

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

▶ **FILE #:** 4-C-16-SP **AGENDA ITEM #:** 30
 POSTPONEMENT(S): 4/14/2016 **AGENDA DATE:** 5/12/2016
 ▶ **APPLICANT:** **SAMUEL J. FURROW**
 OWNER(S): Samuel J. Furrow

TAX ID NUMBER: 131 F A 01201 [View map on KGIS](#)
 JURISDICTION: Council District 2
 STREET ADDRESS: 309 Cogdill Rd
 ▶ **LOCATION:** **Southwest side Cogdill Rd., south of Parkside Dr.**
 ▶ **APPX. SIZE OF TRACT:** **3.11 acres**
 SECTOR PLAN: Southwest County
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ACCESSIBILITY: Primary access is via Parkside Dr., a major arterial street with 4 lanes and a center median within 100' of right-of-way. Access could also come from Cogdill Rd, a local street with 15' of pavement width within 50' of right-of-way.
 UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
 WATERSHED: Turkey Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** **C (Commercial) and O (Office) / C-6 (General Commercial Park) (K) and O-1 (Office, Medical, and Related Services) (K)**
 ▶ **PROPOSED PLAN DESIGNATION:** **C (Commercial)**
 ▶ **EXISTING LAND USE:** **Vacant**
 ▶ **PROPOSED USE:** **Vehicle storage**
 EXTENSION OF PLAN DESIGNATION: Yes, extension of GC from the north
 HISTORY OF REQUESTS: Current plan designations on the property were established in 2008 (1-A-08-SP).
 SURROUNDING LAND USE AND PLAN DESIGNATION: North: Parkside Dr. - Auto dealership / GC
 South: Residences / LDR
 East: Cogdill Rd. - Offices / O
 West: Vacant land / GC
 NEIGHBORHOOD CONTEXT Most properties along this section of Parkside Dr. are developed with commercial or office uses under C-3, C-4, C-6, OB and O-1 zoning. There is a large residential area to the south that is zoned A, PR and RA.

STAFF RECOMMENDATION:

▶ **DENY the request to amend the future land use map of the Southwest County Sector Plan to GC (General Commercial) land use classification.**

Staff maintains that the current plan designations should be retained in order to minimize the impact on the adjacent residential neighborhood to the south. The current zoning allows reasonable use of the property, while minimizing the potential negative impact on adjacent residential uses.

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 changes have occurred in the area since 2008 to now warrant a change of the One Year Plan for this site. Public water and sewer utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The Southwest County Sector Plan currently designates this site for GC (General Commercial) and O (Office) uses, consistent with its current conditional C-6 and O-1 zoning. These designations are appropriate, intentional and have been in place since 2008, so there is no error in the plan.

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

The plan has designated this site for GC and O uses since 2008. Both MPC and City Council adopted the current plan designations as they are currently shown at that time. Nothing has changed since then to now warrant changing the O to GC, as requested.

