

▶ **FILE #:** 9-F-16-RZ

AGENDA ITEM #: 40

AGENDA DATE: 10/13/2016

▶ **APPLICANT:** HOLLY APODACA

OWNER(S): Shafer Family Trust

TAX ID NUMBER: 68 N B 018

[View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS: 5517 Wallwood Rd

▶ **LOCATION:** Northwest side Wallwood Rd., northeast of Clinton Hwy.

▶ **APPX. SIZE OF TRACT:** 2.3 acres

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Wallwood Rd., a local street with 17' of pavement width within 60' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Flat Creek

▶ **PRESENT ZONING:** O-1 (Office, Medical, and Related Services)

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** RV storage facility

EXTENSION OF ZONE: Yes, extension of C-4 from the south, east and west

HISTORY OF ZONING: A request for C-4 zoning on this site was denied by MPC on 9/14/2000 (7-F-00-RZ) and a request for C-6 zoning was withdrawn in 2002 (1-J-02-RZ)

SURROUNDING LAND USE AND ZONING: North: Vacant land and houses / R-1 (Low Density Residential)

South: Businesses fronting on Clinton Hwy. / C-4 (Highway & Arterial Commercial)

East: Wallwood Rd., offices / C-4 (Highway & Arterial Commercial)

West: Businesses fronting on Clinton Hwy. / C-4 (Highway & Arterial Commercial)

NEIGHBORHOOD CONTEXT: This site is located between commercial uses to the south, fronting on Clinton Hwy., zoned C-4, and residential uses to the north, zoned R-1.

STAFF RECOMMENDATION:

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

Despite being adjacent to C-4 zoning on three sides, C-4 zoning is not appropriate for this site, which only has access only to Wallwood Rd., a local street with only 17' of pavement width. The property also backs up to large-lot residential uses, which could be negatively impacted by adjacent C-4 development. The current O-1 zoning gives the applicant reasonable use of the property for office or medium density residential uses, while providing a transitional area between heavy commercial uses to the south and low density residential uses to the north. C-4 zoning in this area should be limited to properties that have direct access to Clinton Hwy. There are many properties in the area that are already appropriately zoned C-4. Staff is of the opinion that the

current zoning is appropriate for the site, and it should be maintained.

COMMENTS:

This request was postponed by MPC at the September 8, 2016 meeting in order for staff to recommend some zoning conditions to place on the rezoning if C-4 zoning were to be recommended for approval. Although staff maintains the recommendation to deny the request, the following conditions are recommended if C-4 zoning is recommended for approval.

1. Either preserve the entire existing tree line along the north property line or install a continuous Type 'A' landscape screen (see attached) along the north property line adjacent to residential zoning. A Type 'C' landscape screen (see attached) must be installed along the entire frontage of Wallwood Rd. with the exception of the entrance drive.
2. Wallwood Rd. must be improved/widened from the proposed access drive south to Clinton Hwy. to the satisfaction of the City of Knoxville Engineering Department, prior to issuance of permits for the commercial use.
3. Signage along the road shall be limited to the signs permitted in the current O-1 zoning district. (See circled portion of attached except from the Knoxville Zoning Ordinance.)

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. O-1 zoning for the subject property creates a transitional area between commercial uses to the south and residential uses to the north. The property's only road access is from Wallwood Rd., a local street with 17' of pavement width. There is a significant amount of land in the immediate area that is already appropriately zoned C-4. The current O-1 zoning allows reasonable use of the property for future development. It also provides flexibility in permitted uses, because it allows both office and attached or detached residential uses.
2. O-1 uses are compatible with the surrounding land use and zoning pattern.
3. The O-1 permitted office or medium density residential uses at this location will establish an appropriate transitional area between commercial uses to the south and low density residential uses to the north.

