

# 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:** 5-A-06-RZ                      **Related File Number:** 5-A-06-SP  
**Application Filed:** 3/20/2006              **Date of Revision:**  
**Applicant:** CONI HEIDLE  
**Owner:**

### PROPERTY INFORMATION

**General Location:** North side Hardin Valley Rd., west of Westcott Blvd.  
**Other Parcel Info.:**  
**Tax ID Number:** 104 016                      **Jurisdiction:** County  
**Size of Tract:** 1.38 acres  
**Accessibility:** Access is via Hardin Valley Rd. a minor arterial street with 4 lanes and a center median within 230' of right of way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Storage units and insurance office  
**Surrounding Land Use:**  
**Proposed Use:** Billboard                      **Density:**  
**Sector Plan:** Northwest County              **Sector Plan Designation:** Light Industrial  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This area is developed with light industrial and residential uses under LI, PC, A and RA zoning. There are approved plans for commercial development on the site to the east.

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

**Street:** 10231 Hardin Valley Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** LI (Light Industrial) & F (Floodway)  
**Former Zoning:**  
**Requested Zoning:** CB (Business and Manufacturing) & F (Floodway)  
**Previous Requests:** None noted  
**Extension of Zone:** No  
**History of Zoning:** MPC approved LI sector plan designation and zoning for this site on 7/10/03 (7-J-03-RZ/7-B-03-SP)

### PLAN INFORMATION (where applicable)

**Current Plan Category:**  
**Requested Plan Category:**

## **SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

Surveyor:

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 CB (Business & Manufacturing) zoning.

**Staff Recomm. (Full):** Approval of CB for this site would be a spot zoning that is not compatible with the PC (Planned Commercial) zoning to the west. PC would be preferable to CB, but it does not allow the applicant's proposed billboard use.

**Comments:** NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The proposed CB zoning is not compatible with the scale and intensity of the surrounding zoning pattern. Approval of CB zoning for this site would be a spot zoning, giving the applicant certain development rights that do not exist on any of the adjacent properties. CB zoning would allow the proposed billboard that should not be introduced in this area where none presently exist. The site is currently developed with a self-service storage facility and an office use. The applicant has reasonable use of the property under the current more appropriate LI zoning.
2. There is a PC zoned property to the east of the site on the same side of Hardin Valley Rd. However, the PC zone is a planned zone, which requires use on review approval of development plans by MPC and does not allow consideration of billboards. The only zones that permit billboards are CA, CB and CH. However, CA and CH zoning may not be considered under the LI sector plan designation.
3. The current LI zoning allows reasonable use of the property and is consistent with the sector plan designation for the site.
4. There are no CB zoned properties fronting on Hardin Valley Rd. west of Lovell Rd. There are a few CA and PC zoned sites in this section.

### THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. The proposal will have no impact on schools. Hardin Valley Rd. is a minor arterial street that has the capacity to handle additional trips that would be generated by commercial development.
3. The current LI zoning is compatible with surrounding development and zoning and has a minimal impact on adjacent properties.
4. Approval of this request will directly result in the erection of a billboard on this site. There are currently no billboards along this section of Hardin Valley Rd. and locating one here would set an undesirable precedent along this corridor. In addition, approval of this request could lead to future requests for CB on other available parcels along this corridor. CB allows a wide of variety of uses, many of which would be undesirable in this area.

### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan proposes light industrial uses for this site, consistent with the proposal. CB and PC are the two commercial designations that can be considered under the LI sector plan designation.
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This request may lead to future sector plan and rezoning requests for CB zoning on nearby properties.

**MPC Action:** Denied

**MPC Meeting Date:** 5/11/2006

**Details of MPC action:**

**Summary of MPC action:** DENY CB (Business & Manufacturing)

**Date of MPC Approval:**

**Date of Denial:** 5/11/2006

**Postponements:**

Date of Withdrawal:

Withdrawn prior to publication?:  Action Appealed?:

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knox County Commission

**Date of Legislative Action:** 6/26/2006

**Ordinance Number:**

**Disposition of Case:**

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Date of Legislative Action, Second Reading:**

**Other Ordinance Number References:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**