

▶ **FILE #:** 10-J-17-RZ **AGENDA ITEM #:** 31
 POSTPONEMENT(S): 10/12/2017 **AGENDA DATE:** 11/9/2017
 ▶ **APPLICANT:** TIM DWYER LEESMAN ENGINEERING
 OWNER(S): Slate Ridge Holdings

TAX ID NUMBER: 132 02719 [View map on KGIS](#)
 JURISDICTION: City Council District 2
 STREET ADDRESS:

▶ **LOCATION:** Southeast side Moss Grove Blvd., south of Kingston Pike
 ▶ **APPX. SIZE OF TRACT:** 1.75 acres
 SECTOR PLAN: Southwest County
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ACCESSIBILITY: Access is via Moss Grove Blvd., a private street with 4 lanes and a center median within 100' of right-of-way.
 UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
 WATERSHED: Ten Mile Creek

▶ **PRESENT ZONING:** PC-1 (Retail and Office Park)
 ▶ **ZONING REQUESTED:** C-6 (General Commercial Park)
 ▶ **EXISTING LAND USE:** Vacant land
 ▶ **PROPOSED USE:** Tire Discounters auto service center
 EXTENSION OF ZONE: No
 HISTORY OF ZONING: The Sherrill Hill site was rezoned to PC-1 and O-1 with conditions in 2007 (8-F-07-RZ).
 SURROUNDING LAND USE AND ZONING: North: Aldi grocery store / PC-1 (Retail & Office Park)
 South: Floor & Décor store / PC-1 (Retail & Office Park)
 East: Vacant land / PC-1 (Retail & Office Park)
 West: Moss Grove Blvd., Academy Sports parking lot / PC-1 (Retail & Office Park)
 NEIGHBORHOOD CONTEXT: This site is located within the Sherrill Hill commercial and residential subdivision, accessed from Moss Grove Blvd. The entire subdivision has been developed under either PC-1, O-1 or RP-1 zoning. All existing development within Sherrill Hill was subject to public review of site plan at MPC.

STAFF RECOMMENDATION:

▶ **DENY C-6 (General Commercial Park) zoning.**

The requested C-6 zoning allows commercial, as well as light industrial uses, with no required public review of site plans. The entire commercial portion of the Sherill Hill Subdivision has been developed under PC-1 zoning, which is subject to use on review approval of site plans by MPC. C-6 zoning of this site will allow potentially less compatible uses with no public review of plans, giving this developer a different set of rules to develop the site than all surrounding properties within the subdivision.

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. The site is already zoned PC-1, which allows consideration of most commercial uses, The City of Knoxville Building Official has determined that PC-1 zoning does not allow consideration of the proposed tire store. C-6 or PC-2 would allow it, but are not appropriate at this location.
2. The Southwest County Sector Plan recommends CC (Community Commercial) for the site, which recommends the use of only planned zones for new development. Although C-6 zoning is mentioned in the sector plan under "other zoning to consider", it is only to be used for infill development in areas that already have an established pattern of unplanned commercial zones, such as C-3, C-4 or C-6.
3. The existing zoning pattern is appropriate. Rezoning of the subject property to C-6 would be a spot zoning that would allow this property to be developed with a different set of regulations than the rest of the development.

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 and to discourage the proliferation of commercial uses along major thoroughfares and noncommercial areas. The following six 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 general intent, this site may not be appropriate for C-6 zoning. C-6 allows more intense uses than PC-1 zoning and has a different set of regulations than the current PC-1 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. If C-6 zoning is approved for this property, it allows potentially more intense development than the rest of Sherrill Hill with no public review of plans.
2. The entire commercial portion of Sherrill Hill has been developed under PC-1 zoning. The subject property should be subject to the same regulations as neighboring properties.
3. 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:

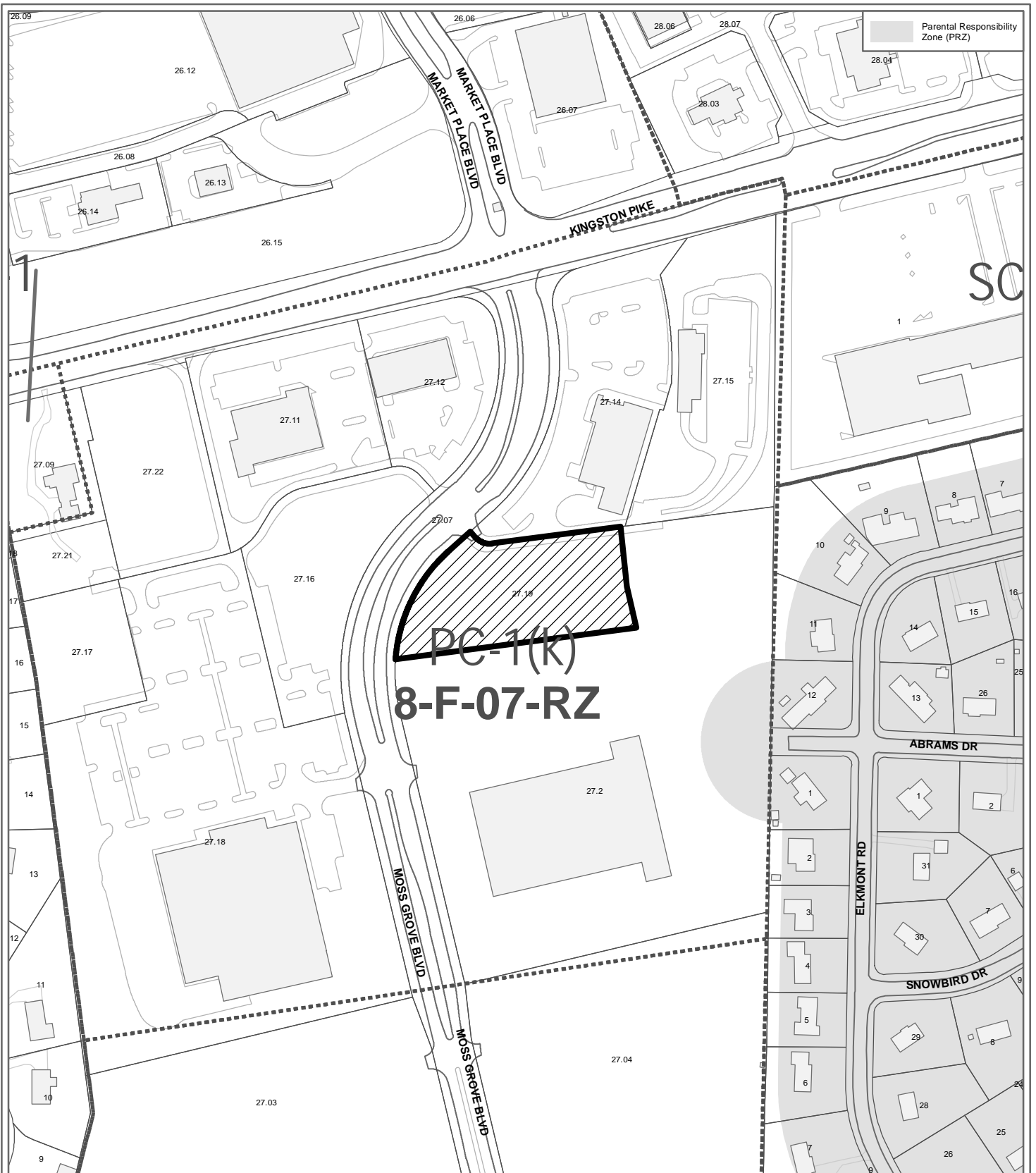
1. Both the Southwest County Sector Plan and the City of Knoxville One Year Plan propose CC (Community Commercial) uses for the site. The CC designation recommends that all new development occur in planned zoning districts, such as the current PC-1 zoning. The requested C-6 zoning could only be considered if it was infill development in an area that already has established unplanned zones, such as C-3, C-4 or C-6. This site is surrounded by PC-1 zoning, which is a planned zone supported by the sector plan, so the sector plan does not support PC-1 zoning at this location. The table from the Southwest County Sector Plan with a description of the CC future land use designation is attached.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This current zoning does not present any apparent conflicts with any other adopted plans, and should be maintained.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 12/5/2017 and 12/19/2017. 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.



