

▶ **FILE #:** 12-B-07-RZ

**AGENDA ITEM #:** 78

**AGENDA DATE:** 12/13/2007

▶ **APPLICANT:** **GOODWILL INDUSTRIES-KNOXVILLE, INC.**

OWNER(S): CURTIS DANIEL A & CARL E

TAX ID NUMBER: 68 J C 002 PORTION ZONED R-1

JURISDICTION: City Council District 5

▶ **LOCATION:** **Southeast side Metler Dr., northeast of Clinton Hwy.**

▶ **APPX. SIZE OF TRACT:** **0.5 acres**

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Metler Dr. a local street with a 16' pavement width within a 50' right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board  
Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

▶ **PRESENT ZONING:** **R-1 (Low Density Residential)**

▶ **ZONING REQUESTED:** **C-4 (Highway and Arterial Commercial)**

▶ **EXISTING LAND USE:** **Vacant**

▶ **PROPOSED USE:** **Attended donation and recycling center**

EXTENSION OF ZONE: Yes, half the subject property is currently zoned C-4.

HISTORY OF ZONING: A One Year Plan Amendment was approved for the subject parcel in 1988 (10-B-88-PA) from LDR to GC.

SURROUNDING LAND USE AND ZONING:  
North: Residences / R-1 (Low Density Residential)  
South: Camper storage / C-4 (Highway & Arterial Commercial)  
East: Warehouse & mobile home park / C-4 (Highway & Arterial Commercial) & R-1 (Low Density Residential)  
West: Residences / R-1 (Low Density Residential)

NEIGHBORHOOD CONTEXT: This site is surrounded by commercial uses to the south along Clinton Hwy., and residential uses to the north along Metler Dr.

**STAFF RECOMMENDATION:**

▶ **APPROVE C-4 (Highway & Arterial Commercial) zoning.**

The requested C-4 zoning is consistent with zoning and development pattern that has been established to the south of the site and is an extension of the C-4 zoning that currently exists on half of the site. The request is consistent with the sector plan, which proposes general commercial uses for this property.

**COMMENTS:**

The subject property is currently zoned C-4 and R-1. The applicant's (Goodwill Industries & the City of Knoxville) are requesting that the R-1 portion of the site be rezoned to C-4 in order to accommodate a 300 square foot Goodwill donation drop off center and recycling bins maintained by the City of Knoxville. In 1988, a plan amendment was approved for the entire property by MPC and City Council to change the land use designation from low density residential to general commercial. According to the staff report at that time, the

division of this small amount of property into two land uses was an oversight (see attached report).

#### NEED AND JUSTIFICATION FOR THE PROPOSAL

1. C-4 zoning is a logical extension of the commercial zoning that is currently in place on half of the site and other commercial zoned properties to the south along Clinton Hwy.
2. The proposed donation drop off facility and recycling bins are consistent with other commercial storage and warehouse facilities located along this section of Clinton Hwy.

#### EFFECTS OF THE PROPOSAL

1. The effects on adjacent properties as a result of this zoning change will be minimal. The proposed facilities will primarily serve the needs of nearby residences.
2. If necessary, public water and sewer utilities are available to serve this site.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

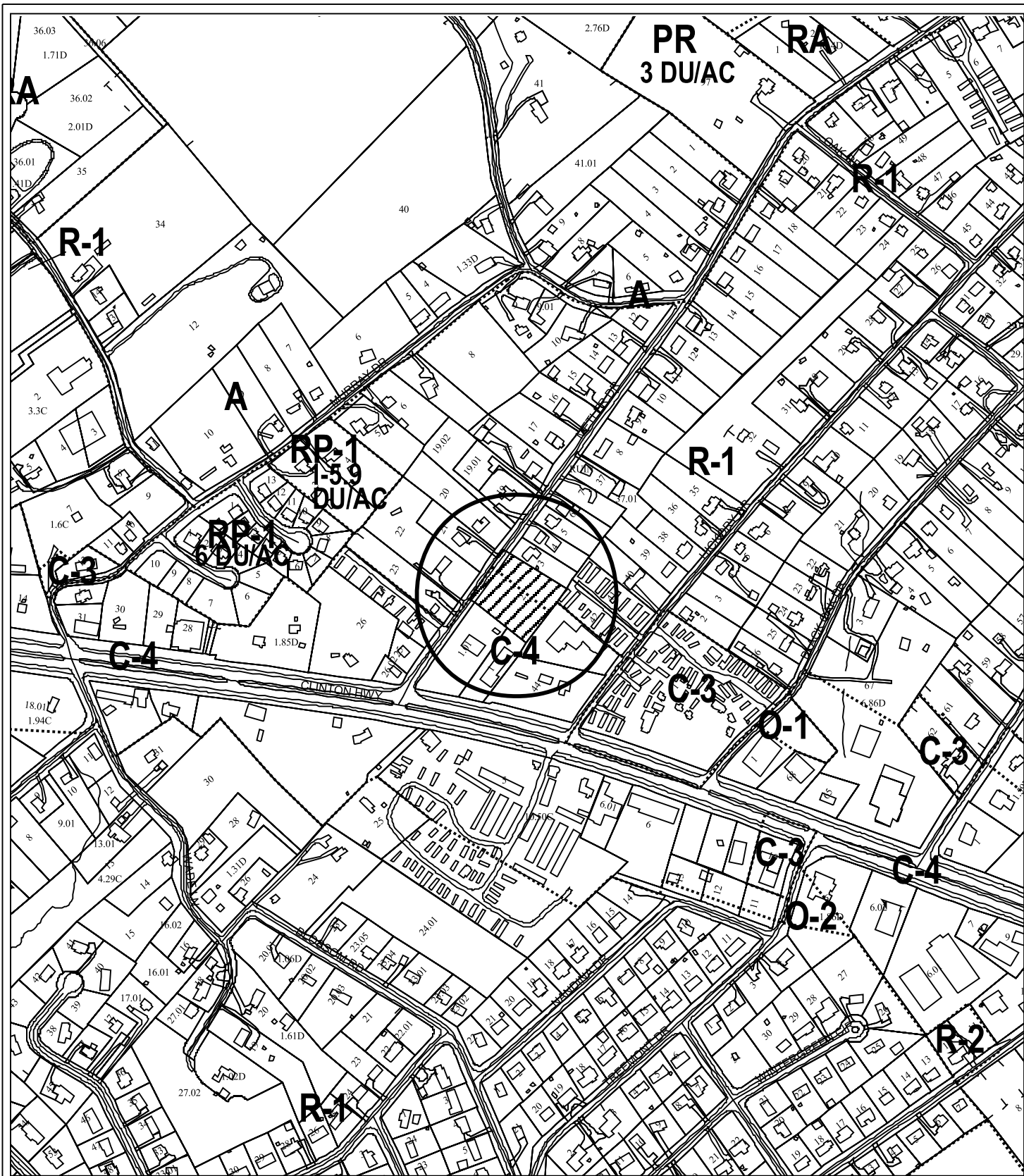
1. The Northwest City One Year Plan proposes general commercial uses for this site.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: 1 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.


ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 1/15/2008 and 1/29/2008. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



12-B-07-RZ  
REZONING

Petitioner: Goodwill Industries-Knoxville, Inc.  
Map No: 68  
Jurisdiction: City

 From: R-1 (Low Density Residential)  
To: C-4 (Highway and Arterial Commercial)  
Original Print Date: 11/26/07 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



# GOODWILL Industries - Knoxville, Inc.



5307 Kingston Pike — P.O. Box 11066 — Knoxville, TN 37939-1066  
(865) 588-8567 — Fax: (865) 588-0075

October 16, 2007

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Metropolitan Planning Commission  
Suite 403, City/County Building  
400 Main Street  
Knoxville, TN 37902

### TO WHOM IT MAY CONCERN:

Attached you will find our Application for Rezoning at 820 Metler Drive. Please note over two-thirds of this tract is already zoned C-4 Commercial. Also I have enclosed copies of correspondence obtained from the 'Knoxville/Knox County Metropolitan Planning Commission – Knoxville One-Year Plan Amendment Study' and a copy of MPC meeting minutes where the staff recommendation was to approve the amendment in a 13-0 vote. Please note on all this documentation the staff recommendation was to approve the amendment citing the following statement: "The division of this small amount of property into two level uses was an oversight. The entire property should be included in the general commercial category as it is presently being used."

When we purchased the tract to be utilized as an Attended Donation Center and Recycling Center in partnership with the City of Knoxville we were told it would not be a problem to get this rezoned. So in order to clear the confusion and as the MPC noted at its last review we would like to eliminate "the division of this small amount of property into two land uses (was an oversight)."

Should you have any questions after reviewing our application or the attached documentation – do not hesitate to contact me at any time. THANK YOU

Sincerely,

  
Robert G. Rosenbaum, Ed.D.  
President & CEO

Enclosure

Cc: Admin/Clinton Highway ADC File

"Our Business Works, So People Can."  
Accredited by The Rehabilitation Accreditation Commission (CARF)  
United Way Agency

REMEMBER GOODWILL IN YOUR WILL  
[www.gwiktn.org](http://www.gwiktn.org)

MPC December 13, 2007

Agenda Item # 78

12-B-07-RZ

REQUEST FOR PLAN AMENDMENT

OCT. RE: MTG.  
JUN 30 1988  
FILE NO. 10-B-88-PA  
DATE FILED 6/29/88  
COUNCILMANIC DISTRICT 3A  
MAP NO. 68

NAME OF APPLICANT James Wolfenbarger  
GENERAL LOCATION OF PROPERTY AFFECTED S/S Miller Drive 560'  
NE of Clinton Hwy  
STREET ADDRESSES IF AVAILABLE \_\_\_\_\_

DO YOU LIVE OR OWN PROPERTY IN OR NEAR THE REQUESTED PLAN CHANGE? LIVE \_\_\_\_\_ OWN X  
PROPERTY DESCRIPTION: city Northwest  
CITY BLOCK(S) 39 870 LOT(S) 2 SIZE OF TRACT \_\_\_\_\_ SQ. FT. \_\_\_\_\_ AC \_\_\_\_\_  
OTHER \_\_\_\_\_

I (WE) REQUEST THAT THE MPC, AFTER APPROPRIATE STUDY, RECOMMEND AN AMENDMENT TO THE ONE YEAR PLAN TO CHANGE THE LAND USE DESIGNATION OF THE PROPERTY DESCRIBED ABOVE.