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

1. The O-1 zone, as described in the zoning ordinance, is intended to provide areas for professional and business offices and related activities that require separate buildings surrounded by landscaped yards and open areas. The intent is to provide centralized, compact locations for business offices, clinics, medical and dental offices, as well as suburban locations near residential neighborhoods.
2. Based on the above general intent, this site is appropriate for O-1 zoning.
3. 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.
4. With the wide range of commercial uses allowed under C-4, including businesses that could cause negative impacts to adjacent residential uses, this site is not appropriate for the requested C-4 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 recommendation to retain the current O-1 zoning is compatible with the surrounding land uses and zoning pattern. The requested C-4 zoning allows many uses that would not be compatible with adjacent residential uses and that should only be located only on a wider, arterial street, such as Clinton Hwy. C-4 zoning is called Highway & Arterial Commercial and it should only be located on properties with direct access to a highway or arterial street.
2. O-1 zoning will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.
3. The existing streets are adequate to handle any additional traffic generated by allowing office uses on the site, and the site's location is appropriate for transitional office uses between commercial and residential uses.

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. Both the Northwest City Sector Plan and the City of Knoxville One Year Plan designate this site for general commercial uses. However, staff is of the opinion that the current O-1 zoning should be maintained because of inappropriate access and proximity to residential uses.
2. If this request is denied as recommended, MPC staff should consider amending the sector plan and One

Year Plan to O (Office) to recognize the current, appropriate O-1 zoning of the property.

3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.

4. The recommendation to retain the existing O-1 zoning does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 11/8/2016 and 11/22/2016. 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.



**9-F-16-RZ
REZONING**

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

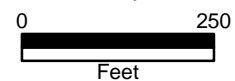
To: C-4 (Highway and Arterial Commercial)



Petitioner: Apodaca, Holly

Map No: 68

Jurisdiction: City



Original Print Date: 8/12/2016 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

GUIDELINES LANDSCAPE SCREENING

Type "C" Screen: Partial

APPROPRIATE LOCATION: Between parking lots and public streets; boundaries of industrial and office development

NOTE: Landscape buffer strips should be a minimum of 8 feet in width, and sown with grass or ground cover for their full width, allowing for mulch at the base of plantings.

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.

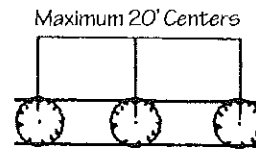
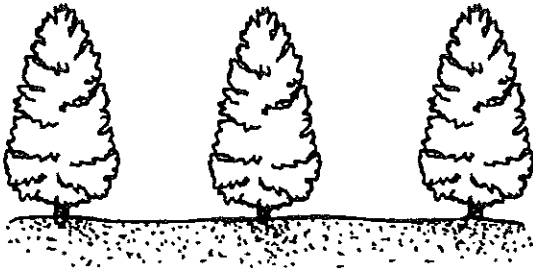
MPC uses these guidelines to illustrate desirable levels of screening appropriate to various site planning situations. Creative alternatives which achieve a comparable effect are encouraged.

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.

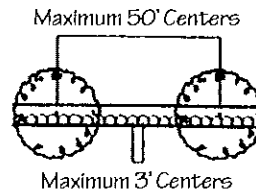
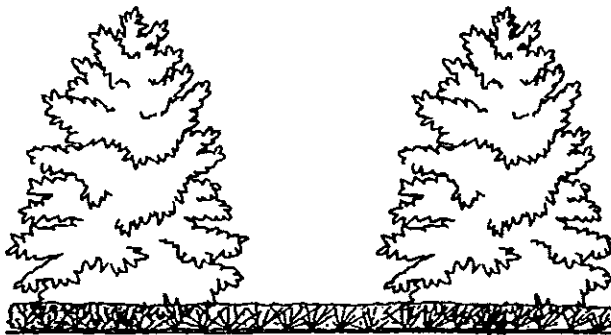
- A row of small evergreen trees

TREE HEIGHT
 Installed: 6 ft.
 Mature: 15 ft.



- A row of large broad leaf evergreen trees with a 3 ft. high wall or hedge (deciduous species of similar size & form could be used for every second tree)

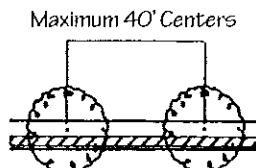
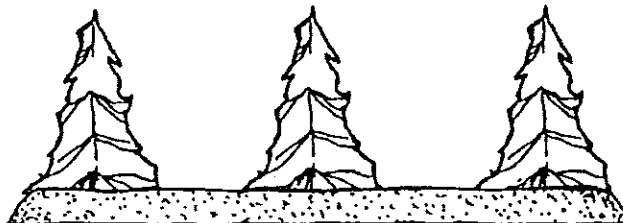
TREE HEIGHT
 Installed: 8 ft.
 Mature: 40 ft.



