

▶ **FILE #:** 3-F-17-RZ

AGENDA ITEM #: 40

AGENDA DATE: 3/9/2017

▶ **APPLICANT:** SMITH / SEALS LLC

OWNER(S): Charles M. Smith and David Seals

TAX ID NUMBER: 93 O A 013

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 5210 N Middlebrook Pike

▶ **LOCATION:** Southeast side N. Middlebrook Pike, northeast of Henson Rd.

▶ **APPX. SIZE OF TRACT:** 1.42 acres

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via N. Middlebrook Pike, which has two westbound lanes with 26' of pavement width within 65' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

▶ **PRESENT ZONING:** I-2 (Restricted Manufacturing and Warehousing)

▶ **ZONING REQUESTED:** C-6 (General Commercial Park)

▶ **EXISTING LAND USE:** Office/storage

▶ **PROPOSED USE:** Auto sales, repair, refurbishing and warehousing

EXTENSION OF ZONE: Yes, extension of C-6 from the northwest

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: N. Middlebrook Pike, businesses / C-6 (General Commercial Park) & I-3 (General Industrial)

South: Business / I-2 (Restricted Manufacturing & Warehousing)

East: Business / I-3 (General Industrial)

West: Businesses / C-1 (Neighborhood Commercial) and I-2 (Restricted Manufacturing & Warehousing)

NEIGHBORHOOD CONTEXT: This area is developed with various businesses under I-2, I-3, C-1 and C-6 zoning.

STAFF RECOMMENDATION:

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

The requested C-6 zoning is consistent with both the One Year Plan and sector plan proposals for the property and is an extension of commercial zoning from the northwest. C-6 zoning will allow office and 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 for any new construction.

COMMENTS:

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. C-6 zoning is consistent with both the sector plan and One Year Plan designations for the property.
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 other commercial uses and zoning, and has access to a major arterial street.

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

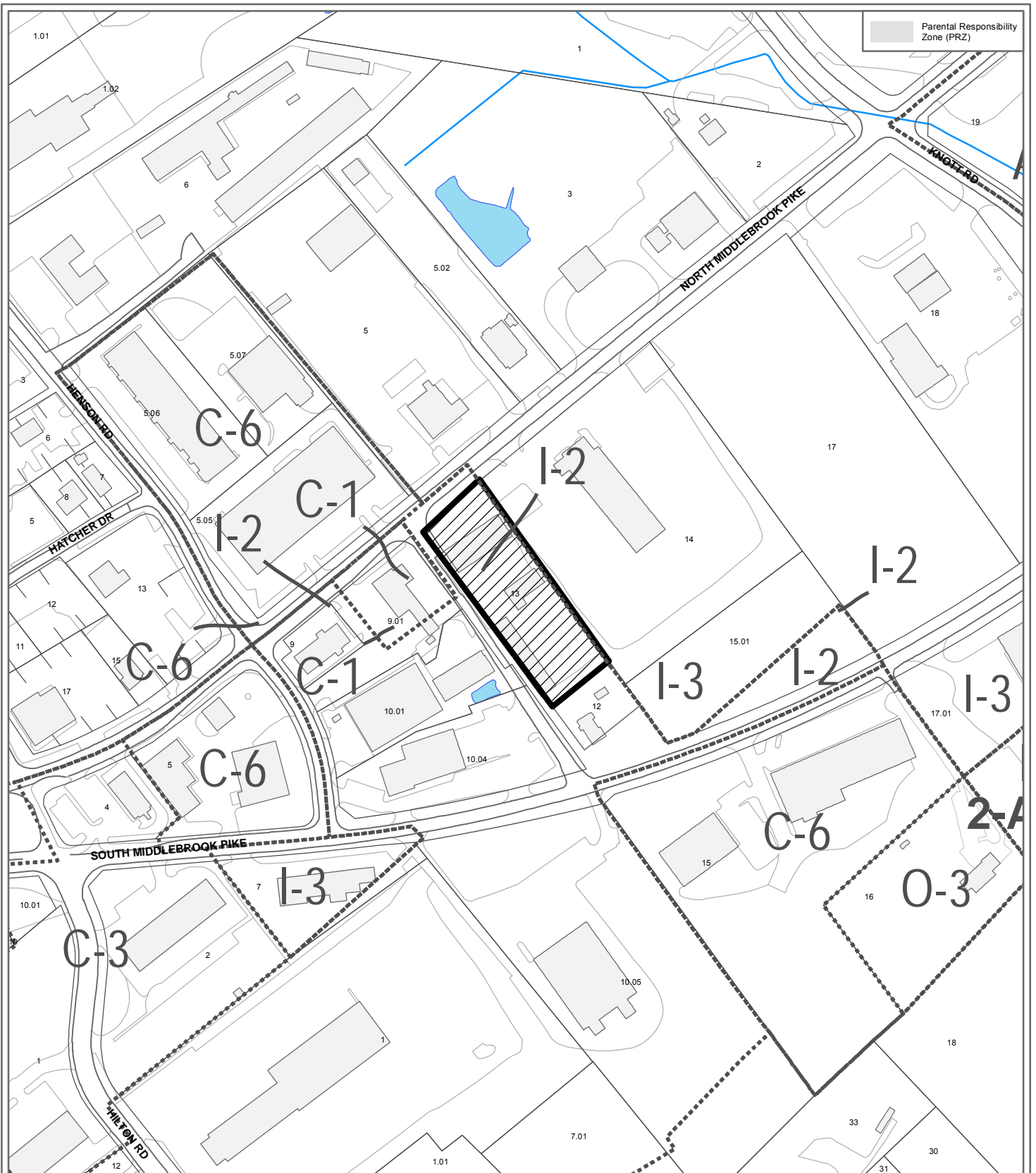
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Northwest City Sector Plan proposes GC (General Commercial) uses for this site, consistent with the proposed C-6 zoning.
2. The City of Knoxville One Year Plan proposes GC (General Commercial) uses for this site, consistent with the proposed C-6 zoning district.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This proposal 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 4/11/2017 and 4/25/2017. 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.