**10-J-17-RZ
REZONING**

From: PC-1 (Retail and Office Park)

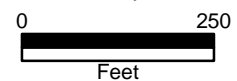
To: C-6 (General Commercial Park)



Petitioner: Leesman Engineering, Tim Dwyer




Map No: 132

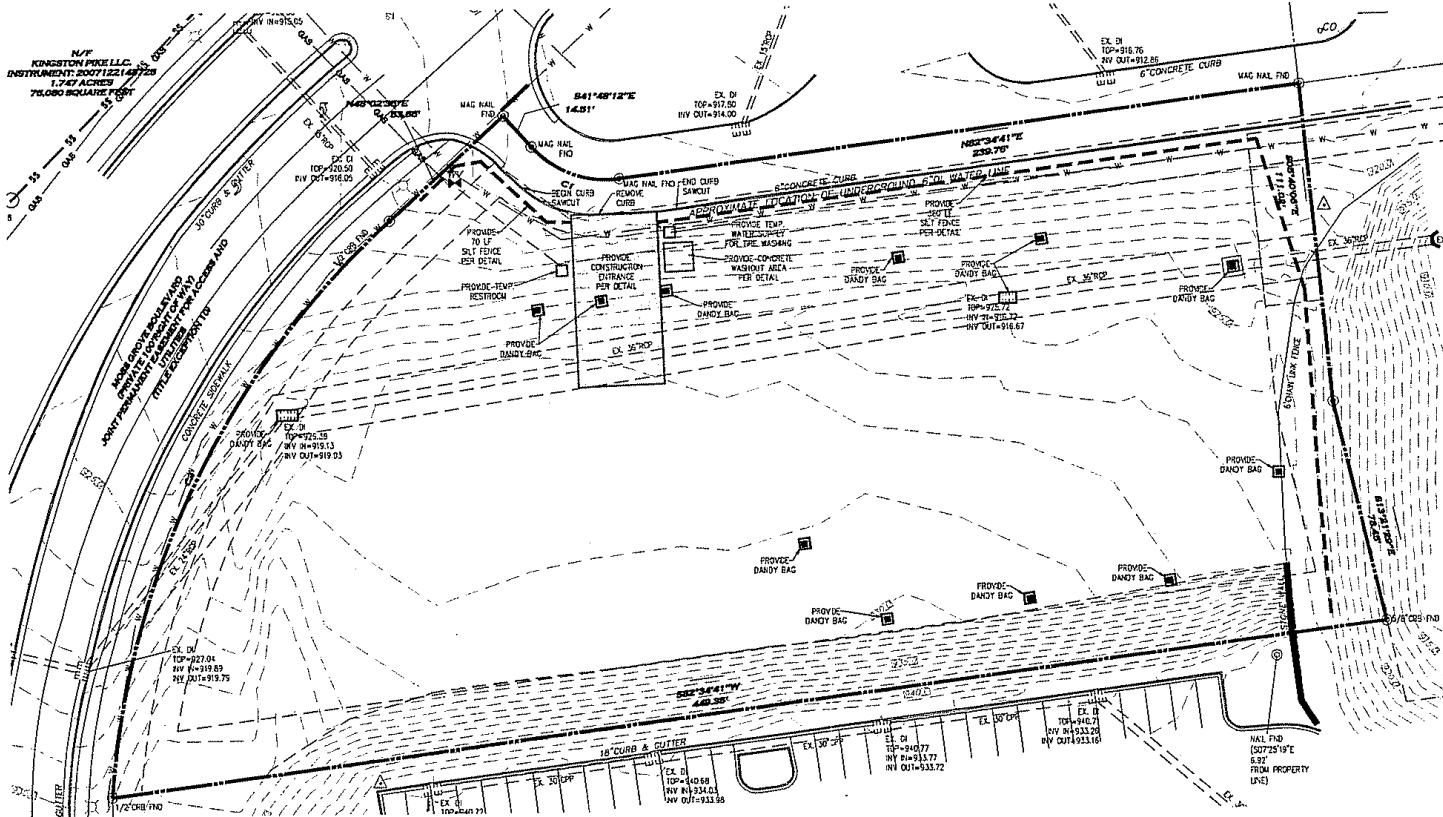
Jurisdiction: City



Original Print Date: 9/20/2017 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

