

CASE SUMMARY
APPLICATION TYPE: REZONING
ONE YEAR PLAN AMENDMENT

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
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

File Number: 4-H-16-RZ **Related File Number:** 4-D-16-PA
Application Filed: 2/22/2016 **Date of Revision:**
Applicant: SAMUEL J. FURROW

PROPERTY INFORMATION

General Location: Southwest side Cogdill Rd., south of Parkside Dr.
Other Parcel Info.:
Tax ID Number: 131 F A 01201 **Jurisdiction:** City
Size of Tract: 3.11 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: Vehicle storage **Density:**
Sector Plan: Southwest County **Sector Plan Designation:** C & O
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context:

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

Street: 309 Cogdill Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-6 (General Commercial Park) (K) and O-1 (Office, Medical & Related Services) (K)
Former Zoning:
Requested Zoning: C-6 (General Commercial Park)
Previous Requests: 1-C-08-RZ and 5-H-08-RZ
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: GC (General Commercial) and O (Office)
Requested Plan Category: GC (General Commercial)

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 without conditions.

Staff Recomm. (Full): Staff maintains that the current zoning pattern with conditions on the use should be retained in order to minimize the impact on the adjacent residential neighborhood to the south. The current zoning allows reasonable use of the property, while minimizing the potential negative impact on adjacent residential uses.

Staff is recommending to maintain the current C-6 (General Commercial Park) and O-1 (Office, Medical & Related Services) zoning, with the following 4 conditions, as adopted by MPC and City Council in 2008:

1. No access to site from Cogdill Rd. or Alex Ln.
2. Install a Type 'A' dense landscape screen (attached) within the entire length of the 60' rear residential building setback area.
3. Include photometric lighting plan with development plans.
4. No exterior loudspeakers in development.

Comments:

The three associated requests (4-H-16-RZ/4-D-16-PA/4-C-16-SP) were postponed at the April 14, 2016 MPC meeting, at the request of the applicant. Since then, MPC staff has met with the applicant to discuss the recommendation and conditions. The applicant expressed that he needs the O-1 portion of the site to be rezoned C-6 to allow the car sales use to expand into that area. However, he did express that he would be willing to accept and adhere to the existing conditions on the property. Staff maintains the recommendation to deny based on past precedent and protection of adjacent residential uses. However, if MPC or City Council is inclined to approve C-6 zoning on the entire subject property, staff would strongly recommend maintaining the existing conditions as they are currently specified.

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. Conditions have not changed in the area since the 2008 rezoning to conditional C-6 and O-1 zoning, so the proposed zoning change is not warranted.
2. C-6 zoning on the portion of the property currently zoned O-1 would allow unnecessary commercial development close to residential uses.
3. The applicant has reasonable use of the site as it is currently zoned. Commercial operations will need to be kept out of the area currently zoned O-1.

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 not an appropriate zone to be extended onto the current O-1 zoned site, which is in close proximity to residential uses and 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 proposed unconditioned C-6 zoning is not compatible with the adjacent residential uses to the south.

2. The current zoning and conditions on the property are adequate to minimize the potential negative impacts on adjacent residential uses, and should be retained.

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 applicant has requested an associated amendment to the Southwest County Sector Plan to change the current office area to commercial (4-C-16-SP). Staff is recommending denial of that request.

2. The City of Knoxville One Year Plan appropriately designates the portion of the site adjacent to residential for office uses. Staff recommends that the current land use pattern be retained.

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

4. This proposal conflicts with the proposed land uses on the adopted sector plan and One Year Plan for the area. Conditional O-1 zoning is consistent with adopted plans and allows reasonable use of the property for future development.

Action: Approved **Meeting Date:** 5/12/2016

Details of Action: APPROVE C-6 (General Commercial Park) zoning, subject to 4 conditions.
1. No access to site from Cogdill Rd. or Alex Ln.
2. Install a Type 'A' dense landscape screen (attached) within the entire length of the 60' rear residential building setback area.
3. Include photometric lighting plan with development plans.
4. No exterior loudspeakers in development.

Summary of Action: APPROVE C-6 (General Commercial Park) zoning, subject to 4 conditions.
1. No access to site from Cogdill Rd. or Alex Ln.
2. Install a Type 'A' dense landscape screen (attached) within the entire length of the 60' rear residential building setback area.
3. Include photometric lighting plan with development plans.
4. No exterior loudspeakers in development.

Date of Approval: 5/12/2016 **Date of Denial:** **Postponements:** 4/14/2016

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 8/30/2016

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Denied

Disposition of Case, Second Reading:

If "Other": Postponed to 6/7, 6/21, 8/2, 8/16, 8/30

If "Other":

Amendments:

Amendments:

Moot since sector plan denied.

Date of Legislative Appeal:

Effective Date of Ordinance: