

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

► **FILE #:** 7-K-16-RZ

AGENDA ITEM #: 38

7-F-16-SP

AGENDA DATE: 7/14/2016

► **APPLICANT:** NOLAN HOPPER

OWNER(S): Roy N. Hopper

TAX ID NUMBER: 67 260

[View map on KGIS](#)

JURISDICTION: Council District 3

STREET ADDRESS: 2105 Callahan Dr

► **LOCATION:** Northwest side Callahan Dr., north of Clinton Hwy.

► **TRACT INFORMATION:** 3.16 acres.

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN:

ACCESSIBILITY: Access is via Callahan Dr., a minor arterial street with 4 lanes and a center median within 160' of right-of-way, or Old Callahan Dr., a major collector street with 20' of pavement width within 60' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Knob Fork Creek

► **PRESENT PLAN DESIGNATION/ZONING:** MDR/O (Medium Density Residential and Office) / O-1 (Office, Medical, and Related Services)

► **PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial) / C-4 (Highway and Arterial Commercial)

► **EXISTING LAND USE:** Vacant land

► **PROPOSED USE:** Commercial development

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Old Callahan Dr., Residence - MDR/O - RB (General Residential)

South: Callahan Dr., vacant land - MDR/O - C-4 (Highway & Arterial Commercial)

East: Vacant land and residence - MDR/O - RB (General Residential) and A (Agricultural)

West: Residences and vacant land - MDR/O - C-4 (Highway & Arterial Commercial) and CB (Business & Manufacturing) (both with conditions)

NEIGHBORHOOD CONTEXT: This site is located between Callahan and Old Callahan Drives in an area developed with a mix of uses, under CA, CB, C-4, O-1, A, R-2 and RB.

STAFF RECOMMENDATION:

- **DENY the request to amend the future land use map of the Northwest City Sector Plan to GC (General Commercial) land use classification.**

The Northwest City sector plan was just updated to propose medium density residential and office uses for this site. There is no justification to amend the plan. The current O-1 zoning of the property is consistent with the current sector plan, and should be maintained.

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

C-4 zoning is not consistent with the recently adopted Northwest City Sector Plan. There is a sufficient amount of land in the immediate area that is already zoned for commercial uses, much of which is vacant or under-utilized land. There is no need to rezone more land to commercial at this time.

COMMENTS:

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No known road or utility improvements have been made recently in this area. However, utilities are in place and Callahan Dr. is a major arterial street that is adequate to handle traffic that will be generated by commercial development of this site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan now proposes medium density residential and office uses for the site, which is consistent with the current O-1 zoning in place on the property. The Northwest City Sector Plan update was recently adopted by MPC on April 9, 2015 and by City Council on May 26, 2015. The plan appropriately recommends MDR/O for this site. Commercial uses are recommended to the southwest around Callahan Dr. and Clinton Hwy. and to the northeast at Callahan Dr. and I-75. This site is located in a transitional area between those commercial nodes. Despite the sector plan proposal, many properties in the immediate area are zoned for commercial uses. Many of these properties are either vacant or under-utilized for commercial purposes, so there is no justification for the establishment of more commercial zoning in the area.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

With previous approvals of commercial zoning and development in the surrounding area, a pattern has been established to allow commercial development in the area. However, a large portion of the land zoned for commercial in the area is vacant or under-utilized, so there is no justification to redesignate more land for commercial uses.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

The trend of rezoning land in the area for commercial has been established. However, the sector plan does not support commercial use of this site. There is plenty of land available in the area that is already zoned for commercial uses. The applicant has reasonable use of the property for either medium density residential or office uses, consistent with the current O-1 zoning.

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. The proposal is compatible with the surrounding zoning pattern, but much of the surrounding commercial zoning is under-utilized, so there is no need to rezone more land to commercial.
2. The current O-1 zoning is consistent with the sector plan proposal for the property and should be maintained. O-1 zoning gives the applicant reasonable use of the property for possible development of office or residential uses.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE

APPLICABLE ZONING ORDINANCE:

1. 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.
2. Based on the above general intent, this site may be appropriate for C-4 development, but the rezoning is not justified because of the existence of plenty of under-utilized commercial zoning in the immediate area.

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 proposal would have no impact on schools. The impact on the streets will depend on the type of development proposed. Callahan Dr. is a major arterial street capable of handling the additional traffic that may be generated under C-4 zoning.
2. The proposal is compatible with the surrounding zoning pattern and will have a minimal impact on the adjacent properties. However, the rezoning is not justified since there is plenty of commercially-zoned properties available for development already established in the area.
3. Public water and sewer utilities are available to serve the site. C-4 zoning is consistent with other zoning in the immediate area.

