

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: 12-G-13-RZ

Related File Number:

Application Filed: 10/25/2013

Date of Revision:

Applicant: LEN JOHNSON

PROPERTY INFORMATION

General Location: North side Chapman Hwy., southeast side E. Ford Valley Rd.

Other Parcel Info.:

Tax ID Number: 124 I C 013

Jurisdiction: City

Size of Tract: 0.81 acres

Accessibility: Access is via Chapman Hwy., a major arterial street with 4 lanes and 65' of pavement width within 145' of right-of-way, or E. Ford Valley Rd., a local street with 17' of pavement width within 50' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land

Surrounding Land Use:

Proposed Use: Automobile sales lot

Density:

Sector Plan: South City

Sector Plan Designation: GC

Growth Policy Plan: Urban Growth Area (Inside City Limits)

Neighborhood Context: Properties fronting on Chapman Hwy. are developed with commercial uses under C-3 and C-4 zoning. Residential uses are to the rear of the businesses, zoned R-1.

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

Street: 302 E Ford Valley Rd

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-3 (General Commercial)

Former Zoning:

Requested Zoning: C-4 (Highway and Arterial Commercial)

Previous Requests: None noted

Extension of Zone: Yes, extension of C-4 from three sides

History of Zoning: None noted

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-4 (Highway & Arterial Commercial) zoning.

Staff Recomm. (Full):

C-4 zoning at this location would allow uses that would not be compatible with adjacent residential uses to the north and west. There is more than enough C-4 zoning in place along Chapman Hwy. already. The applicant has reasonable use of the property under the current C-3 zoning.

C-4 limited to C-3 uses and vehicle sales, and subject to four conditions.

- 1) Installation of a Type A landscape (MPC) screen along the northwest property line and maintenance of the existing landscape buffer along the northeast property line, facing or adjoining existing residential zoning. The Type A landscape screen shall only include evergreen plant material.
- 2) The fixtures for any exterior lighting shall be either full cut-off, or directionally shielded.
- 3) The light source, which shall be LED, shall be directed away from adjoining residential areas.
- 4) No vehicular access shall be allowed from the subject property to E. Ford Valley Rd.

Comments:

MPC postponed this request at the December 12, 2013 meeting for 60 days. MPC requested that staff draft some zoning conditions that could be utilized on the property if C-4 zoning were to be recommended for approval. Staff has attached some proposed conditions. These were provided to use at the neighborhood meeting that took place on January 23 to discuss this proposal. Staff continues to recommend that C-4 zoning be denied.

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. No significant changes have occurred in the area that warrant the requested change in zoning. This site is currently zoned C-3, which allows reasonable use of the site. C-4 zoning will allow more intense commercial uses, including automobile sales, that would be less compatible with adjacent residential uses to the north and west.
2. The site is adjacent to C-4 zoning on three sides, but those sites are not adjacent to residential uses across a street. It is not appropriate to place intense commercial uses facing established residential uses. The existing C-3 zoning provides reasonable use of the site without allowing more intense commercial uses, that would increase the negative impact on residential properties.
3. A large majority of Chapman Hwy. is already zoned C-4, CA or CB, which allow automobile sales. There are plenty of more appropriate sites available in the area, that are currently zoned for and are more appropriate for C-4 uses.

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

1. The requested C-4 zoning district is established to provide areas in which the principal use of land is devoted to commercial establishments which cater specifically to the needs of motor vehicle oriented trade. Typical uses offer accommodations and services to motorists, contain certain specialized retail outlets, or provide commercial amusement enterprises. It is the intent to provide a location for the limited amount of merchandise, equipment and material being offered for retail sale that, because of the type of material or transportation requirements, are suitable for display and storage outside the confines of an enclosed building. The intent of this district is to provide appropriate space and sufficient depth from the street to satisfy the needs of modern commercial development where access is entirely dependent on motor vehicle trade; to provide the orderly development and concentration of highway and arterial commercial uses at appropriate locations; and to encourage the development of these locations with such uses and in such a manner as to minimize traffic hazards and interference with other uses in the vicinity.

2. Based on the above description and intent, as well as the permitted uses, this property is not appropriate to be rezoned to C-4 because of its proximity to residential uses and its odd shape and small size, which will not allow for a sufficient depth/separation from the street.

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. Establishment of C-4 zoning at this location would adversely impact nearby residential properties.
2. C-4 zoning allows many uses that would not be compatible with nearby residential land uses and zoning. C-3 zoning is more appropriate for this property, considering its characteristics and location.
3. C-3 zoning allows reasonable commercial use of the property without increasing the potential impact on adjacent residential properties.
4. Additional C-4 zoning on Chapman Hwy. for automobile sales is not necessary, as there are plenty of sites in the vicinity that are already zoned to accommodate that use.

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 South City Sector Plan and the Knoxville One Year Plan both propose general commercial uses, which is consistent with both the current C-3 and the requested C-4 zoning.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request may lead to future rezoning requests for C-4 zoning along Chapman Hwy.

Action: Approved **Meeting Date:** 2/13/2014
Details of Action: limited to C-3 uses and auto sales, and subject to attached conditions.
Summary of Action: C-4, subject to 5 conditions
Date of Approval: 2/13/2014 **Date of Denial:** **Postponements:** 12/12/13
Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council
Date of Legislative Action: 3/4/2014 **Date of Legislative Action, Second Reading:** 3/18/2014
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:**