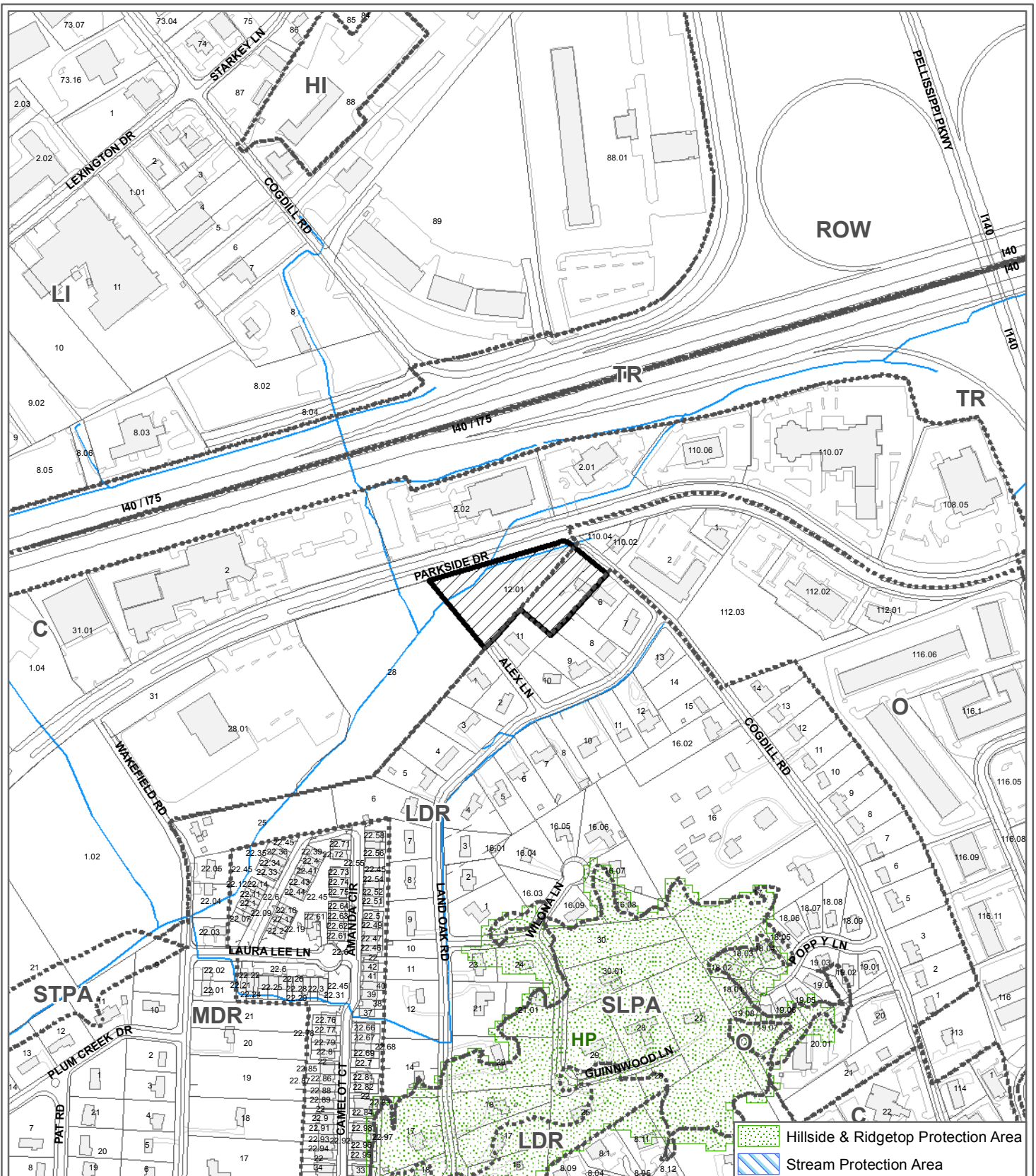
TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

No changes have occurred in the area since 2008 to now warrant a change of the sector plan for this site. Public water and sewer utilities are available to serve the site.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 6/7/2016 and 6/21/2016. 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.



4-C-16-SP
SOUTHWEST COUNTY SECTOR PLAN AMENDMENT

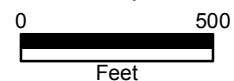
From: C (Commercial) and O (Office)
 To: C (Commercial)



Petitioner: Furrow, Samuel J.

Map No: 131
 Jurisdiction: City

Original Print Date: 3/21/2016 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



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

▶ **FILE #:** 4-H-16-RZ **AGENDA ITEM #:** 30
 4-D-16-PA **AGENDA DATE:** 5/12/2016

POSTPONEMENT(S): 4/14/2016

▶ **APPLICANT:** **SAMUEL J. FURROW**
 OWNER(S): Samuel J. Furrow

TAX ID NUMBER: 131 F A 01201 [View map on KGIS](#)

JURISDICTION: Council District 2

STREET ADDRESS: 309 Cogdill Rd

▶ **LOCATION:** **Southwest side Cogdill Rd., south of Parkside Dr.**

▶ **TRACT INFORMATION:** **3.11 acres.**

SECTOR PLAN: Southwest County

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

ACCESSIBILITY: Primary access is via Parkside Dr., a major arterial street with 4 lanes and a center median within 100' of right-of-way. Access could also come from Cogdill Rd, a local street with 15' of pavement width within 50' of right-of-way.

