

▶ **FILE #:** 12-G-13-RZ **AGENDA ITEM #:** 26
 POSTPONEMENT(S): 12/12/13 **AGENDA DATE:** 2/13/2014

▶ **APPLICANT:** LEN JOHNSON
 OWNER(S): R. Pat Thompson

TAX ID NUMBER: 124 I C 013
 JURISDICTION: City Council District 1
 STREET ADDRESS: 302 E Ford Valley Rd

▶ **LOCATION:** North side Chapman Hwy., southeast side E. Ford Valley Rd.

▶ **APPX. SIZE OF TRACT:** 0.81 acres

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

ACCESSIBILITY: Access is via Chapman Hwy., a major arterial street with 4 lanes and 65' of pavement width within 145' of right-of-way, or E. Ford Valley Rd., a local street with 17' of pavement width within 50' of right-of-way.

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

WATERSHED: Holston and French Broad

▶ **PRESENT ZONING:** C-3 (General Commercial)

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Automobile sales lot

EXTENSION OF ZONE: Yes, extension of C-4 from three sides

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: E. Ford Valley Rd. - Houses / R-1 (Low Density Residential)
 South: Chapman Hwy. - Restaurant / C-4 (Highway & Arterial Commercial)
 East: Automobile sales / C-4 (Highway & Arterial Commercial)
 West: E. Ford Valley Rd. - Office / C-4 (Highway & Arterial Commercial)

NEIGHBORHOOD CONTEXT: Properties fronting on Chapman Hwy. are developed with commercial uses under C-3 and C-4 zoning. Residential uses are to the rear of the businesses, zoned R-1.

STAFF RECOMMENDATION:

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

C-4 zoning at this location would allow uses that would not be compatible with adjacent residential uses to the north and west. There is more than enough C-4 zoning in place along Chapman Hwy. already. The applicant has reasonable use of the property under the current C-3 zoning.

COMMENTS:

MPC postponed this request at the December 12, 2013 meeting for 60 days. MPC requested that staff draft some zoning conditions that could be utilized on the property if C-4 zoning were to be recommended for approval. Staff has attached some proposed conditions. These were provided to use at the neighborhood

meeting that took place on January 23 to discuss this proposal. Staff continues to recommend that C-4 zoning be denied.

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

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. No significant changes have occurred in the area that warrant the requested change in zoning. This site is currently zoned C-3, which allows reasonable use of the site. C-4 zoning will allow more intense commercial uses, including automobile sales, that would be less compatible with adjacent residential uses to the north and west.
2. The site is adjacent to C-4 zoning on three sides, but those sites are not adjacent to residential uses across a street. It is not appropriate to place intense commercial uses facing established residential uses. The existing C-3 zoning provides reasonable use of the site without allowing more intense commercial uses, that would increase the negative impact on residential properties.
3. A large majority of Chapman Hwy. is already zoned C-4, CA or CB, which allow automobile sales. There are plenty of more appropriate sites available in the area, that are currently zoned for and are more appropriate for C-4 uses.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The requested C-4 zoning district 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. Typical uses offer accommodations and services to motorists, contain certain specialized retail outlets, or provide commercial amusement enterprises. It is the intent to provide a location for the 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 the confines of an enclosed building. The intent of this district is to provide appropriate space and sufficient depth from the street to satisfy the needs of modern commercial development where access is entirely dependent on motor vehicle trade; to provide the orderly development and concentration of highway and arterial commercial uses at appropriate locations; and to encourage the development of these locations with such uses and in such a manner as to minimize traffic hazards and interference with other uses in the vicinity.
2. Based on the above description and intent, as well as the permitted uses, this property is not appropriate to be rezoned to C-4 because of its proximity to residential uses and its odd shape and small size, which will not allow for a sufficient depth/separation from the street.

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. Establishment of C-4 zoning at this location would adversely impact nearby residential properties.
2. C-4 zoning allows many uses that would not be compatible with nearby residential land uses and zoning. C-3 zoning is more appropriate for this property, considering its characteristics and location.
3. C-3 zoning allows reasonable commercial use of the property without increasing the potential impact on adjacent residential properties.
4. Additional C-4 zoning on Chapman Hwy. for automobile sales is not necessary, as there are plenty of sites in the vicinity that are already zoned to accommodate that use.

