

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

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
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File Number: 9-F-16-RZ **Related File Number:**
Application Filed: 7/25/2016 **Date of Revision:**
Applicant: HOLLY APODACA

PROPERTY INFORMATION

General Location: Northwest side Wallwood Rd., northeast of Clinton Hwy.
Other Parcel Info.:
Tax ID Number: 68 N B 018 **Jurisdiction:** City
Size of Tract: 2.3 acres
Accessibility: Access is via Wallwood Rd., a local street with 17' of pavement width within 60' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: RV storage facility **Density:**
Sector Plan: Northwest City **Sector Plan Designation:** GC
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This site is located between commercial uses to the south, fronting on Clinton Hwy., zoned C-4, and residential uses to the north, zoned R-1.

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

Street: 5517 Wallwood Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: O-1 (Office, Medical, and Related Services)
Former Zoning:
Requested Zoning: C-4 (Highway and Arterial Commercial)
Previous Requests: None noted
Extension of Zone: Yes, extension of C-4 from the south, east and west
History of Zoning: A request for C-4 zoning on this site was denied by MPC on 9/14/2000 (7-F-00-RZ) and a request for C-6 zoning was withdrawn in 2002 (1-J-02-RZ)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.:

MPC ACTION AND DISPOSITION

Planner In Charge: Michael Brusseau

Staff Recomm. (Abbr.): DENY C-4 (Highway & Arterial Commercial) zoning.

Staff Recomm. (Full): Despite being adjacent to C-4 zoning on three sides, C-4 zoning is not appropriate for this site, which only has access only to Wallwood Rd., a local street with only 17' of pavement width. The property also backs up to large-lot residential uses, which could be negatively impacted by adjacent C-4 development. The current O-1 zoning gives the applicant reasonable use of the property for office or medium density residential uses, while providing a transitional area between heavy commercial uses to the south and low density residential uses to the north. C-4 zoning in this area should be limited to properties that have direct access to Clinton Hwy. There are many properties in the area that are already appropriately zoned C-4. Staff is of the opinion that the current zoning is appropriate for the site, and it should be maintained.

Comments: This request was postponed by MPC at the September 8, 2016 meeting in order for staff to recommend some zoning conditions to place on the rezoning if C-4 zoning were to be recommended for approval. Although staff maintains the recommendation to deny the request, the following conditions are recommended if C-4 zoning is recommended for approval.

1. Either preserve the entire existing tree line along the north property line or install a continuous Type 'A' landscape screen (see attached) along the north property line adjacent to residential zoning. A Type 'C' landscape screen (see attached) must be installed along the entire frontage of Wallwood Rd. with the exception of the entrance drive.
2. Wallwood Rd. must be improved/widened from the proposed access drive south to Clinton Hwy. to the satisfaction of the City of Knoxville Engineering Department, prior to issuance of permits for the commercial use.
3. Signage along the road shall be limited to the signs permitted in the current O-1 zoning district. (See circled portion of attached except from the Knoxville Zoning Ordinance.)

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 south and residential uses to the north. The property's only road access is from Wallwood Rd., a local street with 17' of pavement width. There is a significant amount of land in the immediate area that is already appropriately zoned C-4. The current O-1 zoning allows reasonable use of the property for future development. 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 O-1 permitted office or medium density residential uses at this location will establish an appropriate transitional area between commercial uses to the south and low density residential uses to the north.

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.
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 recommendation to retain the current O-1 zoning is compatible with the surrounding land uses and zoning pattern. The requested C-4 zoning allows many uses that would not be compatible with adjacent residential uses and that should only be located only on a wider, arterial street, such as Clinton Hwy. C-4 zoning is called Highway & Arterial Commercial and it should only be located on properties with direct access to a highway or arterial street.
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 Northwest City Sector Plan and the City of Knoxville One Year Plan designate this site for general commercial uses. However, staff is of the opinion that the current O-1 zoning should be maintained because of inappropriate access and proximity to residential uses.
2. If this request is denied as recommended, MPC staff should consider amending the sector plan and One Year Plan to O (Office) to recognize the current, appropriate O-1 zoning of the property.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. The recommendation to retain the existing O-1 zoning does not present any apparent conflicts with any other adopted plans.

Action: Denied **Meeting Date:** 10/13/2016

Details of Action:

Summary of Action: DENY C-4 (Highway & Arterial Commercial) zoning.

Date of Approval: **Date of Denial:** 10/13/2016 **Postponements:** 9/8/2016

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

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:**