**3-F-17-RZ
REZONING**

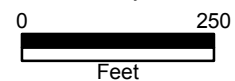
From: I-2 (Restricted Manufacturing and Warehousing)
To: C-6 (General Commercial Park)



Petitioner: Smith / Seals LLC

Map No: 93

Jurisdiction: City



Original Print Date: 2/15/2017
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

SP: GC

OYP= GC

KNOXVILLE-KNOX COUNTY

M P C METROPOLITAN P L A N N I N G C O M M I S S I O N T E N N E S S E E

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

REZONING PLAN AMENDMENT

Name of Applicant: Smith/Seals LLC

Date Filed: 1/18/17 Meeting Date: 3/9/17

Application Accepted by: Marc Payne

Fee Amount: 1,000.00 File Number: Rezoning 3-F-17-RZ

Fee Amount: * File Number: Plan Amendment #



PROPERTY INFORMATION

Address: 5210 N. Middlebrook Pike
 General Location: Knoxville, TN 37921-5976
1/3 N. Middlebrook Pike due east of Henson Rd
 Parcel ID Number(s): 0930-A-013
 Tract Size: 1.42 ac. (Survey) 1.61 (Tax Map)
 Existing Land Use: Off. cc / Storage
 Planning Sector: Northwest City Sector
 Growth Policy Plan: Inside City
 Census Tract: 38.01/1
 Traffic Zone: 15c
 Jurisdiction: City Council CIT 2ND District
 County Commission _____ District

Requested Change
REZONING

FROM: F-2
 TO: C-6

PLAN AMENDMENT N/A

One Year Plan _____ Sector Plan

FROM: _____
 TO: _____

PROPOSED USE OF PROPERTY
Auto Sales, Repair, Refurbish & Warehousing

Density Proposed _____ Units/Acre
 Previous Rezoning Requests: _____

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT
 Name: Charles M. Smith + David Seals
 Company: Smith/Seals LLC
 Address: 109 Broadway
 City: Knoxville State: TN Zip: 37902
 Telephone: 865-389-5467 (Seals)
 Fax: 865-312-5046
 E-mail: dseals38@comcast.net

