

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 7-F-22-UR
Application Filed: 5/31/2022
Applicant: AVERITT EXPRESS

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: North and west sides of Cogdill Rd, north of I-40 and west of Pellissippi Parkway
Other Parcel Info.:
Tax ID Number: 131 082, 081, 08101, & 08001 **Jurisdiction:** County
Size of Tract: 4.48 acres
Accessibility: Access is via Cogdill Road, a minor collector with a 23-ft pavement width within the I-40/I-75 right-of-way to the south and the Pellissippi Parkway right-of-way to the east.

GENERAL LAND USE INFORMATION

Existing Land Use: AgForVac / TCU
Surrounding Land Use:
Proposed Use: Expansion of trucking terminal parking lot **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** CC/SP
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The overall project sits in the lower corner of Cogdill Road and is surrounded by Pellissippi Parkway, I-40/I-75, and office-warehouses, though there is a small pocket of single-family residences adjacent in the northwest corner of the site. The area predominantly consists of office-warehouses and is in the Technology Overlay zone.

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

Street: 10204 , 0, & 10200 Starkey Ln.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PC (Planned Commercial) / TO (Technology Overlay)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Properties were rezoned from RA to PC in 2007 (Case 8-E-07-RZ)

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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Michelle Portier

Staff Recomm. (Abbr.):

Staff recommends approval of a transportation services facility in the PC (Planned Commercial) / TO (Technology Overlay) zones, subject to five conditions.

Staff Recomm. (Full):

- 1) Obtaining use on review approval from the Planning Commission for the proposed development; this request is on the July 14, 2022 Planning Commission agenda.
- 2) Planting of trees meeting the County's Type A Landscape Screen requirements in all areas of the site adjacent to single-family homes where the existing vegetation will not remain to create a buffer zone for adjacent single-family residences.
- 3) Installation of any needed landscaping, as described in condition 2, within six months of issuance of occupancy permits for the project, or posting a bond with the Knox County Department of Engineering and Public Works, to guarantee such installation.
- 4) Meeting all applicable 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 in the PC district and the criteria for approval of a use on review.

Comments:

The applicant is requesting approval to expand the existing transportation services facility. The expansion would entail additional vehicle storage of tractor-trailer beds on the adjoining lots to the north and an addition to the existing terminal structure. However, the existing terminal is located on City property and is therefore not included in this use on review request.

The multiple-parcel site is just north of Pellissippi Parkway along the sharp curve at the southern portion of Cogdill Road, so that Cogdill Road wraps around the site. The rear of the site abuts residential properties on Starkey Lane. The properties into which this development is expanding have frontage on the Starkey Lane cul-de-sac bulb, but the site will not utilize Starkey Lane for access.

As stated previously, the existing facility is located within City limits. It is zoned I-G (General Industrial) / TO-1 (Technology Park Overlay), which allows this use by right. The properties into which the applicant proposes to expand are located in Knox County and are zoned PC (Planned Commercial) / TO (Technology Overlay). All development plans in the PC zone require approval by the Planning Commission regardless of whether the use is allowed by right. The PC zone is a bit vague in the specific uses that are allowed, but it does state that light distribution centers are allowed, and staff finds this use to be similar to that. Additionally, all commercial developments in the TO zone require approval by the TN Technology Corridor Development Authority (TTCDA), and this case was heard at the July 11, 2022 TTCDA meeting (Case # 7-B-22-TOB).

The property currently utilizes two access points, one each at the southwestern and northeastern corners of the parcel at 10207 Cogdill Road. These access points are to be retained with no additional access points created with the expansion.

The proposed ground area coverage (GAC), Floor Area Ratio (FAR), and Impervious Area Ratio (IAR) for the new properties in the County are in compliance with the TTCDA Design Guidelines. However, when the site is looked at comprehensively, the IAR is slightly over the maximum required. The TTCDA caps the IAR at 70%, and the proposed IAR is 77%. The TTCDA approved a waiver for the 7% overage for the overall site.

No new employee or visitor parking is proposed. The existing parking exceeds the maximum allowed in

the TTCDA area, but is pre-existing non-conforming. The expansion shows vehicular storage areas, which differ in use and intent from visitor/employee parking. Staff did not review the vehicular storage area as a parking lot.