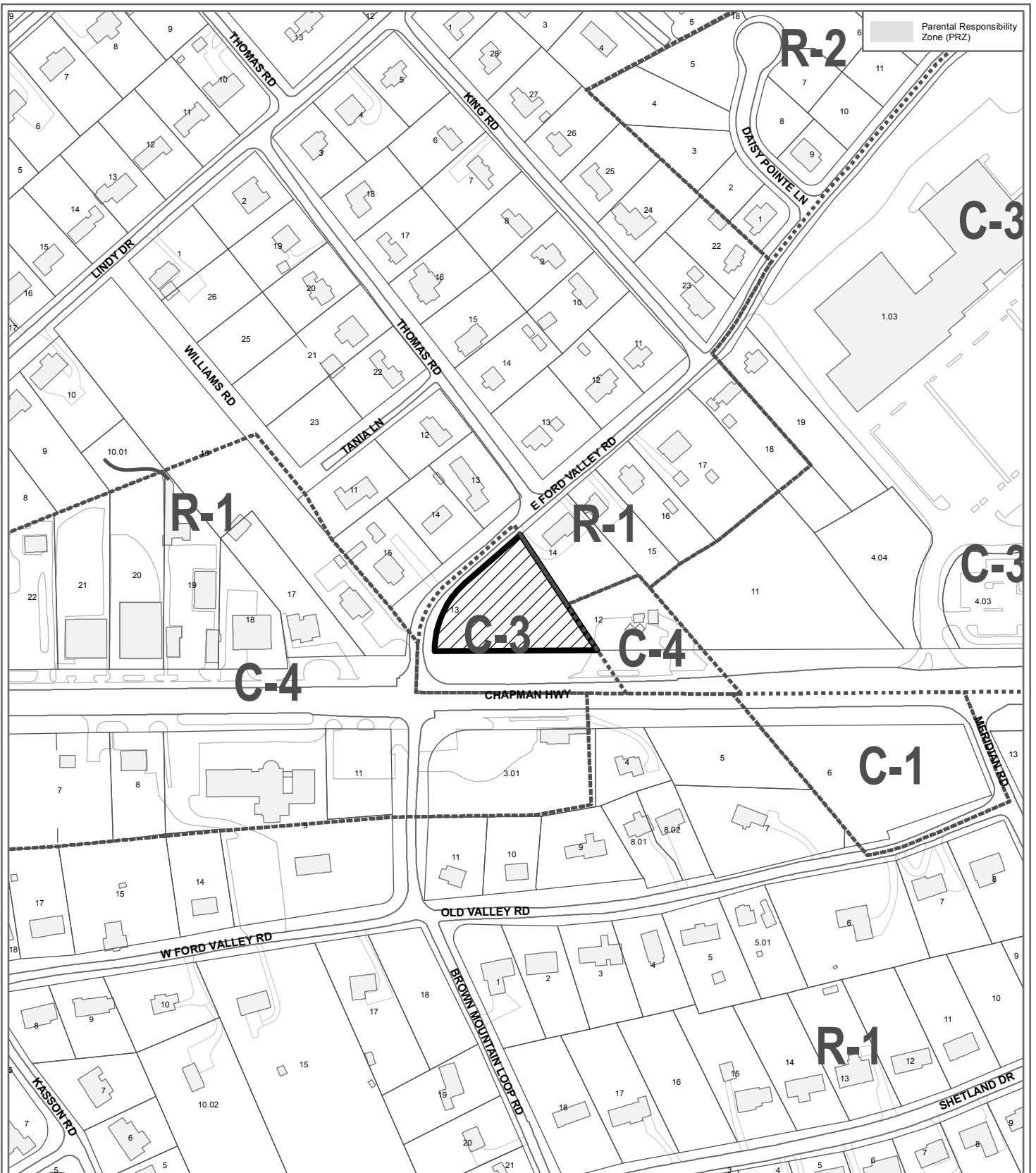
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The South City Sector Plan and the Knoxville One Year Plan both propose general commercial uses, which is consistent with both the current C-3 and the requested C-4 zoning.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request may lead to future rezoning requests for C-4 zoning along Chapman Hwy.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 3/4/2014 and 3/18/2014. 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.



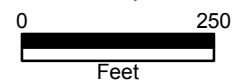
**12-G-13-RZ
REZONING**

From: C-3 (General Commercial)
To: C-4 (Highway and Arterial Commercial)



Petitioner: Johnson, Len

Map No: 124
Jurisdiction: City



Original Print Date: 11/22/2013 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

**POTENTIAL CONDITIONS FOR CONSIDERATION
OF REZONING FILE #12-G-13-RZ**

- 1) Installation of a Type A landscape (MPC) screen along the northwest property line and maintenance of the existing landscape buffer along the northeast property line, facing or adjoining existing residential zoning.
- 2) The fixtures for any exterior lighting shall be either full cut-off, or directionally shielded.
- 3) The light source, which shall be LED, shall be directed away from adjoining residential areas.
- 4) No vehicular access shall be allowed from the subject property to E. Ford Valley Rd.

(This should not be considered as being a final list of conditions as it relates to the subject property and the request for commercial zoning. Additional conditions may be developed, or current conditions may be deleted, prior to consideration by MPC at their February meeting.)

Type "A" Screen: Dense

APPROPRIATE LOCATION: Boundaries of commercial and industrial developments adjoining residential areas

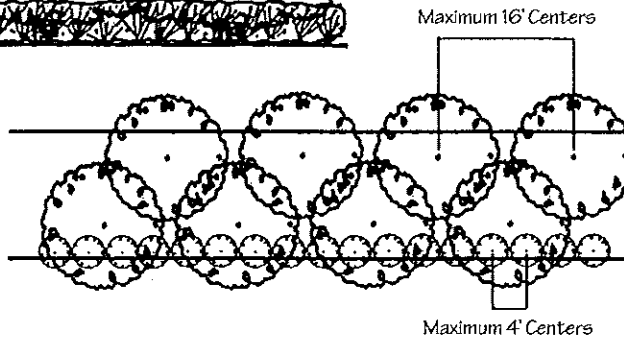
NOTE: Landscape buffer strips should be a minimum of 15 feet in width, and sown with grass or ground cover for their full width, allowing for mulch at the base of plantings.

- Two offset rows of deciduous or evergreen canopy trees with a 6 ft. high continuous dense evergreen hedge, fence, wall or earth berm

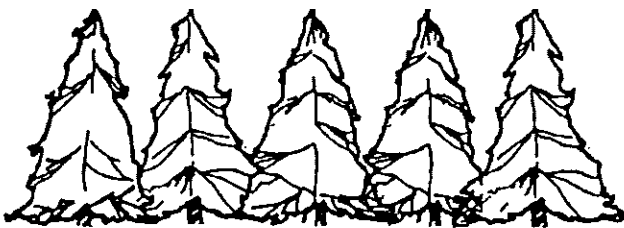


TREE HEIGHT
Installed: 8 ft.
Mature: 40 ft.

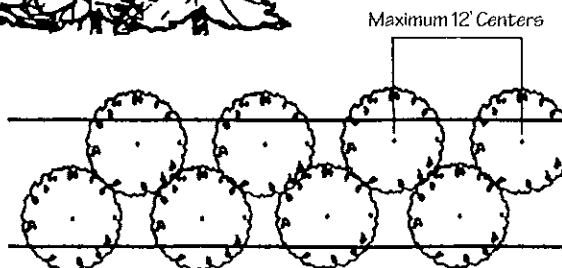
SHRUB HEIGHT
Installed: 4 ft.
Mature: 6 ft.