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

WATERSHED: Turkey Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** **GC (General Commercial) and O (Office) / C-6 (General Commercial Park) (K) and O-1 (Office, Medical & Related Services) (K)**

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

▶ **EXISTING LAND USE:** **Vacant**

▶ **PROPOSED USE:** **Vehicle storage**

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of GC from the northwest

HISTORY OF ZONING REQUESTS: Current plan designations and zoning with conditions were placed on the property in January 2008 in the County (1-C-08-RZ/1-B-08-PA/1-A-08-SP) and then were reconfirmed in May 2008, after annexation, under City zoning districts. (5-H-08-RZ

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
 North: Parkside Dr. - Auto dealership / GC / C-4 (Highway & Arterial Commercial)
 South: Residences / COUNTY / A (Agricultural)
 East: Cogdill Rd. - Offices / O / O-1 (Office, Medical & Related Services)
 West: / C-4 (Highway & Arterial Commercial) with conditions

NEIGHBORHOOD CONTEXT: Most properties along this section of Parkside Dr. are developed with commercial or office uses under C-3, C-4, C-6, OB and O-1 zoning. There is a large residential area to the south that is zoned A, PR and RA.

STAFF RECOMMENDATION:

► **DENY GC (General Commercial) One Year Plan designation for the entire site.**

Staff maintains that the current plan designations should be retained in order to minimize the impact on the adjacent residential neighborhood to the south. The current zoning allows reasonable use of the property, while minimizing the potential negative impact on adjacent residential uses.

► **DENY C-6 (General Commercial Park) zoning without conditions.**

Staff maintains that the current zoning pattern with conditions on the use should be retained in order to minimize the impact on the adjacent residential neighborhood to the south. The current zoning allows reasonable use of the property, while minimizing the potential negative impact on adjacent residential uses.

Staff is recommending to maintain the current C-6 (General Commercial Park) and O-1 (Office, Medical & Related Services) zoning, with the following 4 conditions, as adopted by MPC and City Council in 2008:

1. No access to site from Cogdill Rd. or Alex Ln.
2. Install a Type 'A' dense landscape screen (attached) within the entire length of the 60' rear residential building setback area.
3. Include photometric lighting plan with development plans.
4. No exterior loudspeakers in development.

COMMENTS:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these.)

A. **AN ERROR IN THE PLAN** - The One Year Plan currently designates this site for GC (General Commercial) and O (Office) uses, consistent with its current conditional C-6 and O-1 zoning. These designations are appropriate, intentional and have been in place since 2008, so there is no error in the plan.

B. **A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA** - No changes have occurred in the area since 2008 to now warrant a change of the One Year Plan for this site. Public water and sewer utilities are available to serve the site.

C. **A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN** - The plan has designated this site GC and O uses 2008. Both MPC and City Council adopted the current plan designations as they are currently shown at that time. Nothing has changed since then to now warrant changing the O to GC, as requested.

D. **NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT** - No new information has become available to reveal the need for a plan amendment. The proposed land use pattern has long been established in this area since 2008 and should be maintained.

The three associated requests (4-H-16-RZ/4-D-16-PA/4-C-16-SP) were postponed at the April 14, 2016 MPC meeting, at the request of the applicant. Since then, MPC staff has met with the applicant to discuss the recommendation and conditions. The applicant expressed that he needs the O-1 portion of the site to be rezoned C-6 to allow the car sales use to expand into that area. However, he did express that he would be willing to accept and adhere to the existing conditions on the property. Staff maintains the recommendation to deny based on past precedent and protection of adjacent residential uses. However, if MPC or City Council is inclined to approve C-6 zoning on the entire subject property, staff would strongly recommend maintaining the existing conditions as they are currently specified.

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. Conditions have not changed in the area since the 2008 rezoning to conditional C-6 and O-1 zoning, so the proposed zoning change is not warranted.