As mentioned previously, the newly integrated properties at the northern end of the site abut residential properties. There is existing vegetation along those shared lot lines, and much of this is to remain undisturbed. Any vegetation that is removed along those lot lines is to be replaced by Knox County's Type A Landscape Buffer (Knox County Ordinance, Section 4.10.11).

Within the City of Knoxville, existing sites are not required to comply with certain sections of the zoning (landscaping and parking, for example) unless the cost of the renovation is in excess of 50% of the property's most recent tax-assessed value. Since the only change to the City property is the extension of the terminal, this does not trigger the need for additional landscaping on the City property. On the County property, the plans were reviewed as vehicle storage areas, so the parking section of the TTCDA Guidelines does not apply. Additionally, since no parking, buildings, or entries were introduced in these plans, the sections of the TTCDA Design Guidelines pertaining to those sections does not apply to these site plans. Existing vegetation can count towards the tree requirement, and the vegetation on the site meets the number of trees that would be required for the acreage of yard space.

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 property is designated LI (Light Industrial) on the Northwest County Sector Plan. The LI land use is described as "Typically older industrial areas used for the light manufacturing, assembling, warehousing and distribution of goods." Under location criteria, the LI land use class states that it should be used for "Existing industrial areas within one mile of an interstate interchange with access via standard major collector or arterial streets" and that "Substantial landscaped buffers are expected between uses of lesser intensity, particularly residential, office and agricultural uses."

B. For this Use on Review application to be approved in the LI land use classification, the Planning Commission must find that the proposed use is "consistent with, and not in conflict with" the sector plan.

C. This is an existing industrial area as designated by the LI land use class. There is existing vegetation that is to remain in place between this development and the adjacent single-family residences.

D. The proposed use is consistent with the Northwest County Sector Plan.

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

A. The Knox County Zoning Ordinance describes the PC (Planned Commercial) zone as "intended for a unified grouping of commercial buildings which do not require or desire a central business district location." The ordinance goes on to state, "It is not the intent of this zone to restrict potential development by limiting uses. In general, uses permitted shall include office, commercial services and light distribution centers."

B. Since light distribution centers have similar vehicle types traversing the site and accessing it in similar vehicular traffic patterns, staff finds the use to be allowed in the PC zone.

C. The Knox County Zoning Ordinance describes the purposes of the TO (Technology Overlay) zone as providing "for physical development review in the Tennessee Technology Corridor area of the county by the Tennessee Technology Corridor Development Authority (TTCDA)." The ordinance further states that "Property and buildings in the TO zone shall be used for purposes permitted by the base zoning..."

D. The TTCDA does not regulate uses and will only provide approval of development plans.

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 proposed multifamily development is compatible with the surrounding area. The property is bounded by Pellissippi Parkway on the east and I-40/I-75 on the south. Office warehouse buildings are adjacent to the west with the exception of a small pocket of single-family residential properties on Starkey Lane. While adjacent on the map, the properties are accessed off of different roads and it is the rear of the subject property that is adjacent to the residences.

B. The proposal is for additional vehicular storage areas, which look much like parking lots, and no additional structures are to be built on the Knox County properties. The existing facility will be expanded, but that is on City property, where the facility is allowed by right.

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

A. The proposed multifamily development is not expected to significantly injure the value of the adjacent property. Existing vegetation along the perimeter is to remain in place and will provide a buffer for adjacent residential uses. If any vegetation is displaced along these property lines, it is to be

replaced using the Type A Landscape Screen requirements of Knox County to provide a buffer for adjacent single-family residences.

B. The properties directly next to the residential properties are proposed to be used for a vehicle storage area, so the facility's existing use will not change much beyond the need for additional storage of the vehicles.

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

A. The subject properties are directly accessed off of Cogdill Road, a minor collector. Cogdill Road connects directly to Dutchtown Road, which provides direct access onto Pellissippi Parkway. Therefore, additional traffic through residential areas is not required to gain access to access this property.

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 development.

Action: Approved

Meeting Date: 7/14/2022

Details of Action:

Summary of Action: Staff recommends approval of a transportation services facility in the PC (Planned Commercial) / TO(Technology Overlay) zones, subject to five conditions.

Date of Approval: 7/14/2022

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: ☐ Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Chancery Court

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: