

▶ **FILE #:** 4-A-11-SP

**AGENDA ITEM #** 30

**AGENDA DATE:** 4/14/2011

▶ **APPLICANT:** DFS PROPERTIES, LP

OWNER(S): Rick Webster

TAX ID NUMBER: 69 P E 023

JURISDICTION: Council District 5

▶ **LOCATION:** Northwest side Dutch Valley Dr., northeast of Coster Rd.

▶ **APPX. SIZE OF TRACT:** 0.85 acres

SECTOR PLAN: North City

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

ACCESSIBILITY: Access is via Dutch Valley Dr., a minor arterial street with 35-40' of pavement width within 100 feet or more of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** LDR (Low Density Residential) / C-1 (Neighborhood Commercial)

▶ **PROPOSED PLAN DESIGNATION:** GC (General Commercial)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Seal pro coating

EXTENSION OF PLAN DESIGNATION: Yes

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Residences / LDR / R-2 (General Residential)

South: Dutch Valley Dr. - Vacant land / ROW / C-1 (Neighborhood Commercial)

East: Gas station, food mart / GC / C-1 (Neighborhood Commercial)

West: Vacant land / GC / C-1 (Neighborhood Commercial)

NEIGHBORHOOD CONTEXT The area around the intersection of Bruhin Rd. and Dutch Valley Dr. is developed with commercial uses under C-1, C-3, C-4 and C-6 zoning. Residential uses are to the north, zoned R-2.

**STAFF RECOMMENDATION:**

▶ **WITHDRAW the sector plan amendment request.**

The sector plan amendment is no longer needed with MPC's approval of the Inskip Small Area Plan at the March 10, 2011 meeting.

