

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 4-B-24-UR **Related File Number:**
Application Filed: 2/23/2024 **Date of Revision:**
Applicant: PREMIER FENCE, LLC

PROPERTY INFORMATION

General Location: Northside of Neal Dr, west of Maynardville Pk
Other Parcel Info.:
Tax ID Number: 38 N A 002 **Jurisdiction:** County
Size of Tract: 1.2 acres
Accessibility: Access is via Neal Drive, a local road with a 23-ft pavement width within a 52-ft right-of-way

GENERAL LAND USE INFORMATION

Existing Land Use: Office
Surrounding Land Use:
Proposed Use: Contractor's storage yard **Density:**
Sector Plan: North County **Sector Plan Designation:** O (Office)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: Neal Drive is in the Halls community and is lined with businesses, including many small contractors' offices. There are industrial uses to the south and new residential subdivisions to the north. Maynardville Pike is just to the east, which is a major commercial corridor.

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

Street: 3629 NEAL DR
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: CA (General Business)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: The property was rezoned from PC to CA in 1991 (3-I-91-RZ)

PLAN INFORMATION (where applicable)

Current Plan Category: O (Office)

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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Mike Reynolds

Staff Recomm. (Abbr.):

Approve the request for a contractor's storage yard with approximately 12,000 sq ft of outdoor storage area, subject to 5 conditions.

Staff Recomm. (Full):

1. Meeting all requirements of Article 4, Section 4.102 (Standards for the use-on-review approval of contractor's storage yards) in the Knox County Zoning Ordinance.
2. The required fencing around the storage yard must be located near the edge of the storage area, or some other barrier approved by Planning staff before permits are issued, to ensure the storage area does not expand beyond the boundary of this approval.
3. Provide the required landscape screening, per Article 4, Section 4.10.11. for business uses adjacent to a residential use. A detailed landscape plan must be provided for review and approval by Planning staff during permitting. Existing landscaping that is to be maintained can count toward this requirement.
4. Meeting all relevant requirements of the Knox County Department of Engineering and Public Works.
5. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval of a contractor's storage yard in the CA district and the criteria for approval of a use on review.

Comments:

This request is for a contractor's storage yard in the CA (General Business) zone, which is a use permitted on review and which must meet the standards for this use listed in Article 4, Section 4.102. The site was previously a veterinary clinic and will be converted to the contractor's business office. There are several contractors' offices on Neal Drive.

The proposed storage yard is approximately 8,000 sqft. The storage yard cannot exceed 40 percent of the site. The property is 51,400 sqft, so the storage yard can be up to 20,500 sqft. There are residential uses to the rear of this property. The supplemental regulations for all zone districts (Article 4.10.11) requires a 15 ft wide Type A landscape screen (see Appendix B). In this location, it is appropriate to ensure the adjacent residential is adequately protected.

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 - SECTION 2)

The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

1) THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.

- A. The North County Sector Plan recommends O (Office) uses for this site. The O (Office) land use has the following description: "This land use includes business and professional offices and office parks."
- B. For this Use on Review application to be approved in the Office land use classification, the Planning Commission must find that the proposed use is "consistent with, and not in conflict with" the sector plan.
- C. The proposal is to renovate the existing office building and add a storage yard to the rear yard. The proposed use is of a similar nature to other uses on Neal Drive.
- D. The large setback of the storage yard to the rear lot line and the required landscape screening align with General Plan Policy 8.12 to provide buffers between commercial and residential uses.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

- A. The CA (General Business) zone is intended for general retail business and services but not for manufacturing or for processing materials other than farm products. With the recommended conditions, the contractor's storage yard meets the zoning standards and the standards of the CA zoning.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS

PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. The existing one-story office building will be renovated for the contractor's business office.

B. If approved as recommended, a 15-ft wide landscape screen will be located along the north property boundary since it abuts residential properties. This will help mitigate potential adverse impacts on these properties. Landscape screening on the east and west sides is not required.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

A. The proposed use should have little impact on the adjacent property because of the limited traffic the facility generates, and the required landscape screening and fencing will buffer the storage yard.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. The property accesses Neal Drive, which is not a residential street.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed use.

Action: Approved with Conditions **Meeting Date:** 4/11/2024

Details of Action:

Summary of Action: Approve the request for a contractor's storage yard with approximately 12,000 sq ft of outdoor storage area, subject to 5 conditions.

Date of Approval: 4/11/2024 **Date of Denial:** **Postponements:**

Date of Withdrawal: **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:**