RETAIL and RELATED SERVICES LAND USE CLASSIFICATIONS

 <p>RURAL COMMERCIAL (RC) <i>This classification includes retail and service-oriented commercial uses intended to provide rural communities with goods and services that meet day-to-day and agricultural-related needs.</i></p>	<p>Location Criteria:</p> <ul style="list-style-type: none"> • At the intersection of two thoroughfares (arterial or collector roads) • Rural commercial nodes should generally not exceed more than 300 feet in depth and lots and not extend more than 300 feet away from the intersection 	<p>Recommended Zoning and Programs: County's Rural Area: CR Other Zoning to Consider: CN</p>
 <p>NEIGHBORHOOD COMMERCIAL (NC) <i>This classification includes retail and service-oriented commercial uses intended to provide goods and services that serve the day-to-day needs of households, within a walking or short driving distance. Neighborhood commercial uses may also be accommodated within neighborhood centers (see Mixed Use and Special Districts).</i></p>	<p>Location Criteria:</p> <ul style="list-style-type: none"> • Generally located at intersections of collectors or arterial streets at the edge of or central to a neighborhood • New NC should not be zoned for or developed within ½ mile of existing commercial that features sales of day-to-day goods and services • Automobile-oriented uses (e.g. gas stations or convenience stores) should be located on arterial street at the edge of neighborhood • Should not exceed the depth of the nearby residential lots and not extend more than a block (typically no more than 300 feet) away from the intersection 	<p>Recommended Zoning and Programs: City: C-1 County's Planned Growth Area: CN Other Zoning to Consider: SC-1</p>
 <p>COMMUNITY COMMERCIAL (CC) <i>This land use includes retail and service-oriented development, including shops, restaurants, and what has come to be known as "big box" retail stores; typical service area includes 20,000 to 30,000 residents. Community commercial uses may also be considered within community centers (see Mixed Use and Special Districts).</i></p>	<p>Location Criteria:</p> <ul style="list-style-type: none"> • Locate at intersection of arterial streets • Sites should be relatively flat (under 10 percent slope) and with enough depth to support shopping center and ancillary development. • Vehicular and pedestrian connections should be accommodated between different components of the district (e.g. between stores, parking areas and out-parcel development) • Infrastructure should include adequate water and sewer services, and major arterial highway access • Community commercial centers should be distributed across the city and county in accordance with recommended standards of the Urban Land Institute 	<p>Recommended Zoning and Programs: Because of traffic and lighting impacts (potential glare) and buffering needs of surrounding interests, 'planned zones' should be used. City: SC-2, PC-1 and PC-2. County's Planned Growth Boundary: PC or SC Other Zoning to Consider: As infill development within areas already zoned C-3, C-4, C-5 and C-6 (City), and CA, CB and T (County)</p>

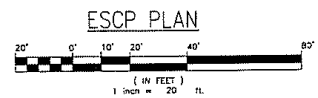
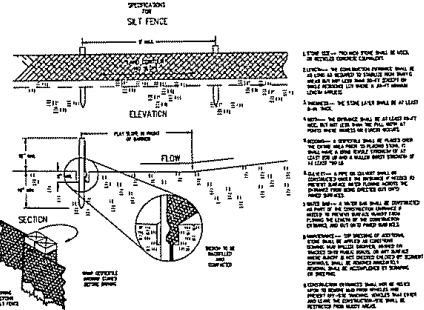


- EROSION CONTROL NOTES:**
- 1) ALL AREAS THAT ARE UNPROTECTED SHALL BE SEEDED IN A TIMELY MANNER. NO UNPROTECTED AREA SHALL BE LEFT UNSEED FOR MORE THAN 14 DAYS.
 - 2) USE TEMPORARY SEEDING AND/OR VEGETATION TO PROTECT AREAS THAT ARE BARE SOIL.
 - 3) USE OF SPRINKLERS OVER DRY SOIL TO KEEP DUST TO A MINIMUM.
 - 4) NO WORK SHALL COMMENCE UNTIL ALL SEDIMENT AND EROSION PROTECTION MEASURES HAVE BEEN INSTALLED AND INSPECTED.
 - 5) ALL SEDIMENT AND EROSION MEASURES ARE TO BE INSPECTED ON A REGULAR BASIS. IF AT ANY TIME THESE MEASURES ARE TO FAIL, THE CONTRACTOR IS TO REPAIR IMMEDIATELY.
 - 6) UPON COMPLETION OF GRADING A MINIMUM OF 4 INCHES OF TOPSOIL IS TO BE PLACED OVER GRASS AREAS. FINAL GRASS SEEDING IS TO BE PER LANDSCAPE ARCHITECT PLAN.
 - 7) WHEN PROJECT IS COMPLETE AND INSPECTED BY CITY STORM WATER DEPT. THE EROSION CONTROL MEASURES ARE TO BE REMOVED AND SEEDED PER LANDSCAPE PLAN FINAL SEEDING CHART.
 - 8) CONTRACTOR TO PROVIDE AN AREA FOR CONCRETE WASH DOWN AND EROSION FUELING. CONTRACTOR TO COORDINATE EXACT LOCATION WITH NPDES DEPARTMENT DURING PRE CONSTRUCTION MEETING. CONTROL OF OTHER SITE WASTES SUCH AS DISCARDED BUILDING MATERIALS, CHEMICALS, LITTER, AND SANITARY WASTES THAT MAY CAUSE ADVERSE IMPACTS TO WATER QUALITY IS ALSO REQUIRED BY THE GRADING PERMITS.
 - 9) STEEP SLOPES (3:1 OR GREATER) SHALL BE TEMPORARILY STABILIZED NOT LATER THAN 7 DAYS AFTER CONSTRUCTION ACTIVITY ON THE SLOPE HAS TEMPORARILY OR PERMANENTLY CEASED W/ STRAW MAT.

EROSION CONTROL SCHEDULE:
 ALL EROSION AND SEDIMENT MEASURES ARE TO BE IN PLACE AND INSPECTED PRIOR TO ANY CLEARING OR GRADING. THESE MEASURES SHALL BE CHECKED AND INSPECTED ON A REGULAR BASIS AND AT NO TIME SHALL BE REMOVED UNTIL COMPLETION OF PROJECT AND FINAL APPROVAL FROM CITY STORM WATER DEPT.