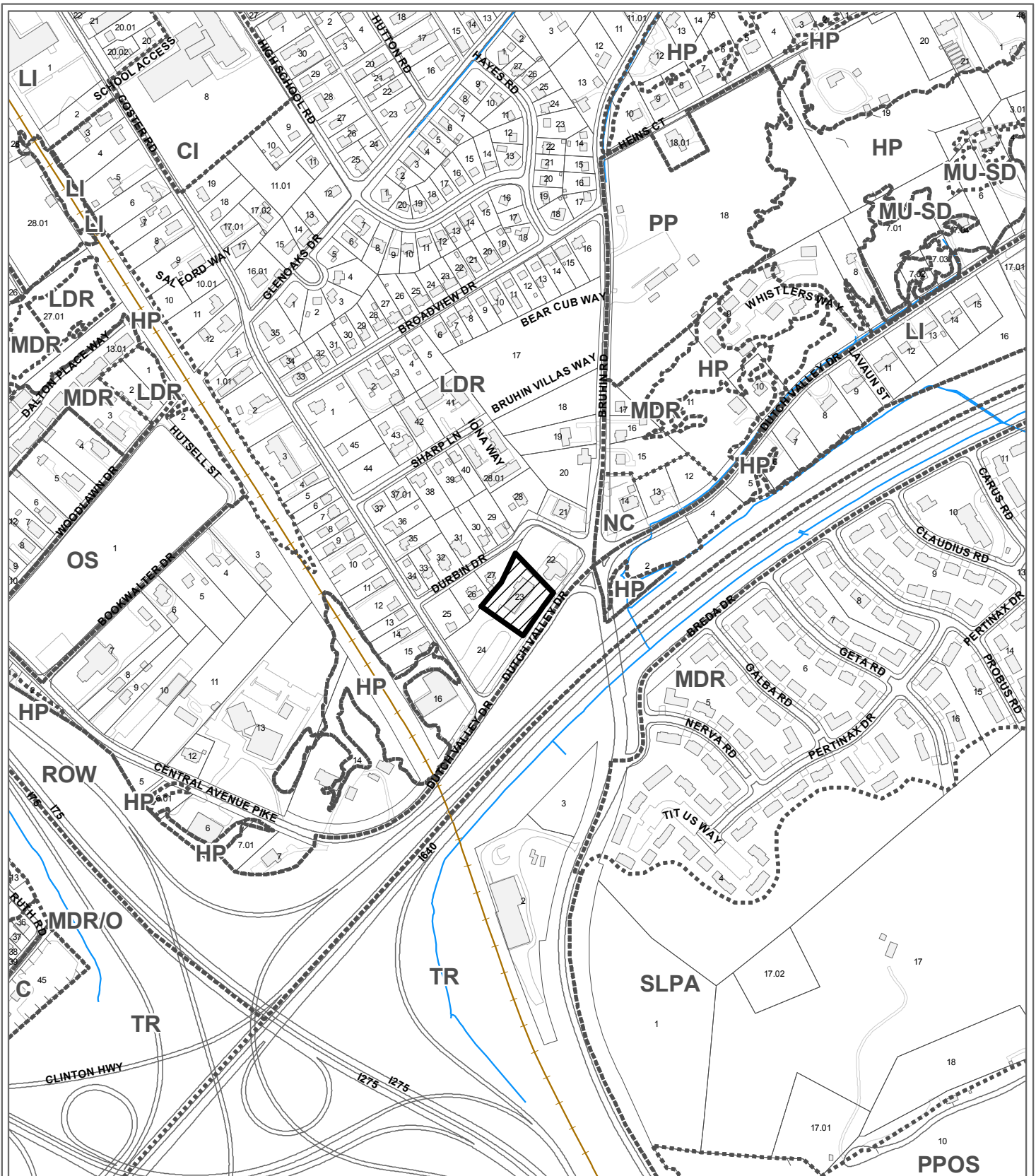
**COMMENTS:**

The MPC approved draft of the Inskip Small Area Plan included an amendment to the proposed land use map that changed this area from LDR (Low Density Residential) to GC (General Commercial), which is what the applicant had requested. The sector plan amendment is no longer necessary. A copy of the map, showing the amendments to the North City Sector Plan resulting from the approval of the Inskip Small Area Plan, is attached. By the time MPC considers this staff recommendation and report, City Council will have considered the Inskip Small Area Plan on April 5, 2011, on first reading. Council approved the plan with no changes at that meeting.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 5/17/2011 and 5/31/2011. 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.



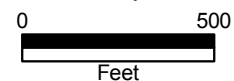
**4-A-11-SP  
NORTH CITY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)  
To: GC (General Commercial)



