

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

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

File Number: 3-I-14-RZ **Related File Number:**
Application Filed: 1/27/2014 **Date of Revision:**
Applicant: SHEPHERD OF THE HILLS LUTHERAN CHURCH

PROPERTY INFORMATION

General Location: Northeast side Sherrill Blvd., south of Dutchtown Rd.
Other Parcel Info.:
Tax ID Number: 118 17702 **Jurisdiction:** City
Size of Tract: 2.4 acres
Accessibility: Access is via Sherrill Blvd., a major collector street with 4 lanes within the large right-of-way of Pellissippi Parkway.

GENERAL LAND USE INFORMATION

Existing Land Use: Church
Surrounding Land Use:
Proposed Use: Church with child day care facility **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** MU-SD (MU-NWCo2)
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This site is located adjacent to the developing Century Park Business Park, southeast of the Dutchtown Rd./Pellissippi Parkway interchange, zoned C-6/TO-1. Pellissippi Parkway is located to the west of the site.

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

Street: 10231 Sherrill Blvd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: BP-1 (Business and Technology Park) / TO-1 (Technology Overlay)
Former Zoning:
Requested Zoning: C-6 (General Commercial Park) / TO-1 (Technology Overlay)
Previous Requests: None noted
Extension of Zone: Yes, extension of C-6/TO-1 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.): RECOMMEND that City Council APPROVE C-6 (General Commercial Park) / TO-1 (Technology Park) zoning.

Staff Recomm. (Full): C-6/TO-1 for the subject property is an extension of zoning from three sides and is consistent with the applicable plan designations for the area. The current use of the property for a church is a legal, non-conforming use under current BP-1 zoning, and will remain as such under the proposed C-6 zoning. C-6 zoning is requested to allow consideration of a child day care center as a use on review, which is not permitted in the current BP-1 zone.

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. C-6/TO-1 zoning is consistent with both the sector plan and One Year Plan designations for the property.
2. C-6/TO-1 uses will be compatible with the surrounding land uses and zoning pattern.
3. C-6/TO-1 zoning is appropriate for this site, which is adjacent to a developing business park in the C-6 zone, and has access to a major collector street.
4. C-6/TO-1 is a logical extension of zoning from three sides. Approval of this rezoning will eliminate the one remaining BP-1 zoned area among a large C-6 zoned area.

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. Based on the above description, C-6 is an appropriate zone for this site. C-6 zoning requires administrative plan review and approval by MPC staff prior to issuance of building permits.
3. The TO-1 zoning overlay will remain on the property. This means that new development will be subject to approval of a Certificate of Appropriateness from the Tennessee Technology Corridor Development Authority (TTCCA).

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. C-6/TO-1 zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.
2. The impact on the street system will depend on the type of development proposed. A church is

currently located on the site. The applicant proposes to develop a child day care center associated with the church.

3. C-6 zoning requires administrative plan review and approval by MPC staff prior to issuance of building permits for new construction, building expansion or major site improvements.
4. 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 City of Knoxville One Year Plan and the Northwest County sector plan designate this site within a mixed use special district where C-6 zoning is an acceptable zoning district to be considered.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This proposal does not present any apparent conflicts with any other adopted plans.
4. Because of the property's location within the TO-1 (Technology Overlay), this rezoning request will require the approval of a Certificate of Appropriateness from the TTCDA. TTCDA is scheduled to consider this request at their meeting on 3/10/14. The TTCDA file number is 3-A-14-TOR.

Action: Approved **Meeting Date:** 3/13/2014

Details of Action:

Summary of Action: C-6 (General Commercial Park) / TO-1 (Technology Overlay) .

Date of Approval: 3/13/2014 **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: 4/15/2014 **Date of Legislative Action, Second Reading:** 4/29/2014

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:**