- GENERAL NOTES**
1. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS IN THE AREA OF PROPOSED WORK. IF CONDITIONS OTHER THAN THOSE SHOWN ON THE DRAWINGS ARE ENCOUNTERED, THE CONTRACTOR MUST NOTIFY THE ENGINEER BEFORE PROCEEDING WITH CONSTRUCTION.
 2. THE LOCATIONS OF THE EXISTING UTILITIES SHOWN ON THE PLAN FOR PLANNING PURPOSES ONLY AND SEARCHES OF AVAILABLE RECORDS AND ARE BELIEVED TO BE CORRECT. HOWEVER, THE CONTRACTOR MUST VERIFY EXACT LOCATIONS BEFORE BEGINS CONSTRUCTION. CONTACT THE UTILITIES PROTECTION SERVICE AT LEAST TWO (2) WORKING DAYS IN ADVANCE OF CONSTRUCTION.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DAMAGE TO EXISTING STRUCTURES AND UTILITIES DURING OR RESULTING FROM CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RELOCATING AND REPAIRING ALL UTILITIES IN ORDER TO COMPLETE THIS PROJECT INCLUDING ALL OVERHEAD AND UNDERGROUND UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ALL PERMITS, INSPECTIONS, ETC. COORDINATION SECURED BY THE APPLICABLE UTILITY. THE CONTRACTOR SHALL MAKE ALL RESTORATION, REPLACEMENT AND REPAIR IN ACCORD WITH THE APPLICABLE REQUIREMENTS OF THE UTILITY.
 4. ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE STATE OF TENNESSEE CONSTRUCTION AND MATERIAL SPECIFICATIONS.
 5. THE CONTRACTOR SHALL CONSTRUCT TEMPORARY SEDIMENT BASINS, EARTH LOCKS, SEDIMENT OR PERMANENT SEEDING, MOUNDING, AND/OR SLOPE NETTING OR ANY OTHER GENERALLY ACCEPTED METHODS TO PREVENT EROSION AND TO PREVENT SOIL BEING DEPOSITED ON OTHER PROPERTY, ON NEWLY CONSTRUCTED OR EXISTING ROADS, OR INTO EXISTING WATERWAYS. THE CONTRACTOR SHALL CONTINUALLY MONITOR THE CONSTRUCTION AND MAKE ANY NECESSARY TEMPORARY ADJUSTMENTS TO MAINTAIN THIS CONTROL.
 6. ALL GROUND SURFACE AREAS THAT HAVE BEEN EXPOSED OR LEFT BARE AS A RESULT OF CONSTRUCTION AND ARE TO BE FINAL GRADE ARE ARE TO REMAIN TO BE PLANTED WITH VEGETATION STABILIZATION.
 7. FOLLOW WRITTEN DIMENSIONS ALWAYS. DO NOT SCALE.
 8. ADJUSTMENTS TO GRADE MAY BE ALLOWED TO PROVIDE A BALANCED AND ADJUSTABLE SLOPE, PROVIDED IT IS ALLOWED WITHOUT THE PRIOR APPROVAL OF THE ENGINEER.
 9. ALL CONSTRUCTION SHALL BE PROVIDED IN ACCORD WITH CITY OF KNOXVILLE AND TDD DETAILS AND SPECIFICATIONS.
 10. SEE ARCHITECTURAL DRAWINGS FOR BUILDING DIMENSIONS.
 11. LIGHTING TO BE SHOWN ON BUILDING WITH ARCHITECTURAL PLANS.
 12. ROOF DRAINAGE, FOUNDATION DRAINAGE AND OTHER STORM WATER CONNECTIONS TO SANITARY SEWER ARE PROHIBITED.

- ESPC INSTALLATION AND MAINTENANCE NOTES:**
- PRE-CONSTRUCTION VEGETATION SHALL NOT BE DESTROYED MORE THAN 14 DAYS PRIOR TO ANY EXCAVATING ACTIVITIES.
 - ALL CONTRACTS SHALL BE INSTALLED ACCORDING TO MANUFACTURERS SPEC'S AND GOOD ENGINEERING PRACTICES.
 - ANY OFF SITE SEDIMENT ACCUMULATIONS SHALL BE REMOVED DAILY. OFF SITE ACCUMULATIONS REPORTED ON PRIVATE PROPERTY SHALL BE REMOVED BY METHOD AS AGREED UPON BY THE CONTRACTOR AND THE ADJACENT LAND OWNER(S).
 - IF SILENT BATTERIES WASTES OF THE STATE, TDD, WPC WILL BE NOTIFIED IMMEDIATELY AND CONSULTED WITH CONCERNING REMOVAL OF SAID SEDIMENT IF REQUIRED.
 - SEDIMENT SHALL BE REMOVED FROM ANY SEDIMENT CONTROL DEVICES WHEN THE DESIGN CAPACITY HAS BEEN REDUCED BY 50%.
 - EXPOSED LITTER, DEBRIS, CHEMICALS, ETC., SHALL BE PROPERLY STORED OR DISPOSED OF PRIOR TO ANY EXCAVATING ACTIVITIES.
 - REMOVAL OF STANDING MOUNDY WATER FROM THE SITE SHALL BE ACCOMPLISHED WITH A PUMP/WEIR BAG COMBINATION OR SAID WATER WILL BE DIVERTED INTO EXISTING SEDIMENT CONTROL DEVICES VIA A PUMP.



