

**CASE SUMMARY**  
**APPLICATION TYPE: REZONING**  
**ONE YEAR PLAN AMENDMENT**



**File Number:** 10-F-13-RZ                      **Related File Number:** 10-C-13-PA  
**Application Filed:** 8/26/2013              **Date of Revision:**  
**Applicant:** CRAIG ALLEN

**PROPERTY INFORMATION**

**General Location:** South side Middlebrook Pike, east side N. Gallaher View Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 106 P A 037                      **Jurisdiction:** City  
**Size of Tract:** 3.95 acres  
**Accessibility:**

**GENERAL LAND USE INFORMATION**

**Existing Land Use:** Vacant residential  
**Surrounding Land Use:**  
**Proposed Use:** Self storage facility                      **Density:**  
**Sector Plan:** Northwest City              **Sector Plan Designation:** LDR, STPA & SLPA  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:**

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

**Street:** 962 N Gallaher View Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

**ZONING INFORMATION (where applicable)**

**Current Zoning:** R-1E (Low Density Exclusive Residential)  
**Former Zoning:**  
**Requested Zoning:** C-6 (General Commercial Park)  
**Previous Requests:** None noted  
**Extension of Zone:**  
**History of Zoning:**

**PLAN INFORMATION (where applicable)**

**Current Plan Category:** LDR (Low Density Residential)  
**Requested Plan Category:** GC (General Commercial)

**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.:

**MPC ACTION AND DISPOSITION**

Planner In Charge: Michael Brusseau

Staff Recomm. (Abbr.): DENY C-6 (General Commercial Park) zoning.

Staff Recomm. (Full): The site has limited access, is surrounded by residential uses, and has slope constraints. C-6 zoning is not appropriate at this location.

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 site is now developed with a house that sits on top of a hill. Commercial uses would likely require extensive grading, especially for the proposed self storage facility. If development were located only on the small, flatter portion of the site at the top, the sloped access drive would not be acceptable for commercial development, especially if it includes large vehicles, such as moving vans and vehicles with trailers that typically would be used for visits to a self-service storage facility.  
2. The site abuts low density residential uses, zoned R-1E. Commercial and light industrial uses allowed under C-6 zoning would not be compatible with those uses. Staff recognizes that there is a C-3 zoned site to the west (Weigel's). However, that use has long been established and that site is smaller and more level, and is not surrounded by low density residential uses. That established commercial node is clearly separated from the subject property by the right-of-way of N. Gallaher View Rd. and the Ten Mile Creek floodway.  
3. The current access to the site is from N. Gallaher View Rd., at a location about 400 feet south of the intersection of N. Gallaher View Rd. and Middlebrook Pike, which is controlled by a traffic signal. There could be traffic conflicts because of the proximity of the entrance to an intersection of two four-lane heavily travelled streets. Left turns from N. Gallaher View Rd into the site could be especially problematic.

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

1. The requested C-6 zoning is intended to encourage the clustering of commercial activities within areas specifically designed to accommodate the activities and to discourage the proliferation of commercial uses along major thoroughfares and noncommercial areas. The following 6 concepts are emphasized in the zoning ordinance: 1) To encourage the clustering of commercial activities within areas specifically designed to accommodate the activities and to discourage the proliferation of commercial uses along major thoroughfares and noncommercial areas, 2) To provide for the orderly development of commercial activities so that any adverse impact on surrounding uses and on the general flow of traffic can be ameliorated, 3) To encourage an orderly and systematic development design providing the rational placement of activities, parking and auto circulation, pedestrian circulation, access and egress, loading and landscaping, 4) To encourage commercial development which is consistent with the long range, comprehensive, general plan for Knoxville and Knox County, 5) To allow for mixing of light industrial (manufacturing) uses with compatible commercial uses as stated within the C-6 zoning district, and 6) To encourage general commercial activities to locate in areas that have access to a major street system.
2. Staff is of the opinion that this site is not appropriate for C-6 uses, because of access and compatibility concerns.

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 impact of this proposal would depend on the type of commercial development proposed. Certain uses could have a negative impact on the streets and adjacent properties.
2. Approval of C-6 zoning would open up the possibility of a significant number of potentially non-compatible and inappropriate uses being developed at this site.
3. Public water and sanitary 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 Northwest City Sector Plan appropriately proposes low density residential uses and slope/stream protection for the site, which should be maintained.
2. The One Year Plan appropriately proposes low density residential uses for the site, which should also be maintained.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. Approval of this request could lead to future requests for commercial plan designations and zoning, which would not be consistent with the future land use proposals of the sector plan.

**Action:** Denied (Withdrawn) **Meeting Date:** 11/14/2013

**Details of Action:**

**Summary of Action:** Withdraw at the request of the applicant.

**Date of Approval:** **Date of Denial:** **Postponements:** 10/10/13

**Date of Withdrawal:** 11/14/2013 **Withdrawn prior to publication?:**  **Action Appealed?:**

### **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:**

**Date of Legislative Action:**

**Date of Legislative Action, Second Reading:**

**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:**