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

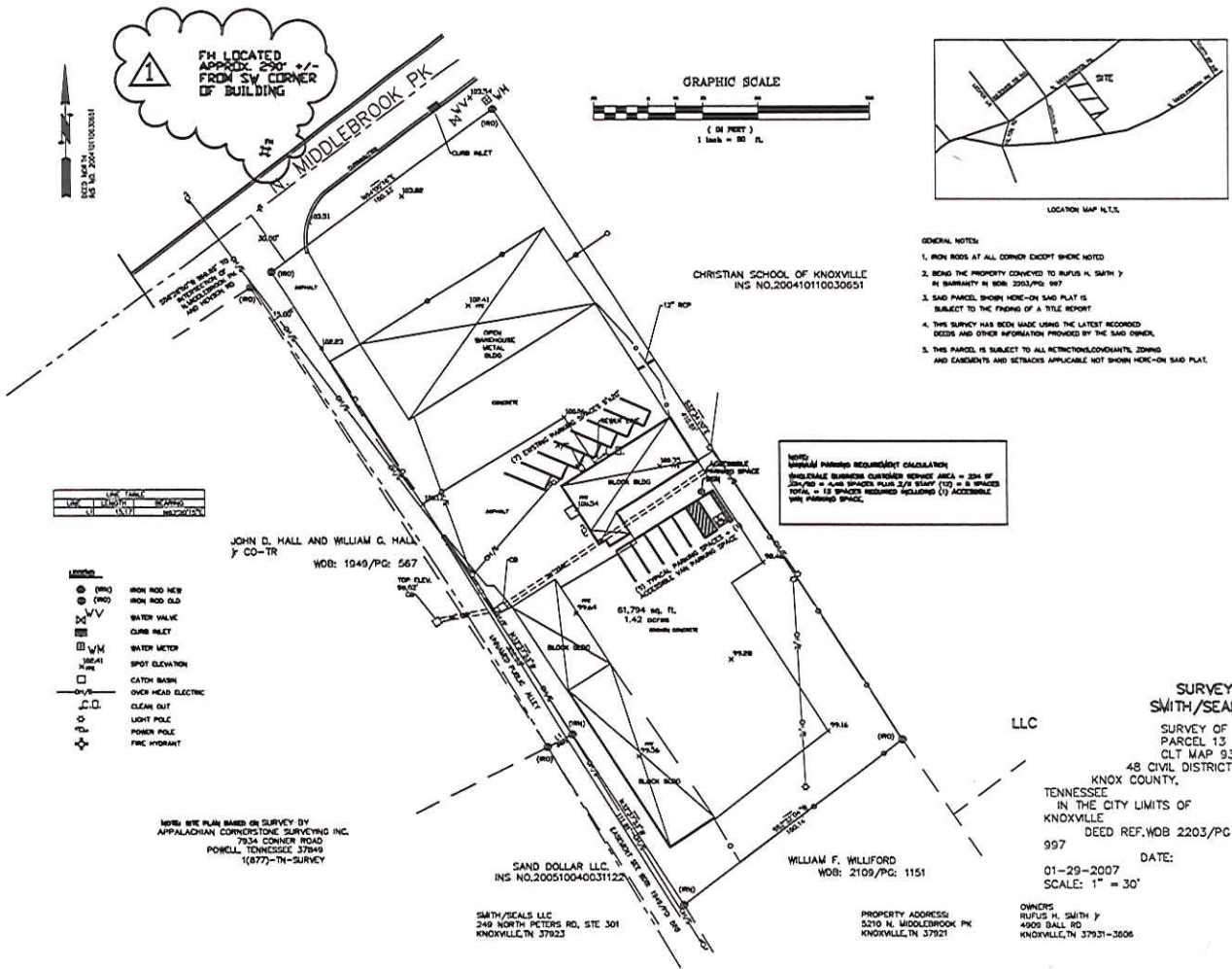
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 Fax: 865-312-5046
 E-mail: dseals38@comcast.net