SHRUB HEIGHT
 Installed: 2 ft.
 Mature: 3 ft.

- A row of evergreen conifers with a 3 ft. high earth berm or solid fence or wall

TREE HEIGHT
 Installed: 6 ft.
 Mature: 15 ft.



Type "A" Screen: Dense

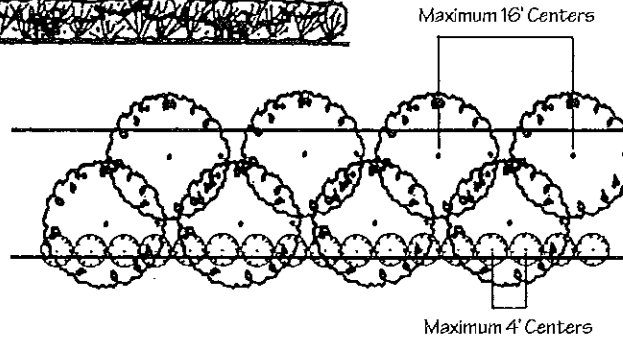
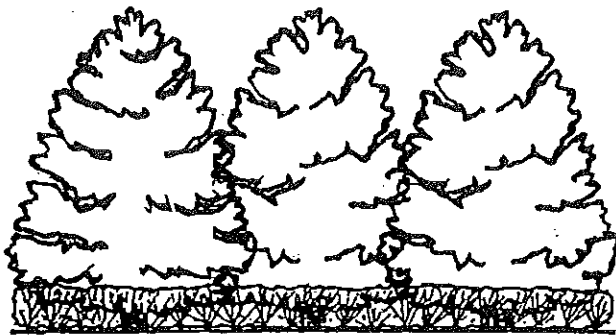
APPROPRIATE LOCATION: Boundaries of commercial and industrial developments adjoining residential areas

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

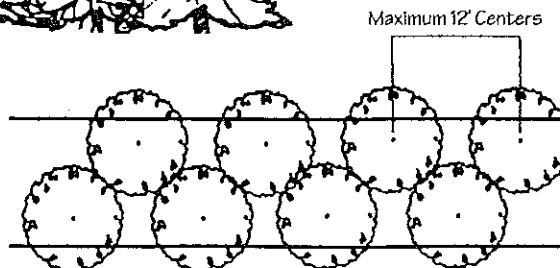
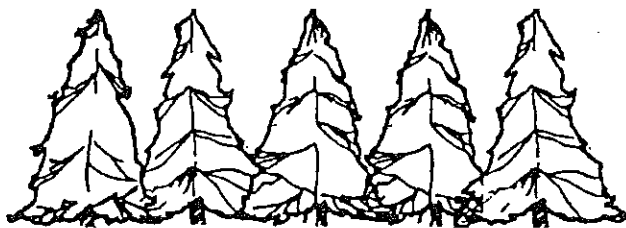
TREE HEIGHT
Installed: 8 ft.
Mature: 40 ft.

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

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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:

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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.

b. *Types of signs and dimensions allowed for nonresidential uses.* In office districts, the following signs on a nonresidential parcel or lot shall be allowed, subject to the following dimensional requirements:

1. Attached signs with a total allowed sign area not to exceed five (5) percent of the wall area of the primary building elevation(s), provided that the sign area may be used on any elevation of the building that does not face an adjacent residential zone district and that no individual sign may exceed twenty-four (24) square feet in area. Such signs shall not be illuminated.
2. One (1) detached sign is allowed per parcel or lot, but are limited only to monument or column signs; provided that the maximum sign area shall be thirty-six (36) square feet and the maximum height shall be six (6) feet. Such detached signs shall not be internally illuminated, but may be externally illuminated provided that no light source is visible from the public right-of-way or adjacent properties.