NO.	REVISIONS AND/OR ISSUES	DATE



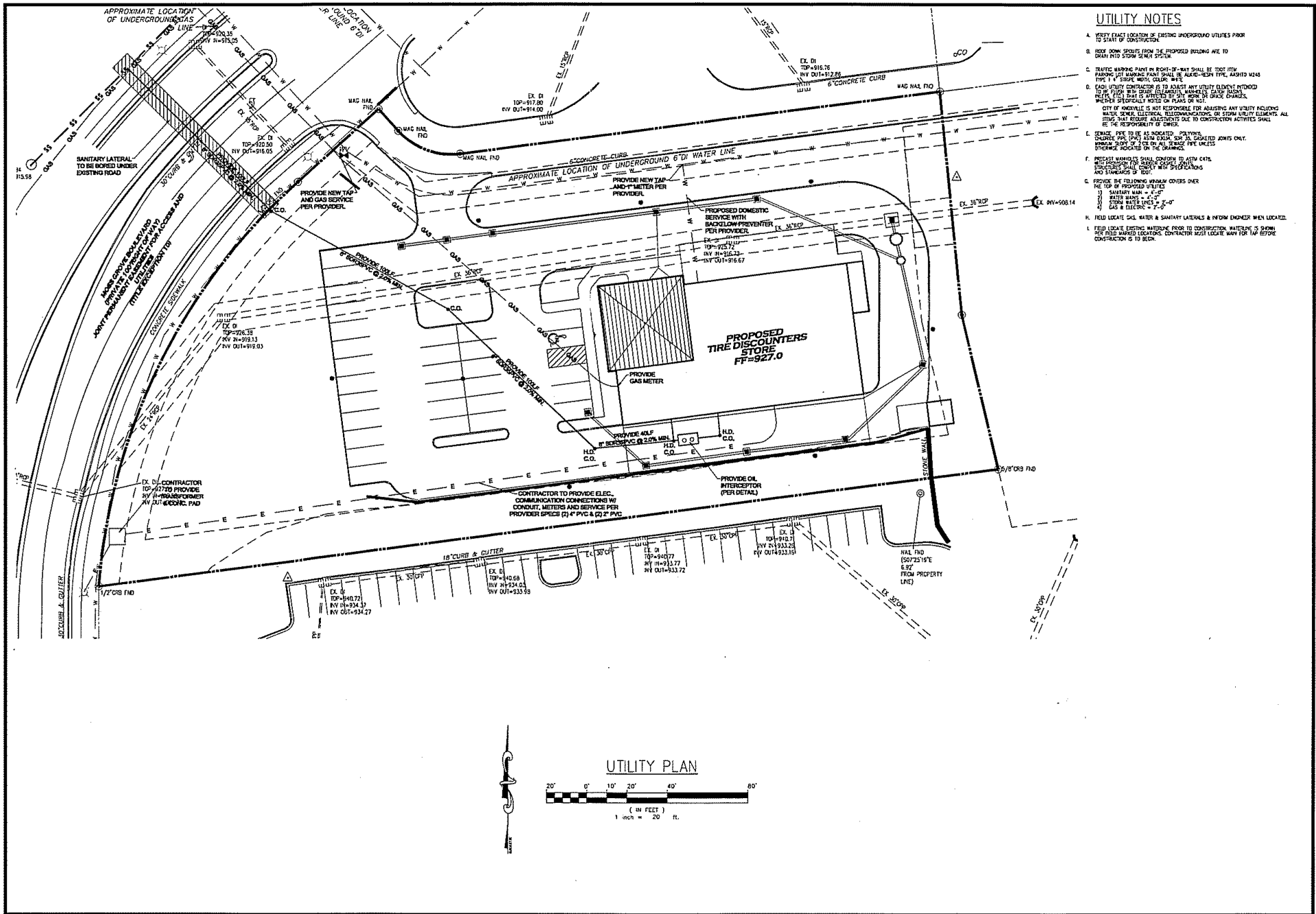
TIRE DISCOUNTS
 100% OFF TIRE SERVICE
TREDSMAN ENGINEERING & ASSOC.
 ENGINEERING, SURVEYING, PLANNING
 3730 TOPPO HILLS, CINCINNATI, OHIO 45248 513-417-0400