2. C-6 zoning on the portion of the property currently zoned O-1 would allow unnecessary commercial development close to residential uses.
3. The applicant has reasonable use of the site as it is currently zoned. Commercial operations will need to be kept out of the area currently zoned O-1.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE 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 not an appropriate zone to be extended onto the current O-1 zoned site, which is in close proximity to residential uses and 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 proposed unconditioned C-6 zoning is not compatible with the adjacent residential uses to the south.
2. The current zoning and conditions on the property are adequate to minimize the potential negative impacts on adjacent residential uses, and should be retained.

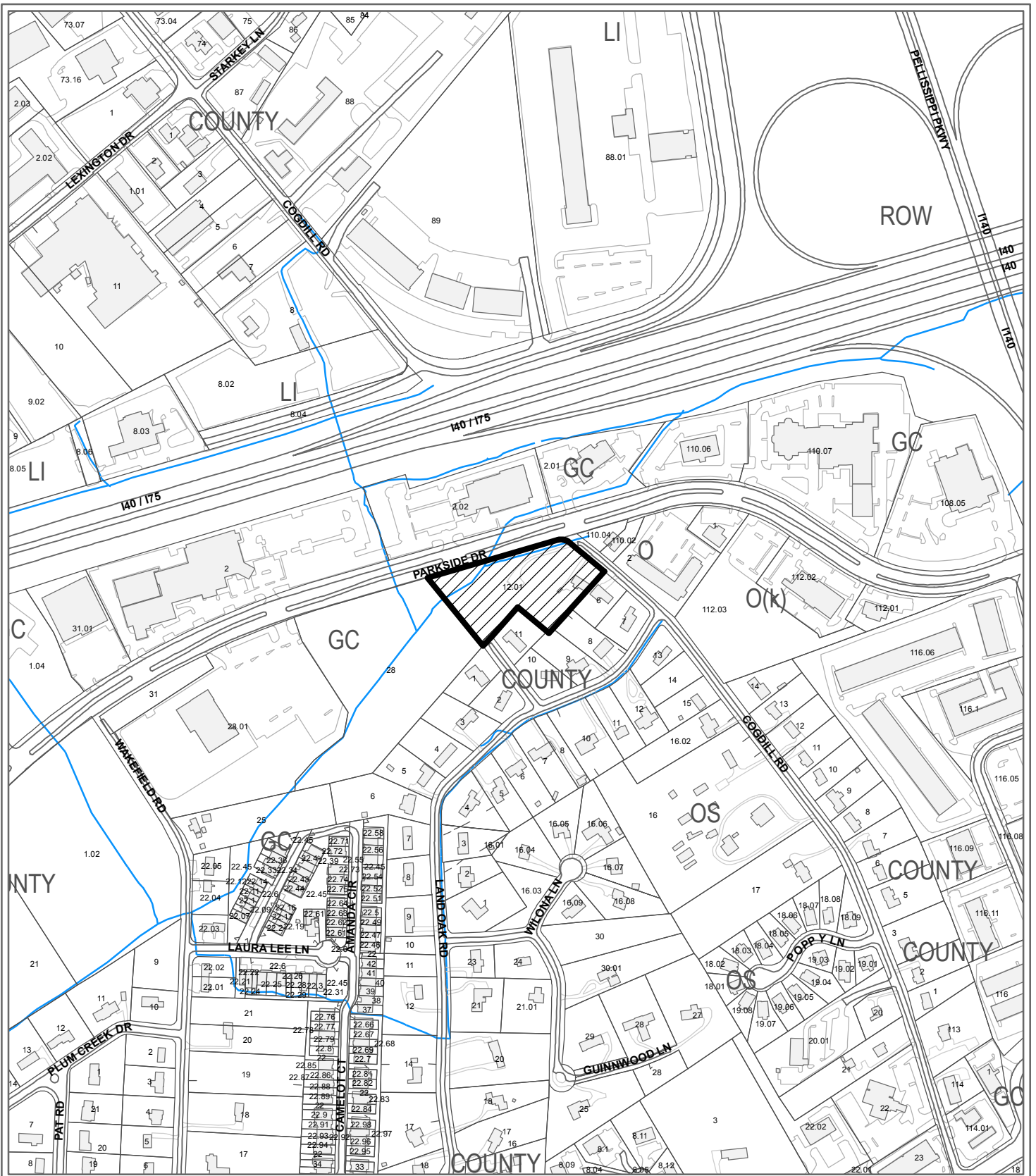
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The applicant has requested an associated amendment to the Southwest County Sector Plan to change the current office area to commercial (4-C-16-SP). Staff is recommending denial of that request.
2. The City of Knoxville One Year Plan appropriately designates the portion of the site adjacent to residential for office uses. Staff recommends that the current land use pattern be retained.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This proposal conflicts with the proposed land uses on the adopted sector plan and One Year Plan for the area. Conditional O-1 zoning is consistent with adopted plans and allows reasonable use of the property for future development.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