- Two offset rows of evergreen trees with branches touching the ground



TREE HEIGHT
Installed: 8 ft.
Mature: 30 ft.



INTRODUCTION

Landscape screening reduces the impact of intense development upon adjacent land uses by providing visual separation, reducing the transmission of glare and air pollution, and limiting access. Screening also promotes the aesthetic appeal of a neighborhood and promotes higher property values.

This series of design guidelines defines several types of landscape screen. Each type is applicable to a certain intensity of conflict between adjacent land uses. Each screen type is illustrated by several planting schemes with an equivalent height, density and opacity of landscaping.

MPC uses these guidelines to illustrate desirable levels of screening appropriate to various site planning situations. Creative alternatives which achieve a comparable effect are encouraged.

For more information:

MPC
Development Services
Suite 403
City County Building
400 Main Street
Knoxville, TN 37902
Phone: 865 215-2500
Fax: 865 215-2068
Web: www.knoxmpc.org

The contents of these guidelines are advisory and are intended to supplement, but not replace, the requirements of the Knoxville Zoning Ordinance and the Knox County Zoning Ordinance.



09 December 2013

File No. 13033

Agenda Item #30

SUMMARY OF CASE FOR RE-ZONING OF SUBJECT SITE FROM C-3 TO C-4:

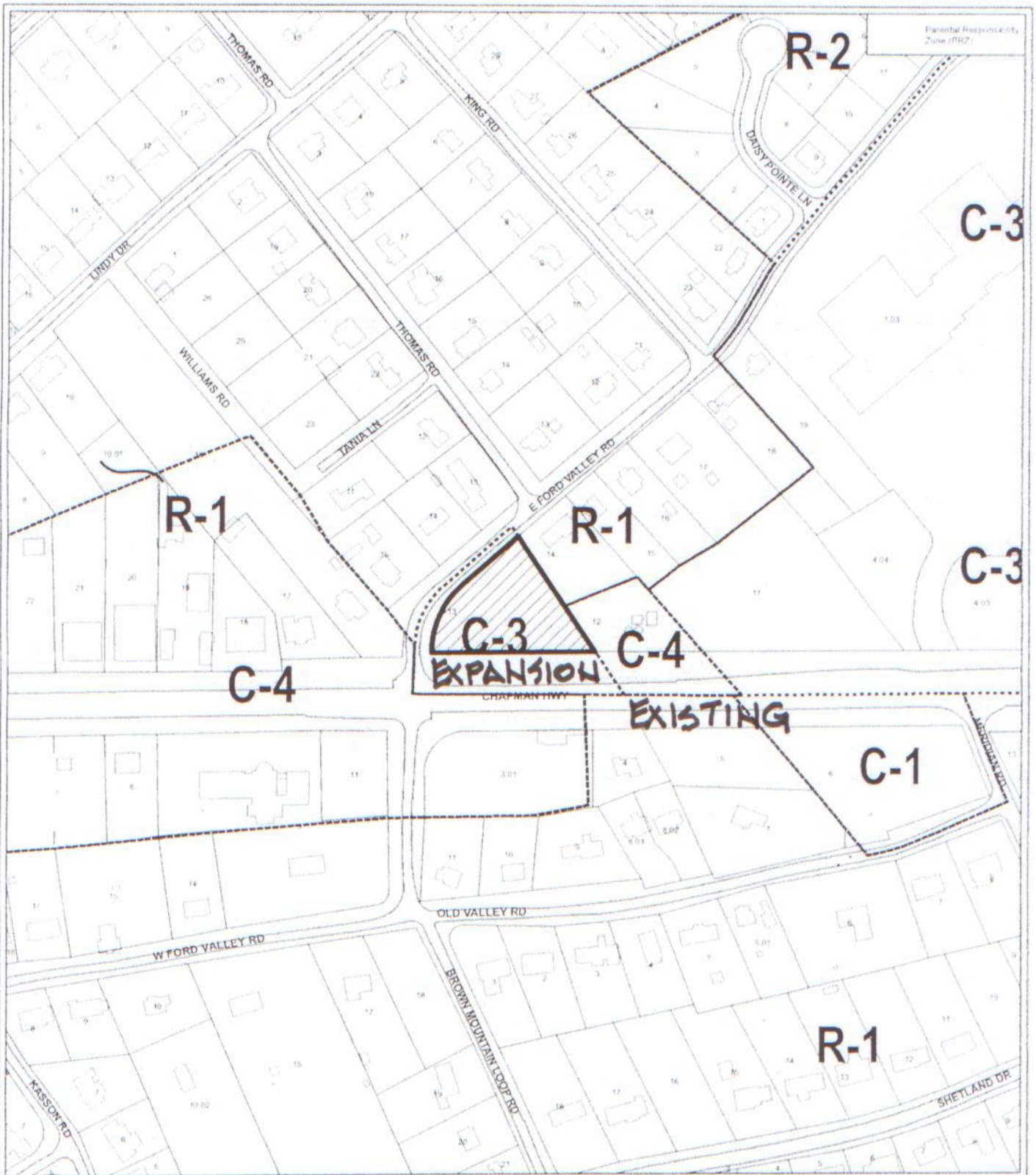
PLATE

- 1) The site is to be used for expansion of an existing (12 years) auto sales business.
- 2) The site is bounded on three (3) sides by property zoned C-4 (75% of the boundry perimeter).
- 3) The one-year plan calls for the planned use of GC general commercial.
- 4) The site is in the City of Knoxville
- 5) The existing auto sales site is bounded on the North by R-1 as is the expansion site.
- 6) Both sites are buffered from the R-1 zoned properties by an elevation change of 18 to 22 feet vertically.
- 7) Both the existing and expansion sites are further buffered by a grove of existing trees between 20 to 30 feet horizontally.