SJL
 engineers

DRAWING TITLE
 EXISTING SITE
 ESPC PLAN

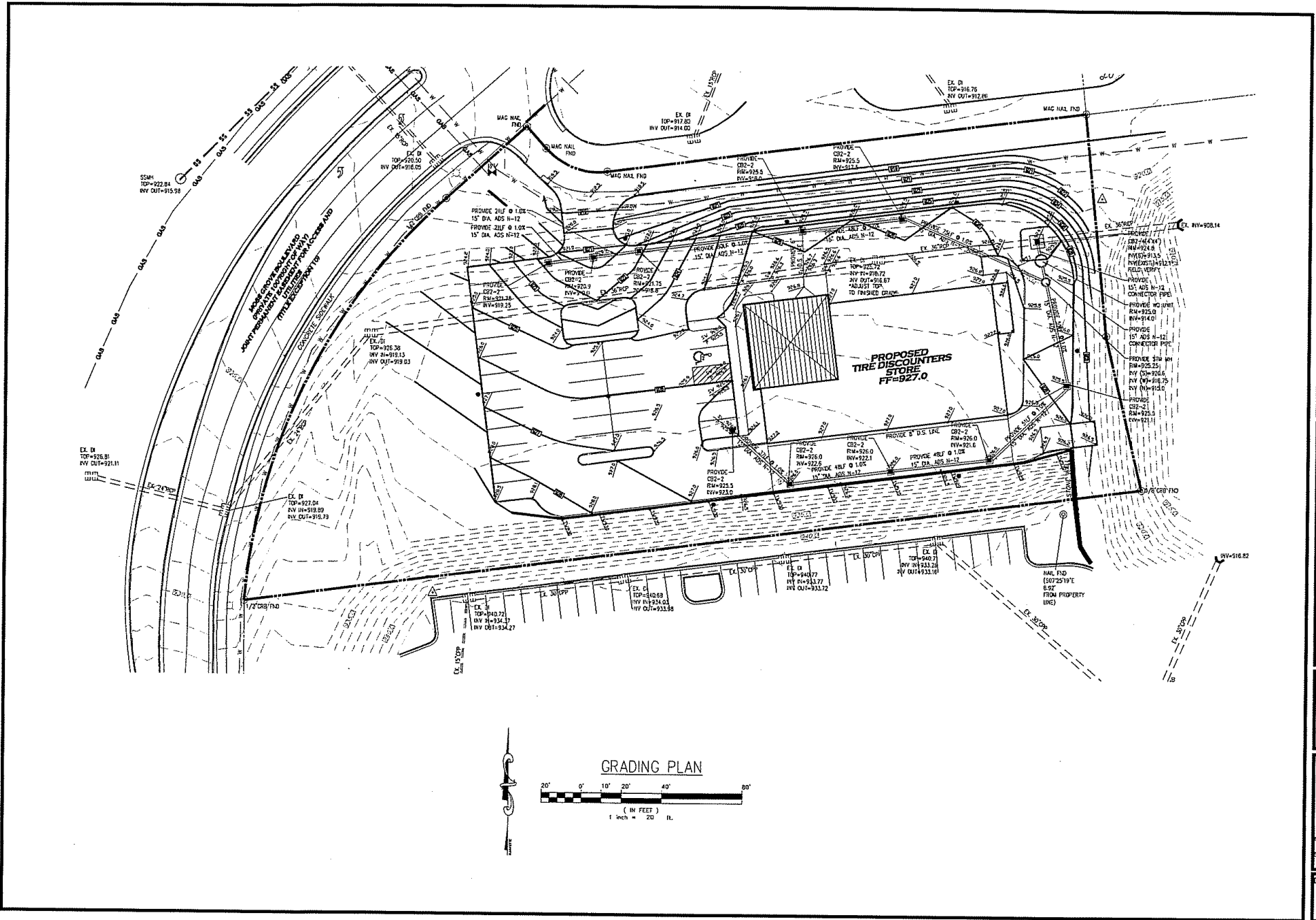
DRAWING NO.
 C1

3 WORKING DAYS
 BEFORE YOU DIG
 TENNESSEE11 UTILITY PROTECTION
 CALL 811



- ### UTILITY NOTES
- A. VERIFY EXISTING LOCATION OF EXISTING UNDERGROUND UTILITIES PRIOR TO START OF CONSTRUCTION.
 - B. SLOPE DOWN SPOUTS FROM THE PROPOSED BUILDING AVE. TO DRAIN INTO STORM SEWER SYSTEM.
 - C. TRAFFIC MARKING PAINT ON BROWN-ORANGE SHALL BE TEST FROM PARKING LOT MARKING PAINT SHALL BE WHITE-RED PINK. MARKED WITH TYPE 1" STRIP, WIDTH, COLOR, WAVE.
 - D. EACH UTILITY CONTRACTOR IS TO EXIST ANY UTILITY ELEMENT INTENDED TO BE PLACED WITHIN EXISTING UTILITY CHANNELS SHALL BE IDENTIFIED BY DATE, NAME, DEPTH, WIDTH, AND MATERIAL. ALL UTILITY ELEMENTS SHALL BE SPECIFICALLY MARKED ON PLANS OR NOT.
 - E. CITY OF MEMPHIS IS NOT RESPONSIBLE FOR ALLOWING ANY UTILITY INCLUDING WATER, SEWER, ELECTRICAL, TELECOMMUNICATIONS, OR STORM UTILITY ELEMENTS. ALL UTILITY MARKING REQUIREMENTS DUE TO CONSTRUCTION ACTIVITIES SHALL BE THE RESPONSIBILITY OF OWNER.
 - F. OWNER SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY PERMITS AND APPROVALS FOR ALL UTILITIES AND JOINTS ONLY. OWNER SHALL BE RESPONSIBLE FOR ALL NECESSARY JOINTS ONLY. OTHERWISE AS NOTED ON THE DRAWINGS.
 - G. PROVIDE THE FOLLOWING MINIMUM COVERS OVER THE TOP OF PROPOSED UTILITIES:
 - 1) SANITARY MAIN = 4'-0"
 - 2) WATER MAIN = 4'-0"
 - 3) STORM WATER MAIN = 2'-0"
 - 4) GAS & ELECTRICAL = 2'-0"
 - H. FIELD LOCATE GAS, WATER & SANITARY LATERALS & INFORM ENGINEER WHEN LOCATED.
 - I. FIELD LOCATE EXISTING WATERLINE PRIOR TO CONSTRUCTION. WATERLINE IS SHOWN PER FIELD MARKED LOCATIONS. CONTRACTOR MUST LOCATE MAIN FOR TAP BEFORE CONSTRUCTION IS TO BEGIN.

	REVISIONS AND/OR ISSUES NO. DESCRIPTION DATE
TIRE DISCOUNTERS 3000 CROSS CREEK BLVD. KNOXVILLE, TENNESSEE LEESMAN ENGINEERING & ASSOC. 2728 TORPICK HILLS, CHATTANOOGA, TENNESSEE 37414-0400	
DRAWING TITLE UTILITY PLAN	
PROJ. NO. TD-CEDAR	DATE 8/18/17
DRAWN TMD	CHECKED S.A.
DRAWING NO. <h1 style="font-size: 2em;">C3</h1>	