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]
 Signature: _____

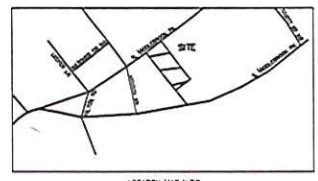
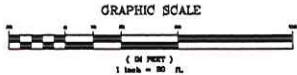
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LINE	THICKNESS	DESCRIPTION
---	1/8"	PROPERTY
---	1/4"	ADJACENT
---	3/8"	EXISTING
---	1/2"	PROPOSED

SYMBOL	DESCRIPTION
⊙ (PRO)	IRON ROD NEW
⊙ (PRO)	IRON ROD OLD
∇	WATER VALVE
∇	CURB INLET
∇	WATER METER
∇	SPOT ELEVATION
∇	CATCH BASIN
∇	OVER HEAD ELECTRIC
∇	CLEAN OUT
∇	LIGHT POLE
∇	POWER POLE
∇	FIRE HYDRANT

1
 IRON LOCATED APPROX 300' FROM SW CORNER OF BUILDING



- GENERAL NOTES:
1. IRON RODS AT ALL CORNER EXCEPT SHOWN NOTED
 2. BEING THE PROPERTY CONVEYED TO RUFUS H. SMITH BY DEED REF. WOB: 2203/PG: 987
 3. SAID PARCEL SHOWN HERE-ON SAID PLAN IS SUBJECT TO THE FINDING OF A TITLE REPORT
 4. THIS SURVEY HAS BEEN MADE USING THE LATEST RECORDED DEEDS AND OTHER INFORMATION PROVIDED BY THE SAID OWNER.
 5. THIS PARCEL IS SUBJECT TO ALL RESTRICTIONS, COVENANTS, ZONING AND EASEMENTS AND ETTACKS APPLICABLE NOT SHOWN HERE-ON SAID PLAN.

NOTE: MINIMUM PARKING REQUIREMENT CALCULATION (MINIMUM BUSINESS CUSTOMER SERVICE AREA = 254 SF 20'-0" X 12'-6" SPACED PLUS 2.75 STAFF (12' X 6' SPACES) TOTAL = 12 SPACES REQUIRED INCLUDING (1) ACCESSIBLE VEHICULAR SPACE.

JOHN D. HALL AND WILLIAM G. HALL
 & CO-TR
 WOB: 1949/PG: 567

SAND DOLLAR LLC.
 INS. NO. 200510040031122

SMITH/SEALS LLC
 240 NORTH PETERS RD, STE 301
 KNOXVILLE, TN 37923

WILLIAM F. HILLIFORD
 WOB: 2109/PG: 1151

PROPERTY ADDRESS:
 5210 N. MIDDLEBROOK Pk
 KNOXVILLE, TN 37921

OWNERS
 RUFUS H. SMITH &
 A
 BRICKSTONE AND CMS &
 A
 OFFICE AND BRICKYARD
 5210 MIDDLEBROOK PIKE
 KNOXVILLE, TN 37921

SURVEY FOR
 SMITH/SEALS,
 SURVEY OF
 PARCEL 13
 CLT MAP 93
 48 CIVIL DISTRICT
 KNOX COUNTY,
 TENNESSEE
 IN THE CITY LIMITS OF
 KNOXVILLE
 DEED REF. WOB 2203/PG
 997
 DATE:
 01-29-2007
 SCALE: 1" = 30'

WRA
 WILLARD RATLIFF
 ARCHITECT
 1000 N. HUNTER BLVD
 SUITE 200
 KNOXVILLE, TN 37921
 TEL: 865.524.4444
 FAX: 865.524.4444
 E-MAIL: WRA@WRA-ARCH.COM



BRICKSTONE AND CMS & A
 OFFICE AND BRICKYARD
 5210 MIDDLEBROOK PIKE
 KNOXVILLE, TN 37921

SITE PLAN

FEBRUARY 20, 2007

DATE

BY FILE

DRAWN/CHECKED

REVISIONS

DATE

C.1

SHEET NUMBER