The expansion site can not be used for outdoor display as zoned C-3.

cc:file:c:\2013 PROJECTS\13033\09dec13.summary.wpd

724 Taylor Road. Knoxville, TN 37920 . (VOL) 573-1148



**12-G-13-RZ
REZONING**

From: C-3 (General Commercial)

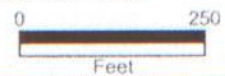


To: C-4 (Highway and Arterial Commercial)

Original Print Date: 11/22/2013 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Johnson, Len

Map No: 124
Jurisdiction: City



MPC December 12, 2013

Agenda Item # 30

1

MPC February 13, 2014

Agenda Item # 26



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0 100 Feet

302 E. FORD VALLEY ROAD

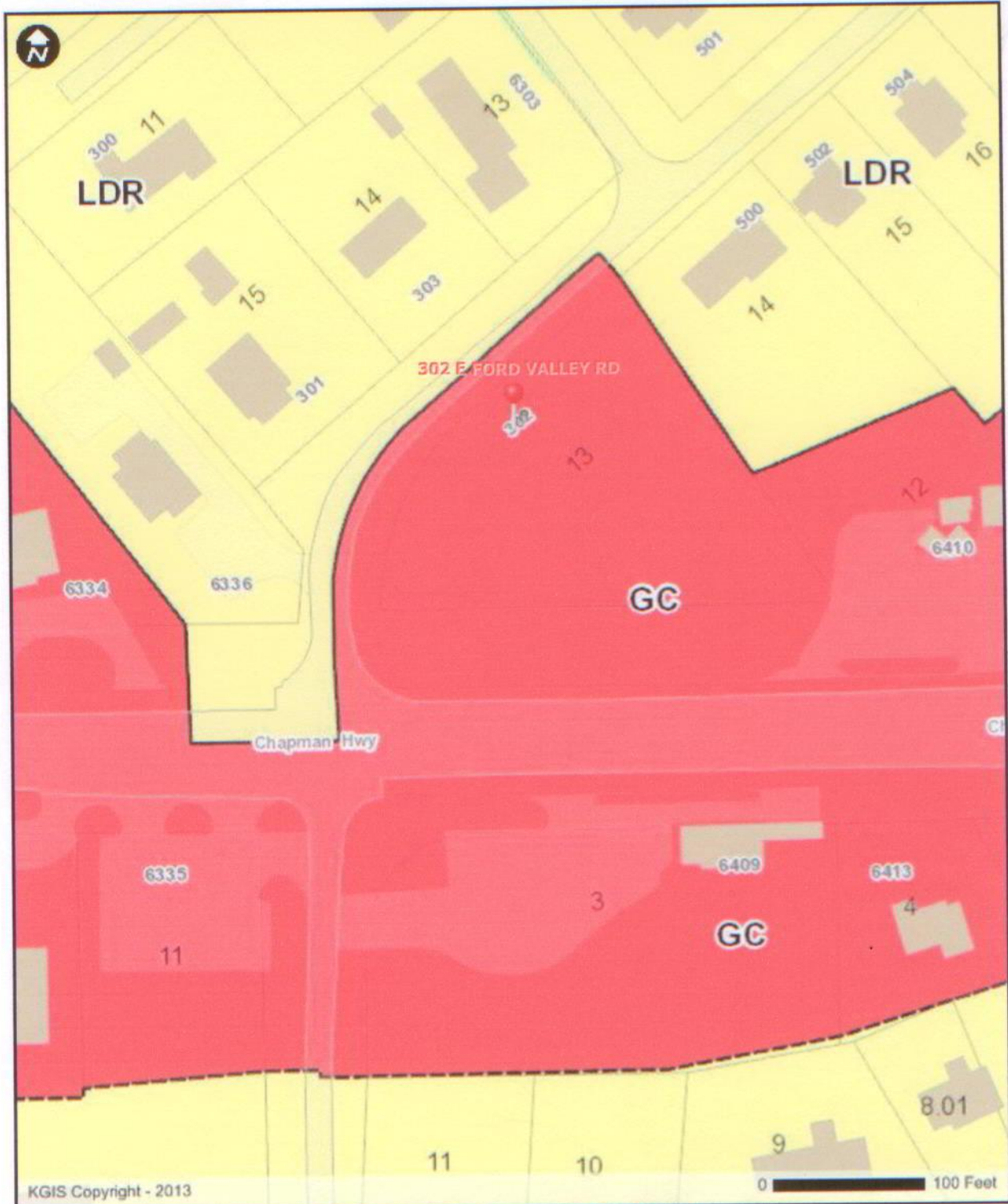
R. PAT THOMPSON
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#2