11.6. Commercial and Industrial zone districts (C-1, C-2, C-3, C-4, C-5, C-6, C-7, PC-1, PC-2, SC-1, SC-2, SC-3, BP-1, I-1, I-2, I-3 and I-4)

a. *Types of signs and dimensions allowed.* In commercial and industrial districts, the following signs on a nonresidential parcel or lot shall be allowed, subject to the following dimensional requirements:

1. Development directory and project directional signs may be approved as part of a master sign plan in accordance with the regulations at Section 9.4.
2. Attached signs with a total allowed sign area equal to ten (10) percent of the wall area of the primary building elevation(s), and such sign area may be used on any elevation of the building.
3. Detached signs in accordance with the standards described herein, except that standards specified for individual zone districts in Article IV shall prevail.

b. *Number and type of detached signs and dimensions allowed for secondary detached signs.* In commercial and industrial districts, the number of detached signs on a nonresidential parcel or lot shall be allowed in accordance with the following requirements:

1. One (1) detached sign is allowed per street frontage, up to a maximum of two (2) per parcel or lot. For these purposes, an adjacent interstate highway shall be considered a street frontage, even if there is no access to it.
2. The detached sign that is oriented to the street frontage on which the parcel is addressed shall be deemed primary and subject to the requirements of this subsection; and
3. Any secondary detached sign on each lot shall be limited to a monument or column sign with a maximum sign area of thirty-two (32) square feet and a maximum sign height of eight (8) feet.

c. *Maximum sign heights for primary detached signs.* In commercial and industrial zone districts, the maximum sign height for primary detached signs shall be based upon the classification of the road or road adjacent to the property upon which the primary detached sign is located, as follows:

Roadway Type	Maximum Allowable Sign Height
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Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Re-zoning of 3517 Wallwood Road

1 message

Mark Allan <markallan@allanarch.com>
Reply-To: markallan@allanarch.com
To: commission@knoxmpc.org
Cc: michael.brusseau@knoxmpc.org

Tue, Sep 6, 2016 at 4:30 PM

MPC Staff

I would like to support the staff recommendation to deny the re-zoning of 3517 Wallwood Road to C-4.

I will be out of town on business the day of the meeting or I would have appeared in person to voice my concern for this zoning change.

Thank you.

Mark D. Allan

Allan Properties LLC

5516 Wallwood Road

865-689-1302

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This message was directed to commission@knoxmpc.org

OYP: GC SP:GC

KNOXVILLE, TENNESSEE

MPC

METROPOLITAN
PLANNING
COMMISSION

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
FAX • 215 • 2068
www.knoxmpc.org

REZONING PLAN AMENDMENT

Name of Applicant: Holly Apodaca

Date Filed: 7/25/2016 Meeting Date: 9/8/2016

Application Accepted by: Marc Payne

Fee Amount: 1060.00 File Number: Rezoning 9-F-16-RZ

Fee Amount: — File Number: Plan Amendment —

PROPERTY INFORMATION

Address: 5517 Wallwood Rd

General Location: Near Merchant's Dr + Clinton Hwy
1/2 Clinton Hwy 1/2 Wallwood Road