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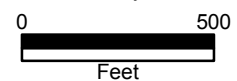
**4-D-16-PA / 4-H-16-RZ
PLAN AMENDMENT**

From: GC (General Commercial) and O (Office)
To: GC (General Commercial)

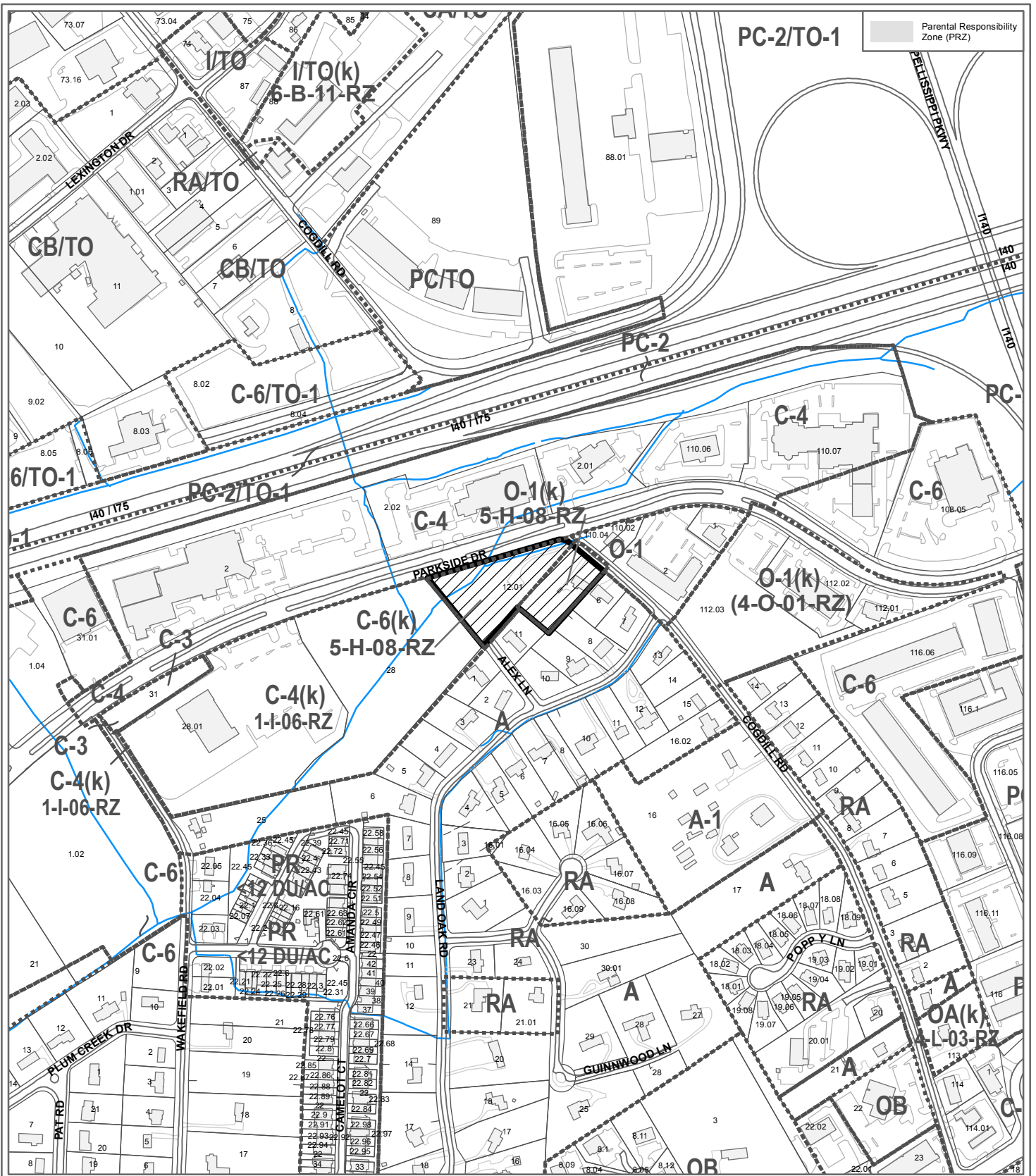


Petitioner: Furrow, Samuel J.

Map No: 131
Jurisdiction: City



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**4-H-16-RZ
REZONING**

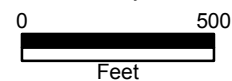
From: C-6 (General Commercial Park) (K) and O-1 (Office, Medical & Related Services) (K)
 To: C-6 (General Commercial Park)