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302 E. FORD VALLEY ROAD
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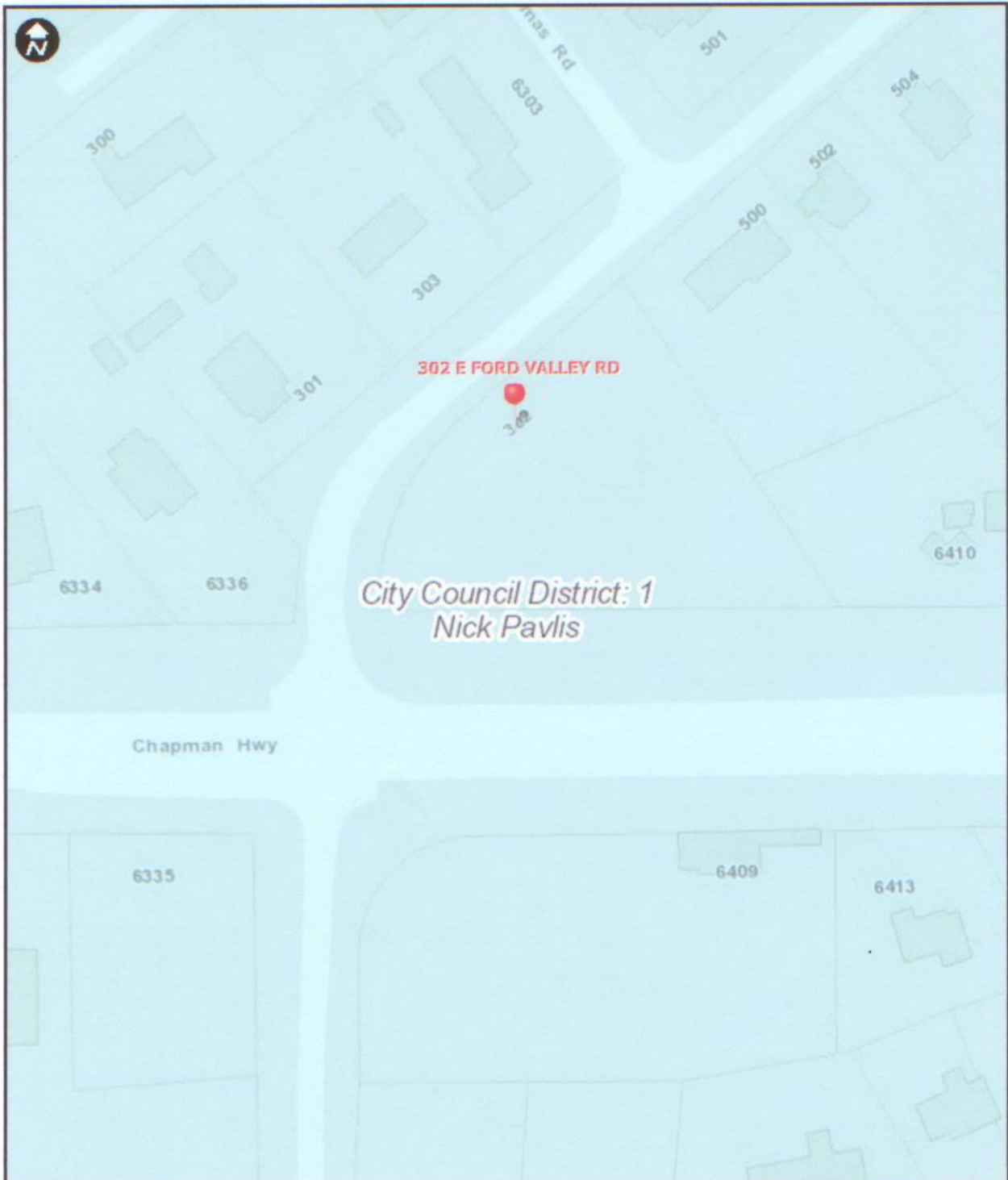
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12/7/20
#3



*City Council District: 1
Nick Pavlis*

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302 E. FORD VALLEY ROAD

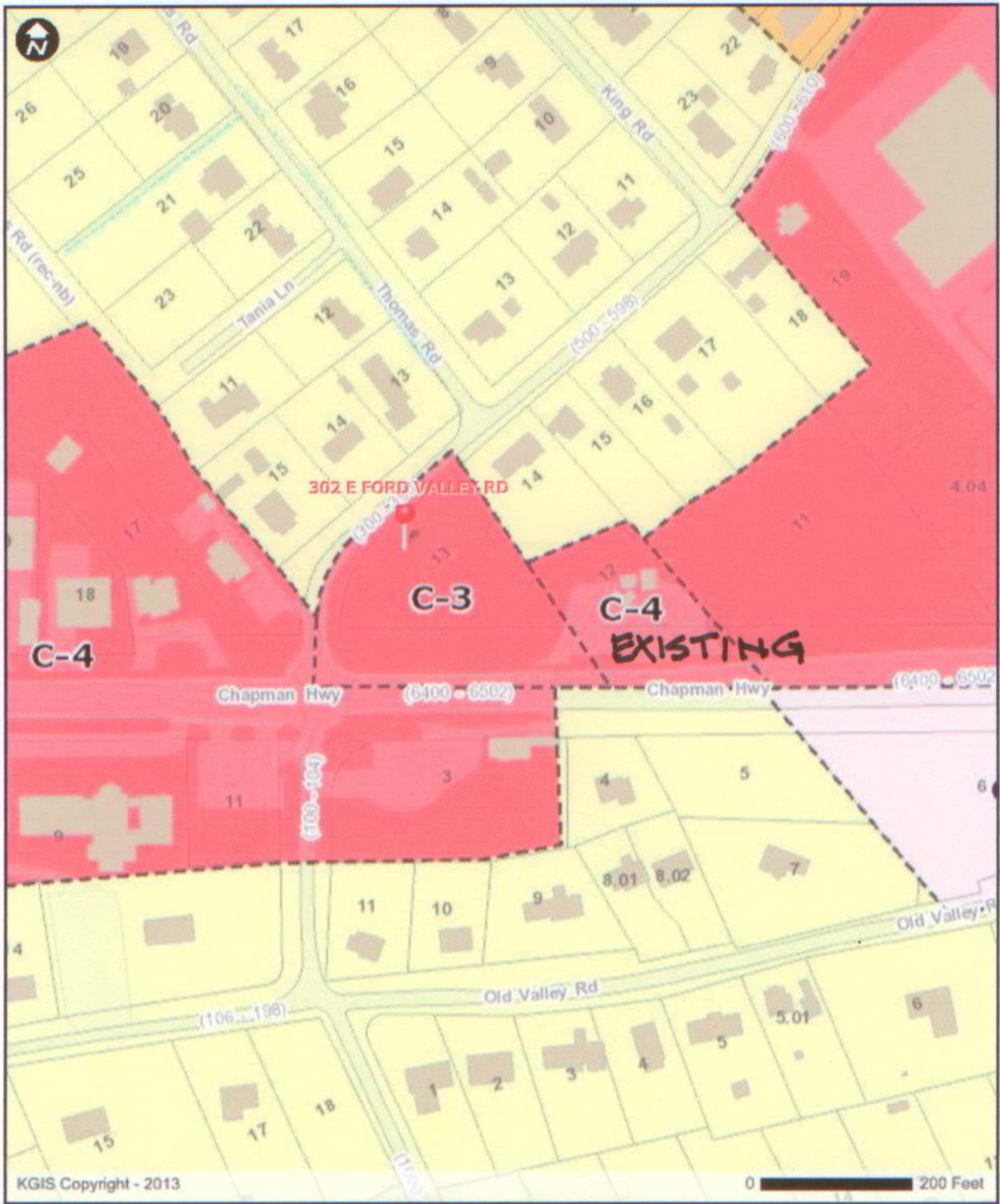
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#4



