

CASE SUMMARY

APPLICATION TYPE: REZONING

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

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File Number: 10-J-17-RZ **Related File Number:**
Application Filed: 8/30/2017 **Date of Revision:**
Applicant: TIM DWYER LEESMAN ENGINEERING

PROPERTY INFORMATION

General Location: Southeast side Moss Grove Blvd., south of Kingston Pike
Other Parcel Info.:
Tax ID Number: 132 02719 **Jurisdiction:** City
Size of Tract: 1.75 acres
Accessibility: Access is via Moss Grove Blvd., a private street with 4 lanes and a center median within 100' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Tire Discounters auto service center **Density:**
Sector Plan: Southwest County **Sector Plan Designation:** CC
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This site is located within the Sherrill Hill commercial and residential subdivision, accessed from Moss Grove Blvd. The entire subdivision has been developed under either PC-1, O-1 or RP-1 zoning. All existing development within Sherrill Hill was subject to public review of site plan at MPC.

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

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PC-1 (Retail and Office Park)
Former Zoning:
Requested Zoning: C-6 (General Commercial Park)
Previous Requests: Rezoned to PC-1 in 2007 (8-F-07-RZ)
Extension of Zone: No
History of Zoning: The Sherrill Hill site was rezoned to PC-1 and O-1 with conditions in 2007 (8-F-07-RZ).

PLAN INFORMATION (where applicable)

Current Plan Category:

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.:

MPC ACTION AND DISPOSITION

Planner In Charge: Michael Brusseau

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

Staff Recomm. (Full): The requested C-6 zoning allows commercial, as well as light industrial uses, with no required public review of site plans. The entire commercial portion of the Sherrill Hill Subdivision has been developed under PC-1 zoning, which is subject to use on review approval of site plans by MPC. C-6 zoning of this site will allow potentially less compatible uses with no public review of plans, giving this developer a different set of rules to develop the site than all surrounding properties within the subdivision.

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. The site is already zoned PC-1, which allows consideration of most commercial uses, The City of Knoxville Building Official has determined that PC-1 zoning does not allow consideration of the proposed tire store. C-6 or PC-2 would allow it, but are not appropriate at this location.
2. The Southwest County Sector Plan recommends CC (Community Commercial) for the site, which recommends the use of only planned zones for new development. Although C-6 zoning is mentioned in the sector plan under "other zoning to consider", it is only to be used for infill development in areas that already have an established pattern of unplanned commercial zones, such as C-3, C-4 or C-6.
3. The existing zoning pattern is appropriate. Rezoning of the subject property to C-6 would be a spot zoning that would allow this property to be developed with a different set of regulations than the rest of the development.

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 and to discourage the proliferation of commercial uses along major thoroughfares and noncommercial areas. The following six 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. Based on the above general intent, this site may not be appropriate for C-6 zoning. C-6 allows more intense uses than PC-1 zoning and has a different set of regulations than the current PC-1 zoning.

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. If C-6 zoning is approved for this property, it allows potentially more intense development than the rest of Sherrill Hill with no public review of plans.
2. The entire commercial portion of Sherrill Hill has been developed under PC-1 zoning. The subject property should be subject to the same regulations as neighboring properties.

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. Both the Southwest County Sector Plan and the City of Knoxville One Year Plan propose CC (Community Commercial) uses for the site. The CC designation recommends that all new development occur in planned zoning districts, such as the current PC-1 zoning. The requested C-6 zoning could only be considered if it was infill development in an area that already has established unplanned zones, such as C-3, C-4 or C-6. This site is surrounded by PC-1 zoning, which is a planned zone supported by the sector plan, so the sector plan does not support PC-1 zoning at this location. The table from the Southwest County Sector Plan with a description of the CC future land use designation is attached.

2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.

3. This current zoning does not present any apparent conflicts with any other adopted plans, and should be maintained.

Action: Approved as Modified **Meeting Date:** 11/9/2017
Details of Action: APPROVE C-6 (General Commercial Park) zoning, subject to required use on review development plan approval by MPC prior to construction.
Summary of Action: APPROVE C-6 (General Commercial Park) zoning, subject to required use on review development plan approval by MPC prior to construction.
Date of Approval: 11/9/2017 **Date of Denial:** **Postponements:** 10/12/2017
Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council
Date of Legislative Action: 12/5/2017 **Date of Legislative Action, Second Reading:** 12/19/2017
Ordinance Number: **Other Ordinance Number References:**
Disposition of Case: Approved **Disposition of Case, Second Reading:** Approved
If "Other": **If "Other":**
Amendments: **Amendments:**
Date of Legislative Appeal: **Effective Date of Ordinance:**