Parcel ID Number(s): 068NB018

Tract Size: 2.3 acres

Existing Land Use: Unused land

Planning Sector: Northwest City

Growth Policy Plan: Urban

Census Tract: 48

Traffic Zone: 207

Jurisdiction: City Council 5th District
 County Commission _____ District

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT

Name: Shater Family Trust

Company: clo Home Federal Bank, Trustee

Address: 575 Market St

City: Knoxville State: TN Zip: 37902

Telephone: (865) 544-3912

Fax: (865) 541-6643

E-mail: lisa.beal@homefedevltn.com

Requested Change

REZONING

FROM: O-1

TO: C-4

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____

TO: _____

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: Holly Apodaca

Company: _____

Address: 8420 Gardeside LN

City: Powell State: TN Zip: 37849

Telephone: 865-748-6267

Fax: _____

E-mail: hollyapo@comcast.net

PROPOSED USE OF PROPERTY

RV Storage Facility

Density Proposed _____ Units/Acre

Previous Rezoning Requests: _____

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: Holly Apodaca

PLEASE PRINT

Name: Holly Apodaca

Company: _____

Address: 8420 Gardeside LN

City: Powell State: TN Zip: 37849

Telephone: 865-748-6267

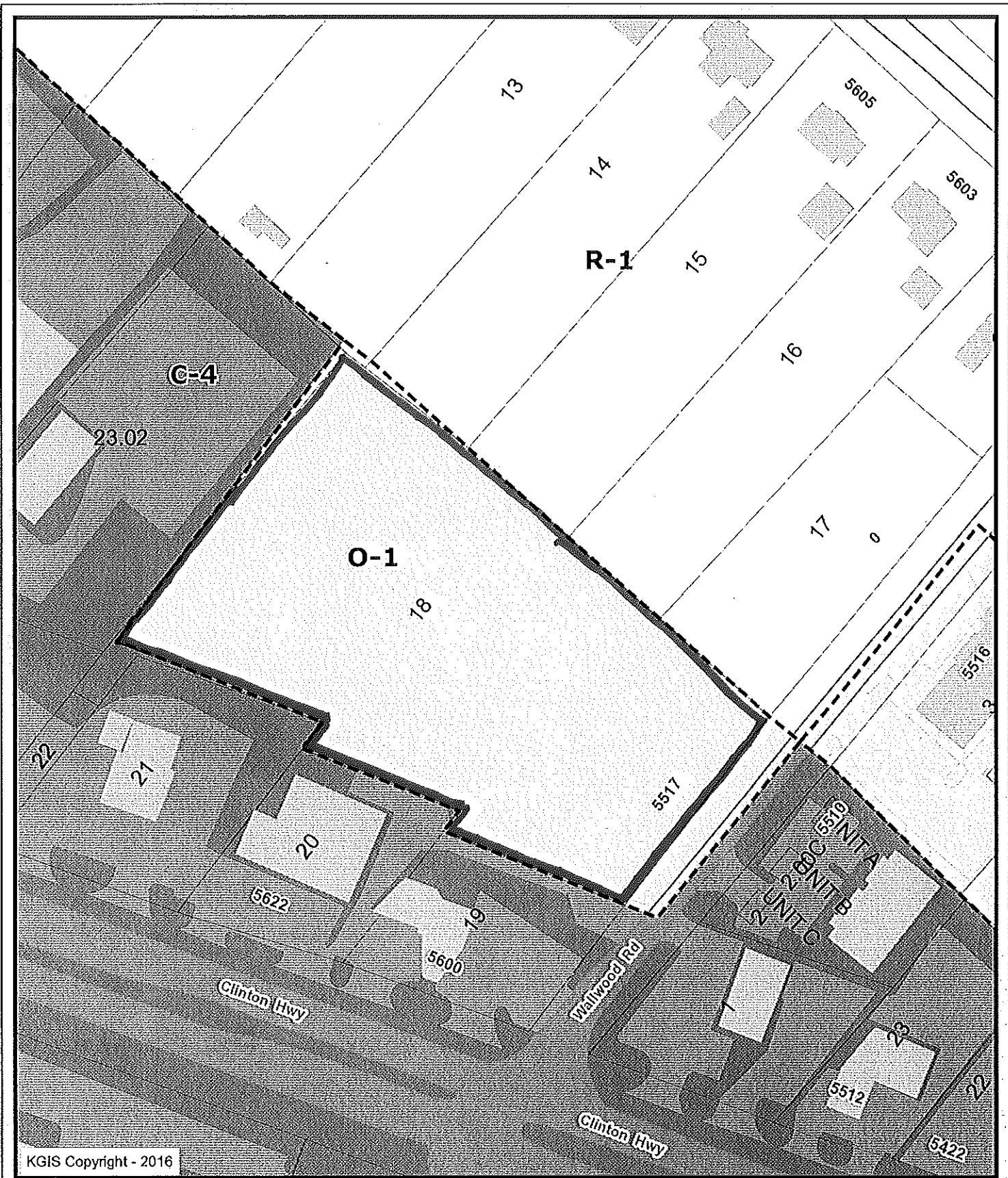
E-mail: hollyapo@comcast.net

NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:

Please Print or Typo in Black Ink:

(If more space is required attach additional sheet.)

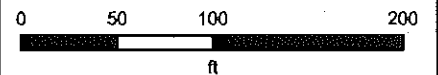
Name	Address	City	State	Zip	Owner	Option
Tom Fennell, W	575 Market St	Knoxville	TN	37902	<input checked="" type="checkbox"/>	
Home Federal Bank						
Trustee, shaffer						
Family Trust						
Home Federal Bank						
Tom Fennell W						



Letter Portrait

Printed: 7/25/2016 at 4:12:33 PM

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