DATE	
BY	
REVISIONS AND/OR ISSUES	



TIRE DISCOUNTS
 3000 MORRIS GROVE BLVD.
 DAYTONVILLE, TENNESSEE

LEBSMAN ENGINEERING & ASSOC.
 ENGINEERING, SURVEYING, PLANNING
 2720 TOPICK HILL, CINCINNATI, OHIO 45248 613417-0400

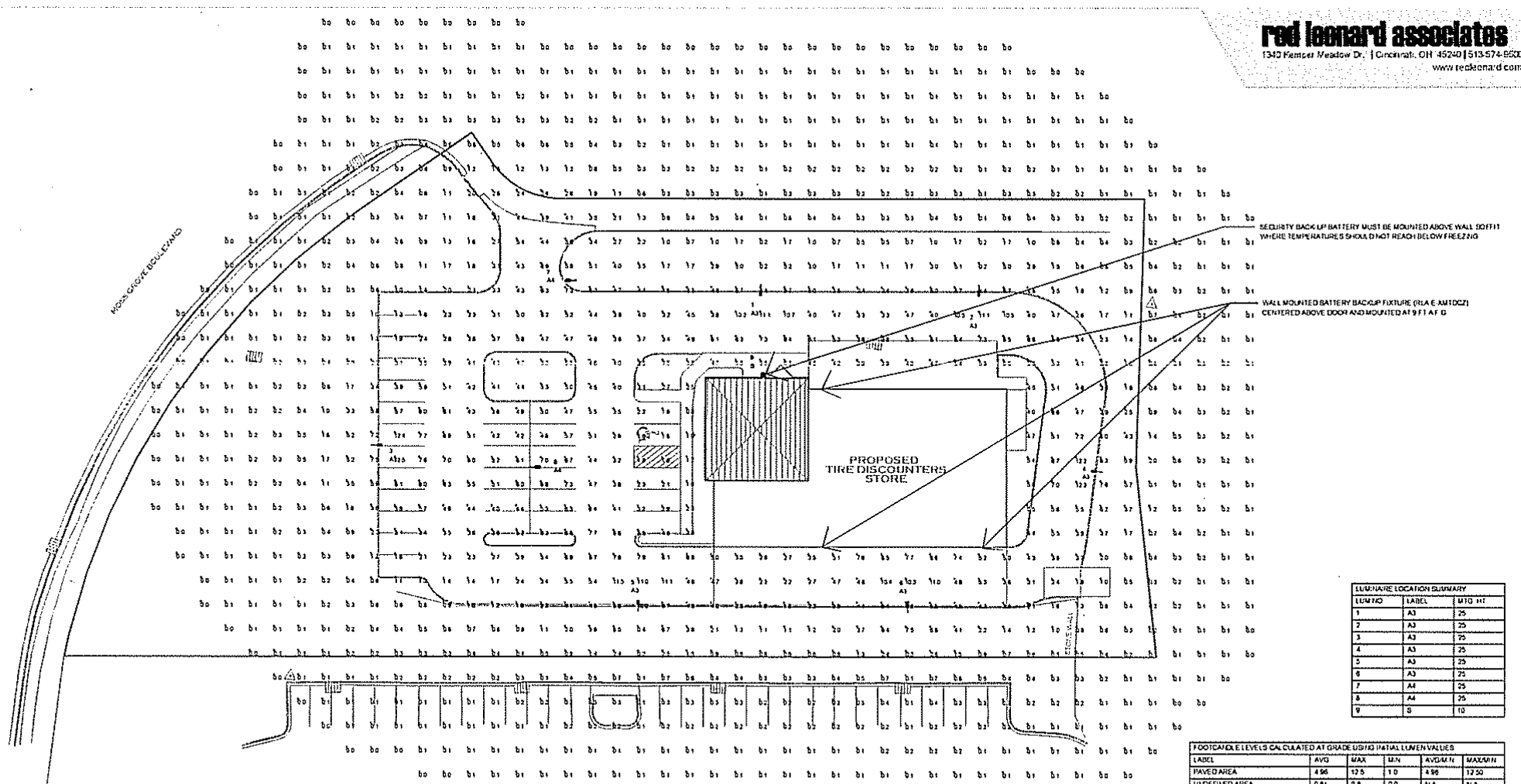
S J L
 engineers

DRAWING TITLE

GRADING PLAN

PROJ. NO. DATE
 TO-CLEAR 8/18/17
 DRAWN BY CHECKED BY
 TMD S.A.

DRAWING NO.
C4



LUMINAIRE LOCATION SUMMARY		
LUM#	LABEL	MTD Ht
1	A3	25
2	A3	25
3	A3	25
4	A3	25
5	A3	25
6	A3	25
7	A4	25
8	A4	25
9	S	10

FOOTCANDLE LEVELS CALCULATED AT GRADE USING INITIAL LUMEN VALUES					
LABEL	AVG	MAX	MIN	AVG/FT ²	MAX/FT ²
PAVED AREA	4.96	12.5	1.0	4.96	12.50
UNDEFINED AREA	0.81	9.8	0.0	N/A	N/A

NOTE: ALL AREA LIGHTS ON NEW 27 FT POLES MOUNTED ON 3 FT CONCRETE BASES

LUMINAIRE SCHEDULE									
SYMBOL	QTY	LABEL	ARRANGEMENT	LUMENS	LF	ARR WATT	TOTAL WATT	MANUFACTURER	DESCRIPTION
—	6	A3	SINGLE	27344	1020	275.87	1654.02	Crab Inc	STR LWY 3WE H1-2 F LL BK A 57K
—	2	A4	SINGLE	28153	1020	278	558	Crab Inc	STR LWY 4WE H1-2 F LL BK A 57K
●	1	S	SINGLE	1074	1000	17.619	17.619	Crab, Inc	KR6-1A, 45K-120V EBT with KR6T-655C

REV	BY	DATE	DESCRIPTION
1	RL	11/09/17	REVISED TO ADD PARKING AND DRIVE PLAN

TIRE DISCOUNTERS - CEDAR BLUFF
ANNVILLE, TN
RL-4805-S1-R1

ARTHUR G. SEYMOUR, JR.
ROBERT L. KAHN
REGGIE E. KEATON
DONALD D. HOWELL
DEBRA L. FULTON
MICHAEL W. EWELL
JOHN M. LAWHORN
JAMES E. WAGNER
BEVERLY D. NELMS
MARY ELIZABETH MADDOX
BENJAMIN C. MULLINS
RICHARD T. SCRUGHAM, JR.
MATTHEW A. GROSSMAN
KEVIN A. DEAN
RICHARD E. GRAVES



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October 11, 2017

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Suite 500
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Knoxville, Tennessee
37901

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IMOGENE A. KING
JASON T. MURPHY

fmsllp.com

Via E-mail

MPC Commissioners

Knoxville-Knox County MPC
Suite 403, City County Building
400 Main Street
Knoxville, Tennessee 37902

Re: Agenda Item No. 50 – Tim Dwyer Leesman Engineering
Southeast side Moss Grove Blvd., south of Kingston Pike

Dear Commissioners:

The purpose of this zoning request is to allow the location of a tire store on property at the Sherrill Hill development. The company is Tire Discounters.

The developer and other tenants in the shopping center and development support its location on this property. Some of the other tenants include Academy Sports, a car wash facility, an Aldi's grocery store, and other retail outlets. The center is governed by covenants which would not allow a use unless it is supported by the developer and other tenants.

I am enclosing herewith information showing what Tire Discounters does and what its buildings look like.

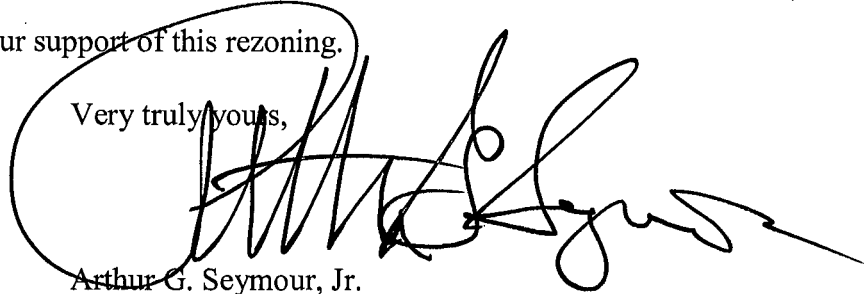
The property, along with the commercial part of the development, is zoned PC-1. The City's Plans Review and Inspections division has determined, as evidenced by the attached letter, that the type of use proposed is not allowed in the PC-1. It would be allowed in the PC-2 and the C-6 zone.

The MPC Staff has recommended against the rezoning, although I do not know if there is any opposition by Staff to the use itself. As a matter of fact, I think initially MPC Staff felt that the PC-1 zone would accommodate this use.

The applicant unfortunately is in a Catch 22 situation where there is no opposition to its use of this property for its tire store, but Plans Review will not allow it in a PC-1 zone and the applicant is simply seeking a zone that will accommodate this use.

We would appreciate your support of this rezoning.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Arthur G. Seymour, Jr.', is written over the typed name. The signature is fluid and cursive, with a large initial 'A' and 'S'.

Arthur G. Seymour, Jr.