Petitioner: Furrow, Samuel J.

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Revised:

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Type "A" Screen: Dense

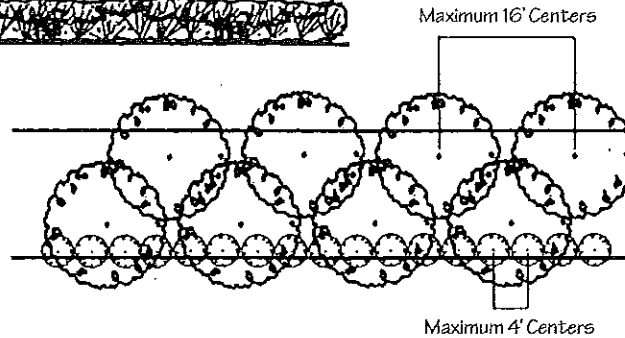
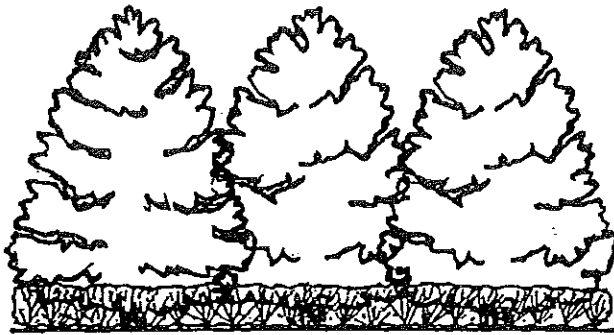
APPROPRIATE LOCATION: Boundaries of commercial and industrial developments adjoining residential areas

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

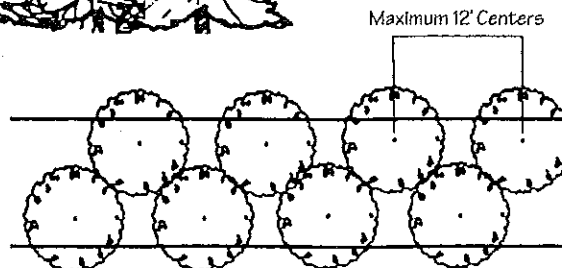
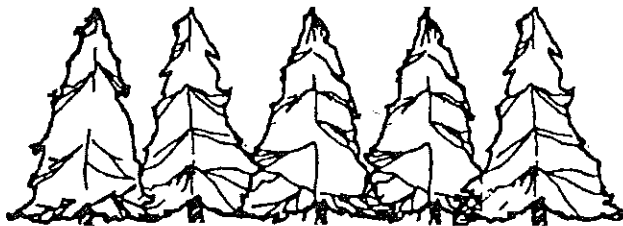
TREE HEIGHT
Installed: 8 ft.
Mature: 40 ft.

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.