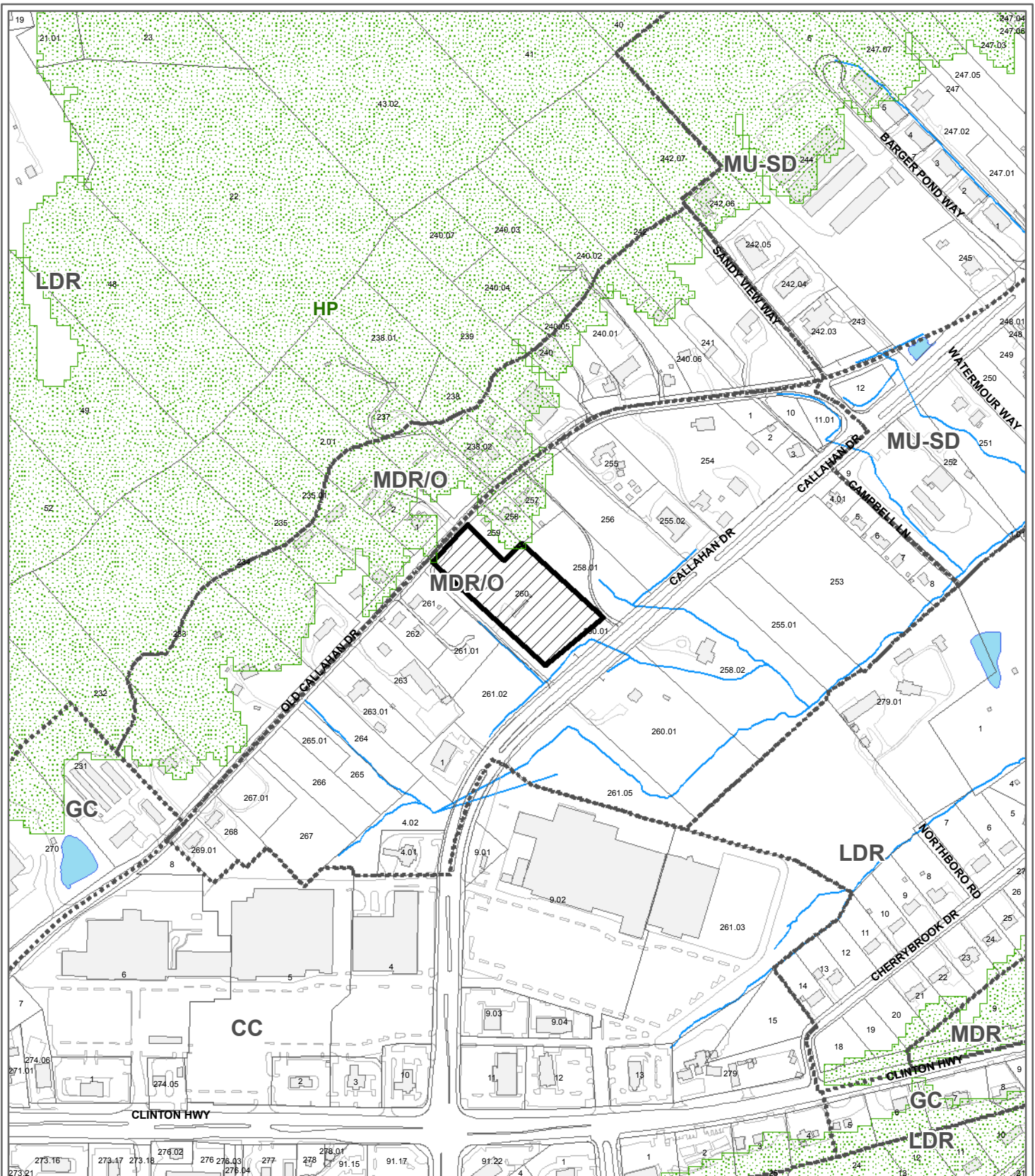
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Northwest City Sector Plan, updated in 2015, appropriately designates this site for MDR/O, consistent with the current O-1 zoning.
2. The City of Knoxville One Year Plan currently designates the site for GC. However, MPC has adopted the 2016 One Year Plan update, which proposes to change the land use designation to MDR/O, consistent with the sector plan. The 2016 One Year Plan update is still awaiting final approval by City Council.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This zoning proposal conflicts with the adopted plans for the area.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

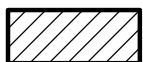
If approved, this item will be forwarded to Knoxville City Council for action on 8/16/2016 and 8/30/2016. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