Petitioner: DFS Properties, LP

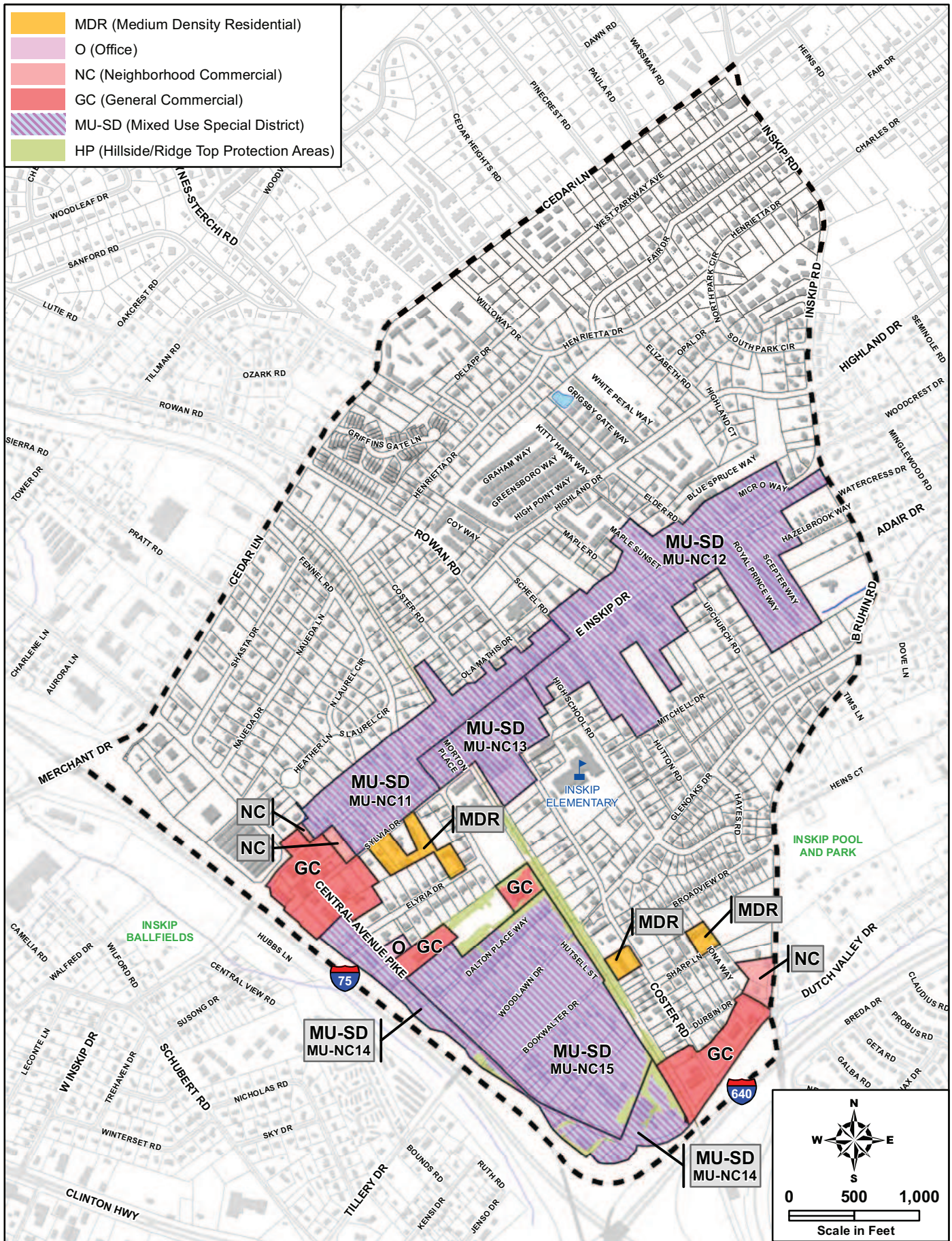
Map No: 69  
Jurisdiction: City



Original Print Date: 3/24/2011      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

# Map 5: Sector Plan Amendments

- MDR (Medium Density Residential)
- O (Office)
- NC (Neighborhood Commercial)
- GC (General Commercial)
- MU-SD (Mixed Use Special District)
- HP (Hillside/Ridge Top Protection Areas)





**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION  
PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 4-A-11-RZ  
4-A-11-PA

**AGENDA ITEM #** 30  
**AGENDA DATE:** 4/14/2011

▶ **APPLICANT:** DFS PROPERTIES, LP  
**OWNER(S):** Rick Webster

**TAX ID NUMBER:** 69 P E 023  
**JURISDICTION:** Council District 5

▶ **LOCATION:** Northwest side Dutch Valley Dr., northeast of Coster Rd.

▶ **TRACT INFORMATION:** 0.85 acres.

**SECTOR PLAN:** North City

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

**ACCESSIBILITY:** Access is via Dutch Valley Dr., a minor arterial street with 35-40' of pavement width within 100 feet or more of right-of-way.

**UTILITIES:** Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

**WATERSHED:** Second Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** NC (Neighborhood Commercial) / C-1 (Neighborhood Commercial)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial) / C-6 (General Commercial Park)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Seal pro coating

**EXTENSION OF PLAN DESIGNATION/ZONING:** No

**HISTORY OF ZONING REQUESTS:** None noted

**SURROUNDING LAND USE, PLAN DESIGNATION, ZONING**  
North: Residences / LDR / R-2 (General Residential)  
South: Dutch Valley Dr. - Vacant / NC / C-1 (Neighborhood Commercial)  
East: Gas station, food mart / NC / C-1 (Neighborhood Commercial)  
West: Vacant / NC / C-1 (Neighborhood Commercial)

**NEIGHBORHOOD CONTEXT:** The area around the intersection of Bruhin Rd. and Dutch Valley Dr. is developed with commercial uses under C-1, C-3, C-4 and C-6 zoning. Residential uses are to the north, zoned R-2.