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0 200 Feet

302 E. FORD VALLEY ROAD

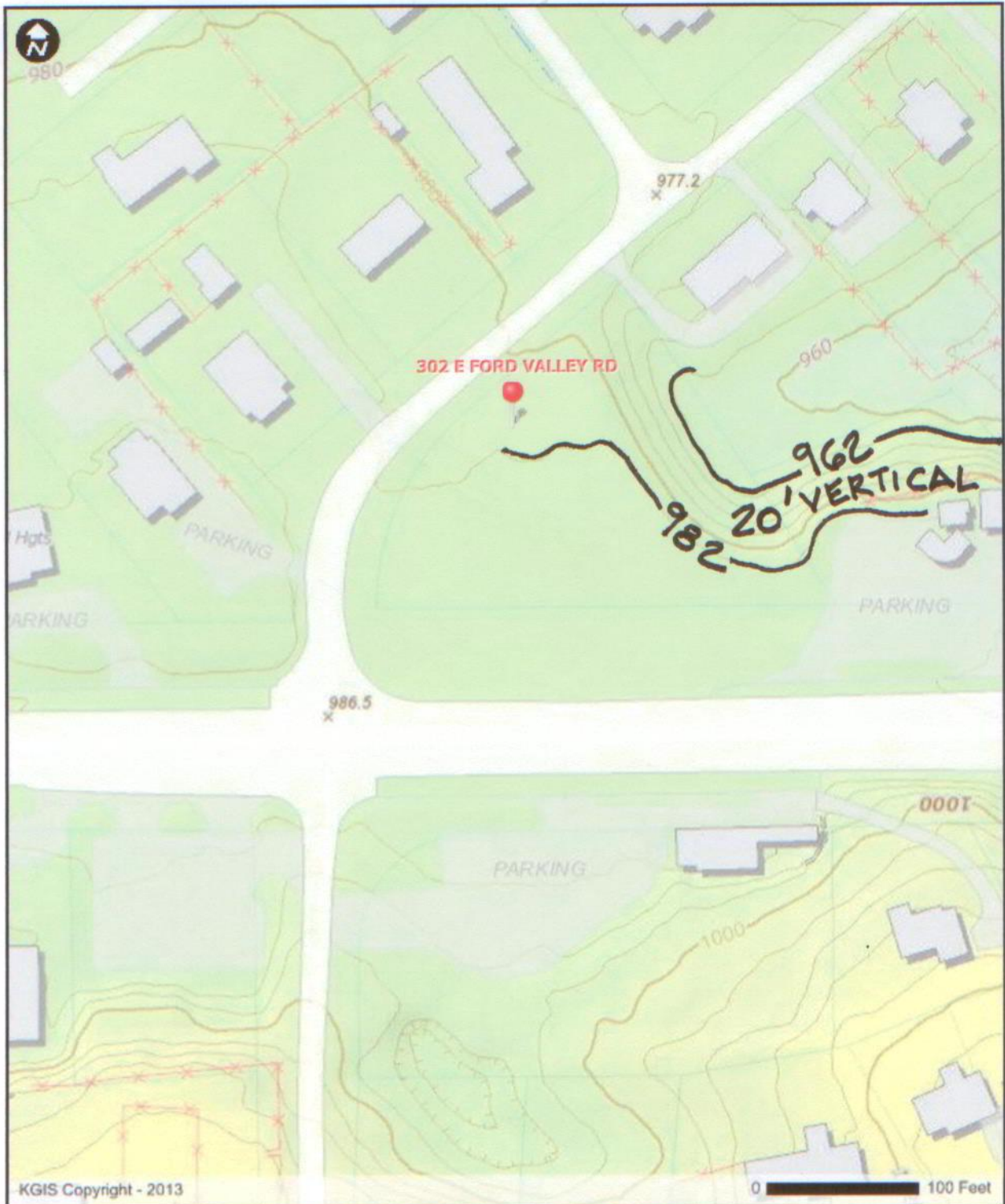
R. PAT THOMPSON

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12/7/2013
#7



Change of zoning Ford Valley Road

1 message

moochie747@comcast.net <moochie747@comcast.net>

Wed, Dec 11, 2013 at 5:26 PM

To: bettyjo.mahan@knoxmpc.org

To all Commissioners of MPC,

I am a homeowner on the Southwest corner of Lindy Drive and Thomas Road. This is around the corner from MPC item 12-G_13-Rz, the corner lot at Ford Valley Road and Chapman Hgwy.

I am strongly opposed to the change in zoning from C-3 to C-4. Please accept MPC staff's recommendation and deny this request.

This corner is one of the gateways to the neighborhood of Lindsey Hills presenting if not a bucolic then a soothing sight for anyone coming off the madness of Chapman Hgwy.

A used car lot on that corner would destroy that image. There are far too many used car lots sprawling along Chapman Hgwy. Enough is enough! The landowner's current lot adjacent to this property looks like an illegal chop shop and detracts from the neighborhood already.

I am concerned about a lowering of real estate values in the neighborhood and this zoning change i feel would just exacerbate the situation.

Again, please accept MPC staff recommendation and deny this request.

Thank you.

Joseph F. Minichiello

311 Lindy Drive

South Knoxville

P.S. I apologize for this late e-mail but Comcast was having trouble(again) with my e-mail service.

