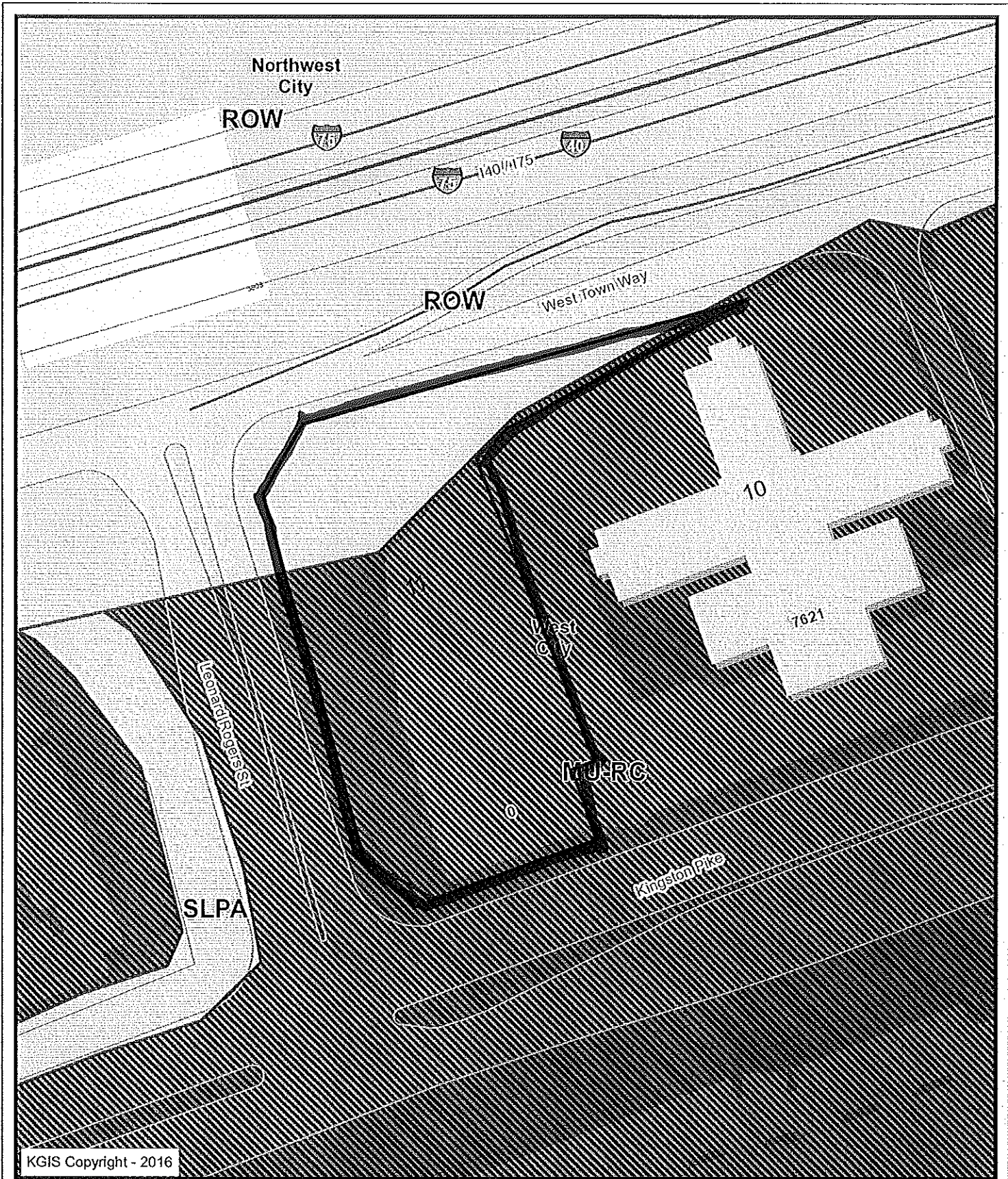
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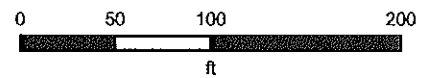
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