**STAFF RECOMMENDATION:**

▶ **RECOMMEND that City Council APPROVE GC (General Commercial) One Year Plan designation.**  
General commercial use of this site would be compatible with the surrounding land uses and zoning pattern.

► **RECOMMEND that City Council APPROVE C-6 (General Commercial Park) zoning.**

C-6 zoning is appropriate within the general commercial land use designations, as recommended. C-6 zoning will allow commercial uses on the site, in addition to some light industrial uses. C-6 uses will be compatible with the surrounding land uses and zoning pattern. C-6 zoning also requires administrative plan review and approval by MPC staff prior to issuance of building permits.

**COMMENTS:**

**ONE YEAR PLAN AMENDMENT REQUIREMENTS:**

**CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN**

A. **NEW ROAD OR UTILITY IMPROVEMENTS** - The roads are sufficient and the utilities are in place to serve this site.

B. **ERROR OR OMISSION IN CURRENT PLAN** - The plan currently proposes neighborhood commercial uses at this location, consistent with the C-1 zoning and current use of the site. The applicant intends to redevelop the site with some light industrial/commercial use under C-6 zoning. The proposed amendment is consistent with nearby areas designated GC. The North City Sector Plan, as amended by the Inskip Small Area Plan (approved by MPC on March 10, 2011), proposes GC for this area.

C. **CHANGES IN GOVERNMENT POLICY** - The One Year Plan should be amended to reflect the future use of the area as general commercial, and to be consistent with the sector plan. This site, which is directly adjacent to I-640 and has sole access to Dutch Valley Dr., a minor arterial street, is appropriate for general commercial use.

D. **CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS** - The subject area has been occupied by commercial uses for some time and is adjacent to I-640 and near the intersection of two minor arterial streets. The proposed use is not permitted under C-1 zoning. C-6 is required to accommodate the use.

**REZONING REQUIREMENTS:**

**NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:**

1. C-6 zoning is appropriate within the general commercial land use designation, as recommended.
2. C-6 uses will be compatible with the surrounding land uses and zoning pattern.
3. C-6 zoning is appropriate for this site, which is adjacent to I-640 and near the intersection of two minor arterial streets.

**CONSISTENCY WITH INTENT AND PURPOSE OF THE 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 an appropriate zone for this site. C-6 zoning will allow commercial uses on the site, in addition to some light industrial uses. C-6 zoning also requires administrative plan review and approval by MPC staff prior to issuance of building permits.

**THE EFFECTS OF THIS PROPOSAL**

1. Public water and sewer utilities are available to serve the site.
2. C-6 zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.
3. The impact on the street system will depend on the type of development proposed.
4. C-6 zoning requires administrative plan review and approval by MPC staff prior to issuance of new building permits for building expansion or major site improvements.