7-F-16-SP / 7-K-16-RZ
NORTHWEST CITY SECTOR PLAN AMENDMENT

From: MDR/O (Medium Density Residential and Office)

To: GC (General Commercial)



Original Print Date: 6/15/2016 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

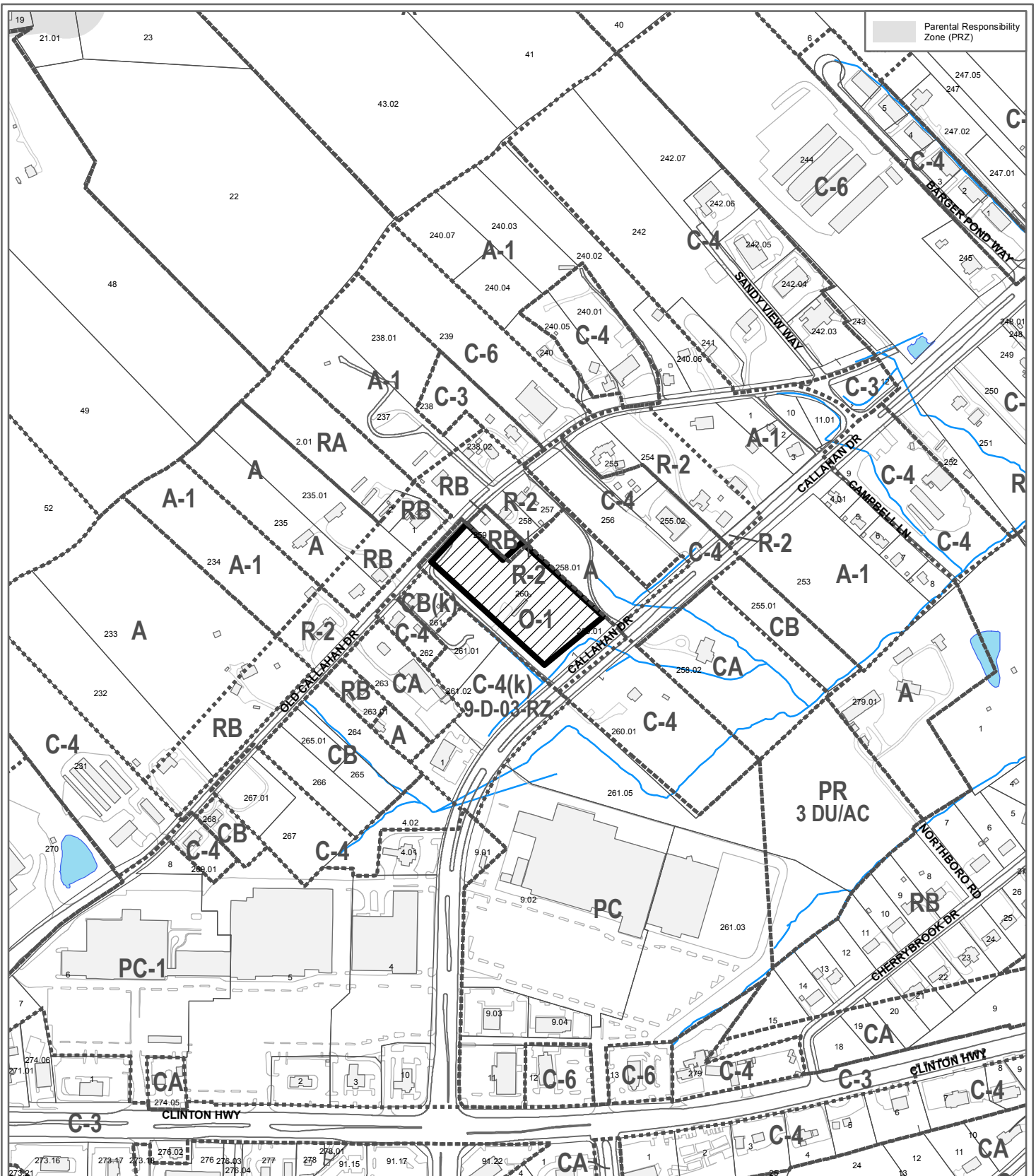
Petitioner: Hopper, Nolan

Map No: 67

Jurisdiction: City

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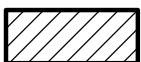




**7-K-16-RZ
REZONING**

From: O-1 (Office, Medical, and Related Services)

To: C-4 (Highway and Arterial Commercial)



Original Print Date: 6/23/2016
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Hopper, Nolan

Map No: 67

Jurisdiction: City