FROM LDR Low density Residential  
TO GC General Commercial

THE PROPOSED AMENDMENT IS NECESSARY DUE TO THE FOLLOWING CHANGED OR CHANGING CONDITIONS:

1/2 of property is presently zoned C-4 commercial and all of lots are being used for commercial storage.

PROPOSED USE OF PROPERTY Continued commercial storage

EXISTING LAND USE commercial storage

I (WE) REQUEST THAT THE MPC, AFTER APPROPRIATE STUDY, RECOMMEND AN AMENDMENT TO THE TEXT OF THE ONE YEAR PLAN TO CHANGE THE FOLLOWING LAND USE POLICY. (USE BACK OF SHEET IF NECESSARY)

FROM NA  
TO \_\_\_\_\_

APPLICANTS:	ADDRESS:	INTEREST:
<u>James Wolfenbarger</u>	<u>Standard Roofing Co.</u>	
	<u>2007 Riverside Dr.</u>	
	<u>Knoxville TN. 37915</u>	

(If additional space is required, use back of form or attach signatures or list of names)

ACCEPTED BY: [Signature]

KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION  
KNOXVILLE ONE YEAR PLAN AMENDMENT STUDY

FILE NO. 10-B-88-PA

MEETING DATE Oct. 13, 1988

NAME OF APPLICANT JAMES WOLFENBARGER

LOCATION South side Metler Dr., northeast of Clinton Hwy.

MAP NO. 68 COUNCILMANIC DISTRICT 3

PRESENT OYP DESIGNATION LDR, Low Density Residential

PROPOSED OYP DESIGNATION GC, General Commercial

APPLICANT'S REASON FOR REQUEST 1/2 of property is zoned & all of property is used for commercial purposes

PROPOSED USE Continued commercial storage

CONSIDERATIONS:

1. The property is zoned R-1, Single-Family Residential.
2. The adopted One Year Plan proposes general commercial on 1/2 of this lot and single-family residential on the remainder.
3. The site has no physical limitations which inhibit development.
4. All urban services are available to the site.
5. Access is via Metler Dr., a local street with a 50' ROW.

STAFF RECOMMENDATION APPROVE the amendment . The division of this small amount of property into two land uses was an oversight. The entire property should be included in the general commercial category as it is presently being used.

REPORT TO CITY COUNCIL  
PLAN AMENDMENT

FILE NO. 10-B-88-PA JAMES WOLFENBARGER  
S/S Metler Dr., NE of Clinton Hwy.

MPC RECOMMENDATION: APPROVE GENERAL COMMERCIAL

HEARING BY MPC ON: October 13, 1988  
PUBLISHED IN: News Sentinel September 29, 1988

HEARING BY CITY COUNCIL ON: November 15, 1988  
PUBLISHED IN: News Sentinel October 19, 1988

James Wolfenbarger  
Standard Roofing Co.  
2007 Riverside Dr.  
Knoxville, TN 37915

MPC MINUTES

The Metropolitan Planning Commission met in regular session on October 13, 1988 at 1:30 p.m. in the Main Assembly Room of the City-County Building, Main Avenue, Knoxville, Tennessee. Members present were:

Mr. Jim Hubbs	Mr. Dott Baker
Mr. Ron Davis	Mr. William Knight
*Mark Margetts	Mrs. Elizabeth Henry
*Ms. Anna Dirl	Ms. Imogene King
Mrs. Marge Ervin	Mrs. Catherine Rogers
Mrs. Joan Allen	Mr. Richard Graf
Mr. Jeff Fletcher, Chairman	

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\*Arrived later in the meeting.  
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10-B-88-PA - JAMES WOLFENBARGER - SOUTH SIDE METLER DR.,  
NORTHEAST OF CLINTON HWY. - Request approval of  
One Year Plan amendment from Low Density Resi-  
dential to General Commercial. Fronting appx. 80'  
southeast side Metler Dr. by an average depth appx.  
250', southeast side appx. 110', appx. 470' north-  
east of Clinton Hwy., 39th Ward, 3rd Councilmanic  
District, City Block 39-890, part of parcel 2, CLT  
Map 68, Northwest Small Area Plan.

STAFF RECOMMENDATION APPROVE the amendment. The division of  
this small amount of property into two land uses was an  
oversight. The entire property should be included in the general  
commercial category as it is presently being used.

MOTION AND SECOND WAS MADE TO APPROVE. MOTION CARRIED 13-0.  
PETITION APPROVED.

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