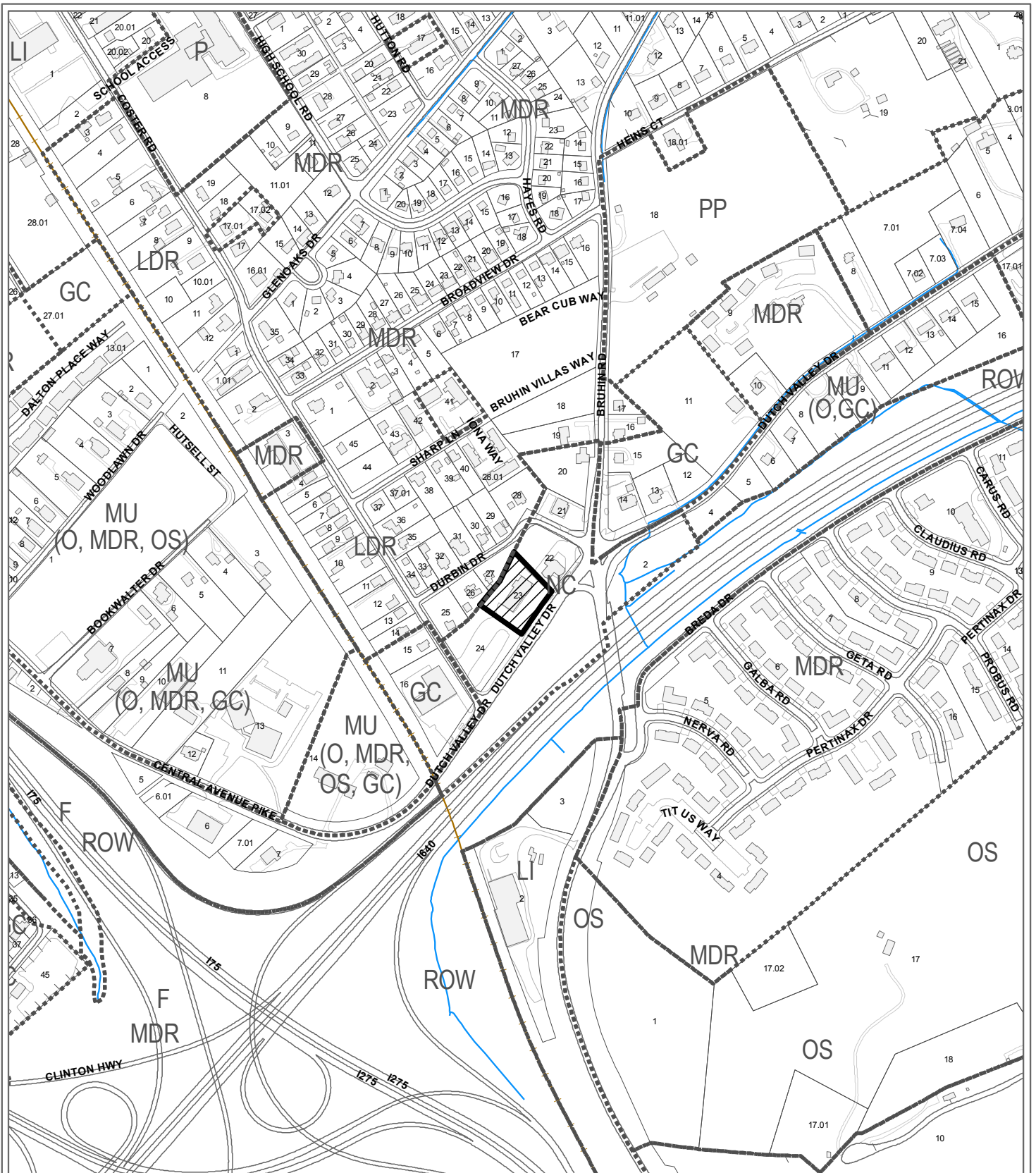
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the recommended amendment to GC, the recommended C-6 zoning is consistent with the City of Knoxville One Year Plan.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. A North City Sector Plan amendment accompanies these One Year Plan amendment and rezoning requests (4-A-11-SP). That request is to amend the sector plan from neighborhood commercial to general commercial. This amendment is recommended to be withdrawn, because with MPC's approval of the Inskip Small Area Plan at the March 10, 2011 meetings, MPC has already recommended a change of the sector plan to GC for this site. The Inskip Small Area Plan is scheduled to be heard by Knoxville City Council on April 5 and April 19, 2011.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 5/17/2011 and 5/31/2011. 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.