Petition to Stop a Rezoning Request on East Ford Valley Road

We, the residents of East Ford Valley Road, petition the city of Knoxville to DENY the proposed REZONING proposal of (302 EAST FORD VALLEY ROAD) from C-3 (General Commercial) to C-4 (Highway and Arterial Commercial), which would result in the development of an Automobile Sales Lot on the edge of a quiet residential neighborhood in South Knoxville. Local residents are concerned about property values being greatly impacted now and in the future as well as the potential increase for crime in the area that an open, unsupervised commercial lot could attract during after-business hours. We demand that the Planning and Zoning Commission reevaluate this proposal and consider its impact on the longtime residents of this community and vote NO to rezoning of the property.

We urge the Planning and Zoning Commission to vote NO to the rezoning of (302 EAST FORD VALLEY ROAD) located in an established, quiet residential neighborhood in South Knoxville.

Printed Name	Signature	Address	Phone	Email	Date
Karen Wade	[Signature]	6303 Thomas Rd	865-406-0211	MikWade@gmail.com	
David Wade	[Signature]	6303 Thomas Rd	865-806-6114		
CAROLYN SMITH	[Signature]	504 E Ford Valley	5238178		12-10-13
Michael Luster	[Signature]	503 E. Ford Valley Rd	296-8648		12-10-13
Gwen Alexander	[Signature]	507 E. Ford Valley Rd	691-1959		12-10-13
Steven Westcott	[Signature]	6211 King Rd.	605-255-3566		12-10-13
Stewart Dieter	[Signature]	500 East Ford Valley Rd	904-4323		
MARTHA C. Holliday	[Signature]	6206 Thomas Rd	577-1278		12-10
Gwen	[Signature]	6207 Thomas Rd	573-4396		
Heather Ali	[Signature]	6201 Thomas Rd.	573-3629		12-10

Printed Name	Signature	Address	Phone	Email	Date
Denise Cwick	<i>Denise Cwick</i>	6208 Thomas Rd.	865-599-1763	dennycwick@gmail.com	12/10/13
KIMBERLY MAYS	<i>Kimberly Mays</i>	303 E. Ford Valley Rd.	865-579-6209	KIMBERLYMAYS@GMAIL.COM	12/10/13
Alisha Parker	<i>Alisha Parker</i>	303 E. Ford Valley Rd.	865-661-6608		12/11/13
JESSE	<i>WELKIN</i>	301 E. FORD VALLEY RD	865-209-2769		12/11/13
Tracy Hubbs	<i>Tracy Hubbs</i>	301 E. Ford Valley Rd	865-454-1911	TRACY 30133@gmail.com	12/11/13
Dennis Hill	<i>Dennis Hill</i>	301 1/2 E Ford Valley	865-964-8407		12/11/13
Nikki Fletcher	<i>Nikki Fletcher</i>	301 E Ford Valley Rd.	865	FletcherNikki20@gmail.com	12-11-13
David Payton	<i>David Payton</i>	301 E Ford Valley Rd	865-394-7176		12-11-13
Jimmy Whate	<i>Jimmy Whate</i>	300 TONIA LANE	865-573-3364		12-11-13

#30

DEVELOPMENT
MR. PAT THOMPSON
808 E. FORD VALLEY ROAD
KNOXVILLE, TN 37909
11858



R. LEN JOHNSON & ASSOCIATES
Architects, Construction Inspectors & Engineers
724 TAYLOR ROAD, KNOXVILLE, TN 37929 (VFD) (662) 572-8140

