CASE SUMMARY

APPLICATION TYPE: REZONING

File Number: 4-G-16-RZ Related File Number:

Application Filed: 2/19/2016 Date of Revision:

Applicant: AMERICAN LEGION POST 2 (REFERRED BACK TO MPC BY CITY COUNCIL)



Suite 403 • City County Building 4 0 0 M a i n S t r e e t Knoxville, Tennessee 37902 8 6 5 • 2 1 5 • 2 5 0 0 F A X • 2 1 5 • 2 0 6 8 w w w • k n o x m p c • o r g

PROPERTY INFORMATION

General Location: Southeast side S. Ruggles Ferry Pike, south of Asheville Hwy.

Other Parcel Info.:

Tax ID Number: 72 A A 032 Jurisdiction: City

Size of Tract: 2 acres

Access is via S. Ruggles Ferry Pike, a local street with 20' of pavement width within 50' of right-of-way.

The site is also in close proximity to Asheville Hwy., a major arterial street with 4 lanes and a center

median

GENERAL LAND USE INFORMATION

Existing Land Use: American Legion Post 2

Surrounding Land Use:

Proposed Use: Any use permitted by C-4 zoning Density:

Sector Plan: East County Sector Plan Designation: MU-SD (Eco-6)

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

Neighborhood Context: Properties fronting along this section of Asheville Hwy. are zoned and developed with commercial uses

under CA, CB, C-3 and C-4 zoning. To the south, on properties without Asheville Hwy. frontage, is

mostly residential development, zoned A and RB.

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

Street: 6520 S Ruggles Ferry Pike

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-2 (General Residential)

Former Zoning:

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

Previous Requests: None noted

Extension of Zone: No

History of Zoning: None noted

PLAN INFORMATION (where applicable)

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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 O-1 (Office, Medical & Related Services) zoning.

(Applicant requested C-4.)

Staff Recomm. (Full): O-1 zoning will create a transitional area between commercial uses to the north and residential uses to

the south and west. O-1 zoning is compatible with the scale and intensity of surrounding development and zoning pattern. C-4 zoning would allow some uses, such as a drive-through restaurant or an automobile sales lot, that could have significant negative impact on surrounding residential uses. Also, the site has some minor slope constraints that may make it difficult to provide parking for a commercial

business, without significant grading. Office uses require less parking than commercial uses.

Comments: MPC recommended approval of O-1 (Office. Medical & Related Services) zoning at the April 14, 2016

meeting. On May 10, 2016, City Council referred the matter back to MPC for consideration of C-4 zoning. The revised request was readvertised by MPC and placed on this July 14, 2016 agenda for reconsideration. C-4 is a more intense commercial zoning district than the originally requested C-3

zoning, so staff is maintaining it's recommendation for O-1 zoning.

However, if MPC and/or City Council is inclined to approve the requested C-4 zoning, staff would recommend that the following conditions be placed on the rezoning:

- 1. Only the existing, main building on site may be used for commercial purposes. (See attached aerial photo.)
- 2. No additional access may be established to the site. Only the existing access drive may be used.
- 3. A Type 'B' landscape screen must be installed around the parking area. (See attached.)

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. O-1 zoning for the subject property creates a transitional area between commercial uses to the north and residential uses to the south and west. The property has slope constraints and does not have direct access to Asheville Hwy. There is a significant amount of underutilized land in the immediate area that is already zoned for commercial uses. The recommended O-1 zoning gives the applicant reasonable use of the property for possible redevelopment. It also provides flexibility in permitted uses, because it allows both office and attached or detached residential uses.
- 2. O-1 uses are compatible with the surrounding land use and zoning pattern.
- 3. The site is about 2 acres, which is enough area to locate office uses and the associated parking on site. The uses allowed under the requested C-4 zoning would require more parking than would office uses, which may be difficult because of the topography of the site. The site also has limited exposure to Asheville Hwy., which is usually desired for commercial uses.
- 4. Establishing office uses at this location will establish an appropriate stopping point for commercial uses heading south from Asheville Hwy.

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

- 1. The O-1 zone, as described in the zoning ordinance, is intended to provide areas for professional and business offices and related activities that require separate buildings surrounded by landscaped yards and open areas. The intent is to provide centralized, compact locations for business offices, clinics, medical and dental offices, as well as suburban locations near residential neighborhoods.
- 2. Based on the above general intent, this site is appropriate for O-1 zoning.

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- 3. The C-4 (Highway & Arterial Commercial) zone 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. It is the intent to provide a location for a 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 of the confines of an enclosed building.
- 4. With the wide range of commercial uses allowed under C-4, including businesses that could cause negative impacts to adjacent residential uses, this site is not appropriate for the requested C-4 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. The recommended O-1 zoning is compatible with the surrounding land uses and zoning pattern. The requested C-3 zoning allows some uses that would not be compatible with adjacent residential uses.
- 2. O-1 zoning will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.
- 3. The existing streets are adequate to handle any additional traffic generated by allowing office uses on the site, and the site's location is appropriate for transitional office uses between commercial and residential uses.

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 East County Sector Plan and the City of Knoxville One Year Plan designate this site as part of a mixed use special district MU-SD (ECO-6). This district permits consideration of either C-3 or O-1 zoning.
- 2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
- 3. This recommended O-1 zoning does not present any apparent conflicts with any other adopted plans.

Action:	Approved	Meeting Date:	7/14/2016
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Details of Action:

Summary of Action: O-1 (Office, Medical, and Related Services) zoning.

Date of Approval: 7/14/2016 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: 8/16/2016 Date of Legislative Action, Second Reading: 8/30/2016

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Approved as Modified **Disposition of Case, Second Reading:** Approved as

Modified

If "Other":

Amendments: Amendments:

Approved C-4 Highway & Arterial Commercial subject to MPC's 3 conditions in July staff report & 4th of no outdoor

storage or display of merchandise.

Date of Legislative Appeal:

Approved C-4 Highway & Arterial Commercial subject to MPC's 3 conditions in July staff report & 4th of no outdoor storage or display of merchandise.

Effective Date of Ordinance:

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