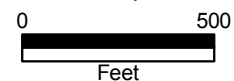
**4-A-11-PA / 4-A-11-RZ  
PLAN AMENDMENT**

From: NC (Neighborhood Commercial)  
To: GC (General Commercial)



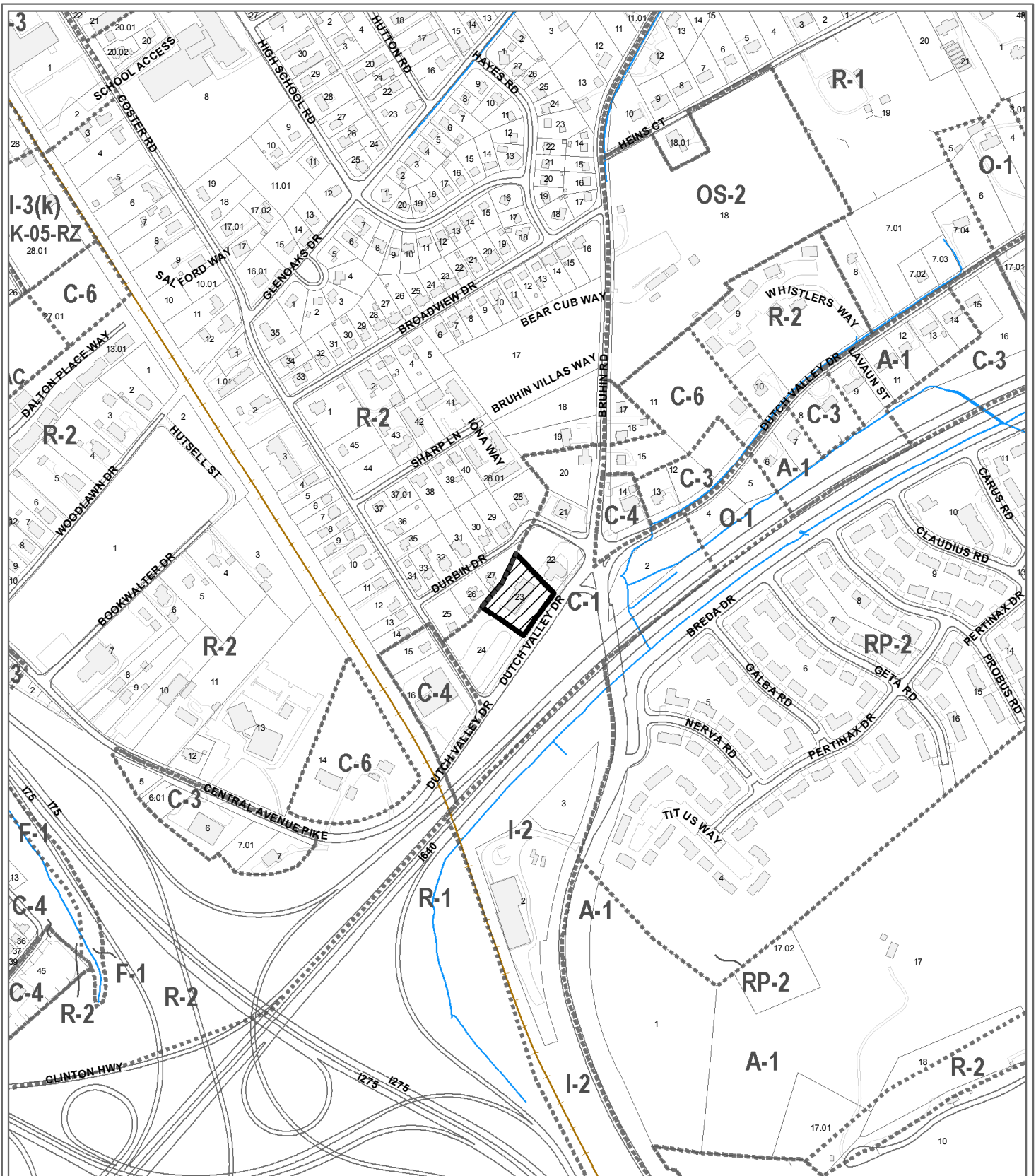
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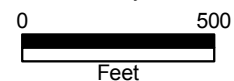
**4-A-11-RZ  
REZONING**

From: C-1 (Neighborhood Commercial)  
To: C-6 (General Commercial Park)



Petitioner: DFS Properties, LP

Map No: 69  
Jurisdiction: City



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