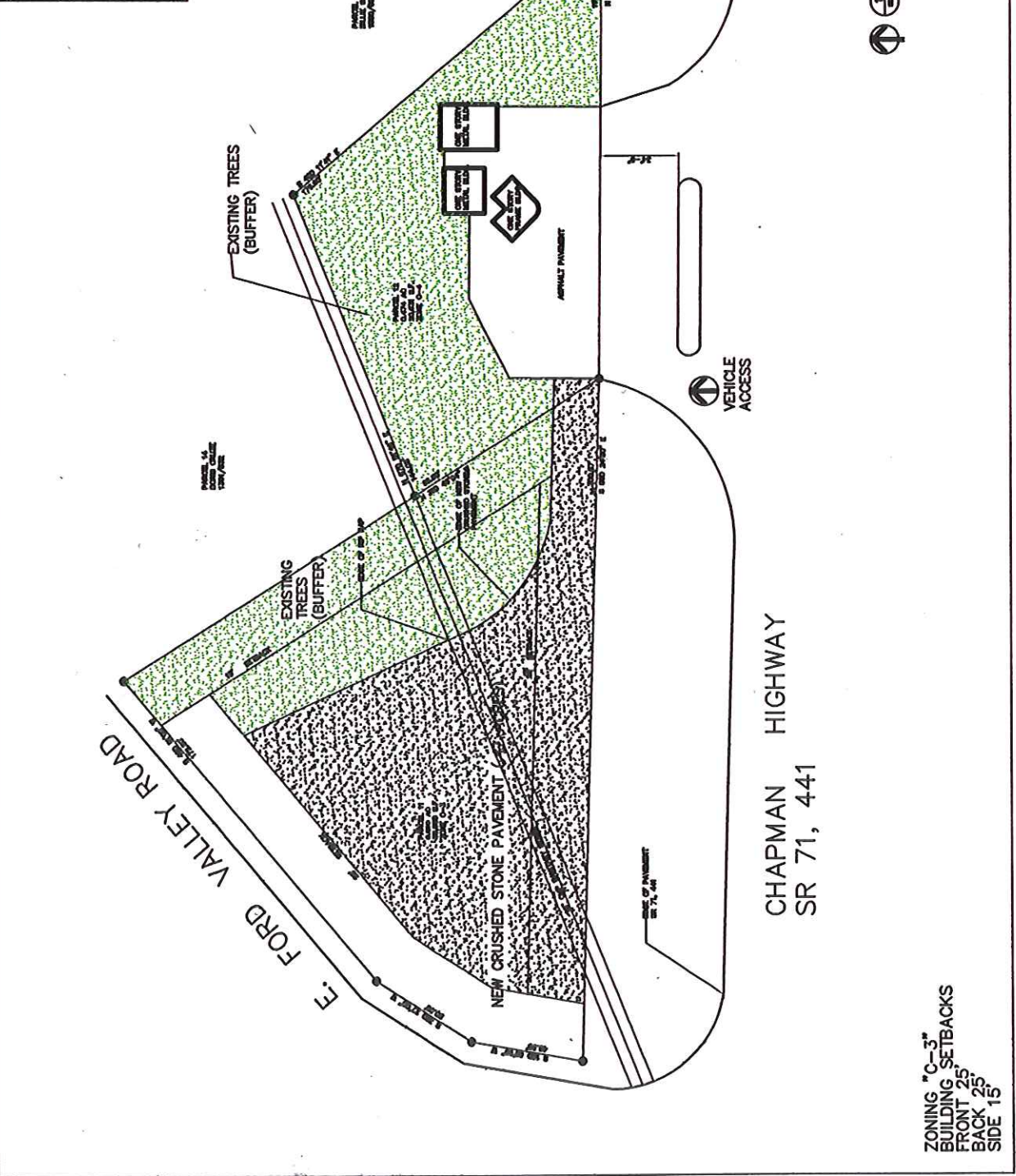
SITE
DEVELOPMENT
PLAN

DATE	08/01/13
SCALE	AS SHOWN
PROJECT NO.	11858
CLIENT	MR. PAT THOMPSON
ADDRESS	808 E. FORD VALLEY ROAD
CITY	KNOXVILLE, TN
STATE	TN
COUNTY	DEKALB
SECTION	1
SHEET NO.	1
TOTAL SHEETS	1

SD1



SITE LOCATION MAP

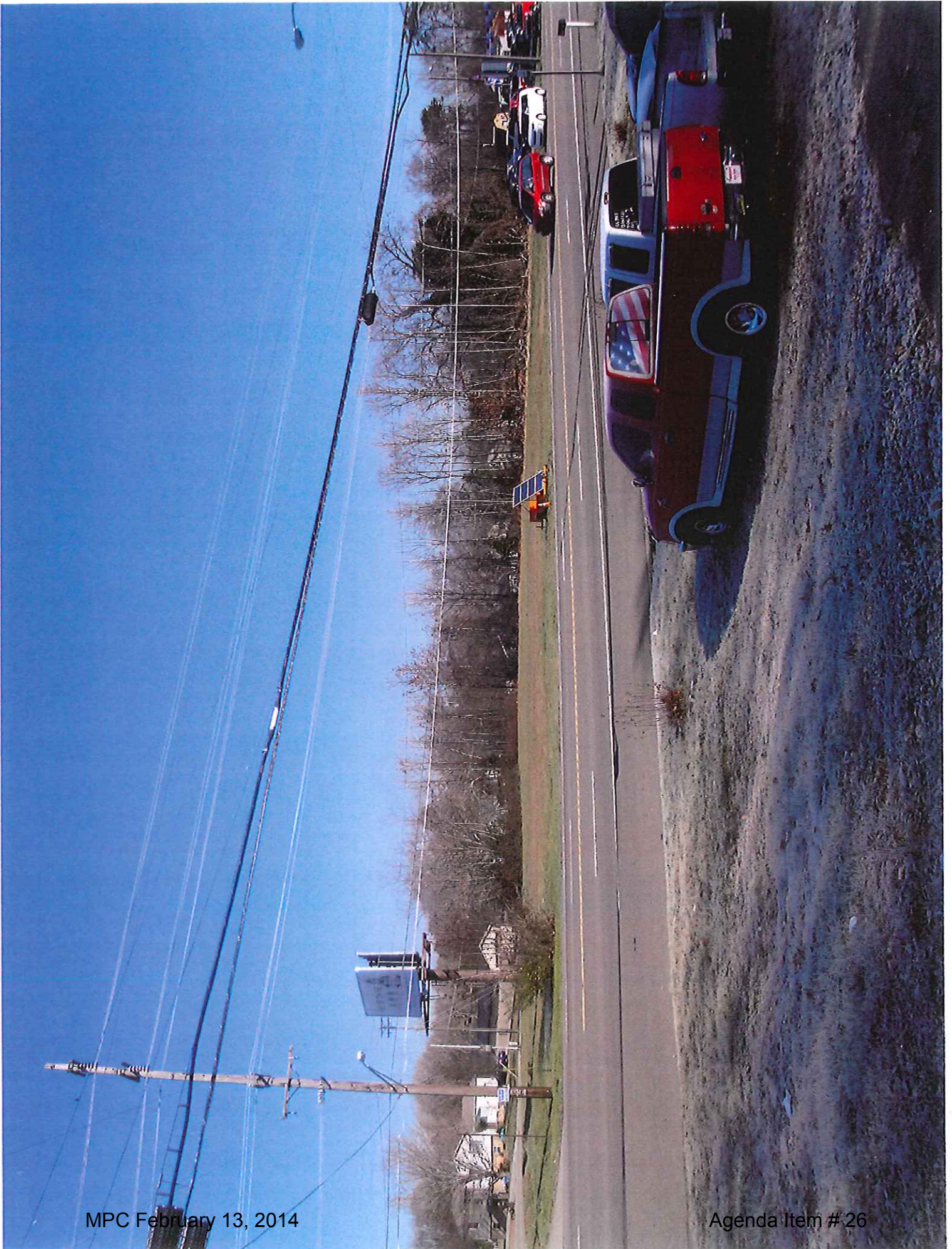




MPC February 13, 2014

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VIEW NORTH FROM W. FORD VALLEY @ CLAPMAN



MPC February 13, 2014

Agenda Item # 26

VIEW NORTH



MPC February 13, 2014

Agenda Item # 26

VIEW NORTH



VIEW SOUTH FROM NORTH PROPERTY CORNER



VIEW SSW FROM NORTH PROPERTY CORNER



VIEW SW FROM PROPERTY CORNER