FRANTZ, McCONNELL & SEYMOUR, LLP

AGSJ:lbb

S:\WDOX\CLIENTS\7584\0000002\CORRESPO\01624110.DOCX



CITY OF KNOXVILLE

Plans Review & Inspections Division

August 14, 2017

Timothy M. Dwyer

Leesman Engineering & Associates

4820 Glenway Avenue

Cincinnati, OH 45238

RE: 0 Moss Grove Blvd. – Parcel ID# 132 02719

To whom it may concern,

This property is currently zoned PC-1(k) Planned Commercial District with no district overlay. Conditions were placed on this property as part of its 2007 re-zoning process. I have included a copy of the MPC Case Summary stating the conditions for development – file # 8-F-07-RZ. Further detail on the re-zoning case may be obtained from the Metropolitan Planning Commission Office at 865-215-2500.

I have enclosed a copy of the current zoning regulations for the PC-1 District and an area map showing the zoning designations for properties surrounding this address.

The use of this property as an establishment for tire sales and auto service is not permitted in this district per the City of Knoxville Zoning Ordinance, Article 4, Section 3.4.B.

A review of records available in our office shows that there are currently no open zoning violations associated with this address.

To the best of my knowledge, the information provided in this letter is correct, however if more in-depth research is necessary, our records are available for public viewing.

Please contact me at (865) 215-4473 if you have additional questions.

Sincerely,

Scott Elder

Zoning Chief – City of Knoxville

Enclosures

City County Building • 400 Main Street • Suite 505 • Knoxville, TN 37902

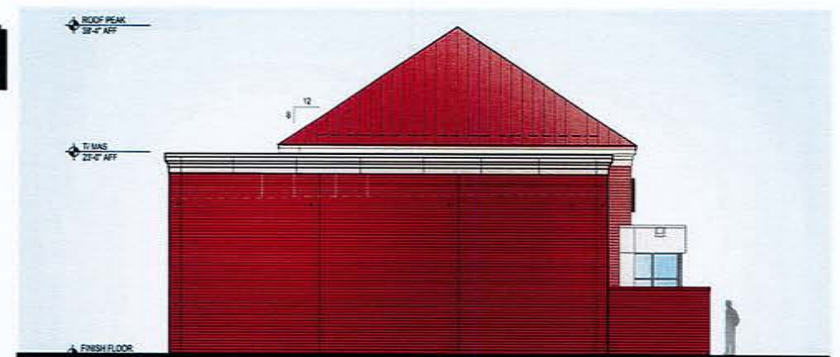
Office: 865-215-3669 • Fax: 865-215-2627

www.KnoxvilleTN.gov



SALES SIDE ELEVATION

TOP OF DUMPSTER AND TIRE STORAGE AREA TO BE CONSTRUCTED OF THE SAME MATERIAL AS THE MAIN BUILDING AND BE A HEIGHT OF 8'-0\"/>



SERVICE SIDE ELEVATION



FRONT ELEVATION



REAR ELEVATION

Tire Discounters
Prototype C



TireDiscounters

BUILDING PACKAGES & PROTOTYPES



For more information, contact:

Andrew Sellet
Senior Director
+1 513 763 3053
andrew.sellet@cushwake.com

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Cincinnati, OH 45202

www.cincyretailteam.com



We take pride in our stores and here's why:

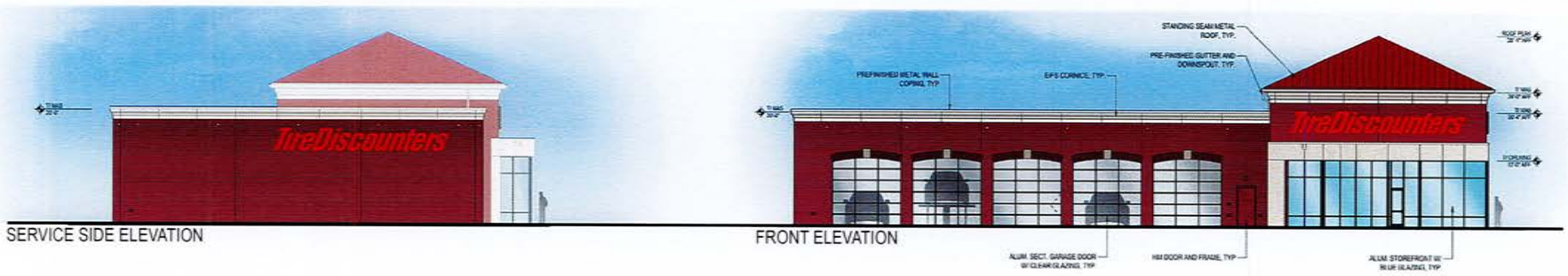
- NO SUNDAYS - NO HOLIDAYS
- NO SEMI TRAFFIC
- NO OVERNIGHT PARKING
- NO OUTSIDE WORK
- CLOSED AFTER 7PM EVERY NIGHT
- NO 3RD PARTY VENDORS ARE PERMITTED (FIREWORKS, NEWSPAPERS, FLOWERS, ETC.)
- TIMED LED PARKING LOT LIGHTING
- LIGHT TRAFFIC COUNT
- AVERAGE JOB TAKES LESS THAN ONE HOUR
- ALMOST 4 DECADES IN BUSINESS
- NO TRANSMISSION WORK
- NO ENGINE REPAIRS
- "GREEN" STORE DESIGN
- NO OUTSIDE STORAGE
- NO EXHAUST WORK
- NO BODY WORK
- EXTREMELY CLEAN OPERATIONS
- WINDOWS PROFESSIONALLY CLEANED (MORE THAN MOST OFFICE BUILDINGS)
- STORES UPGRADED EARLY AND OFTEN (TECHNOLOGY, EQUIPMENT, AMENITIES, ETC.)
- SCRAP TIRES STORED OUT OF SIGHT AND ARE PICKED UP MULTIPLE TIMES EACH WEEK
- ALL BRICK AND GLASS CONSTRUCTION
- SISTER COMPANY IS A SIGN AND LIGHTING FIRM - SIGNAGE AND LIGHTING IS IMMACULATE



GOOD NEIGHBOR POLICY

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- CONCRETE BRICK
LEE BRICK & BLOCK
"MAXBRIC" TT
- E.I.F.S. DRYVIT
"NATURAL WHITE" #103
- BLUE GLASS
- CAST STONE
ROCKCAST
"BUFFSTONE"
- ALUMINUM
STOREFRONT BLACK
ANODIZED METAL
- HOLLOW METAL
DOORS PAINTED TO
MATCH ADJACENT BRICK
- TRASH GATE PAINTED
TO MATCH ADJACENT
BRICK
- METAL ROOF
BERRIDGE
"DEEP RED"

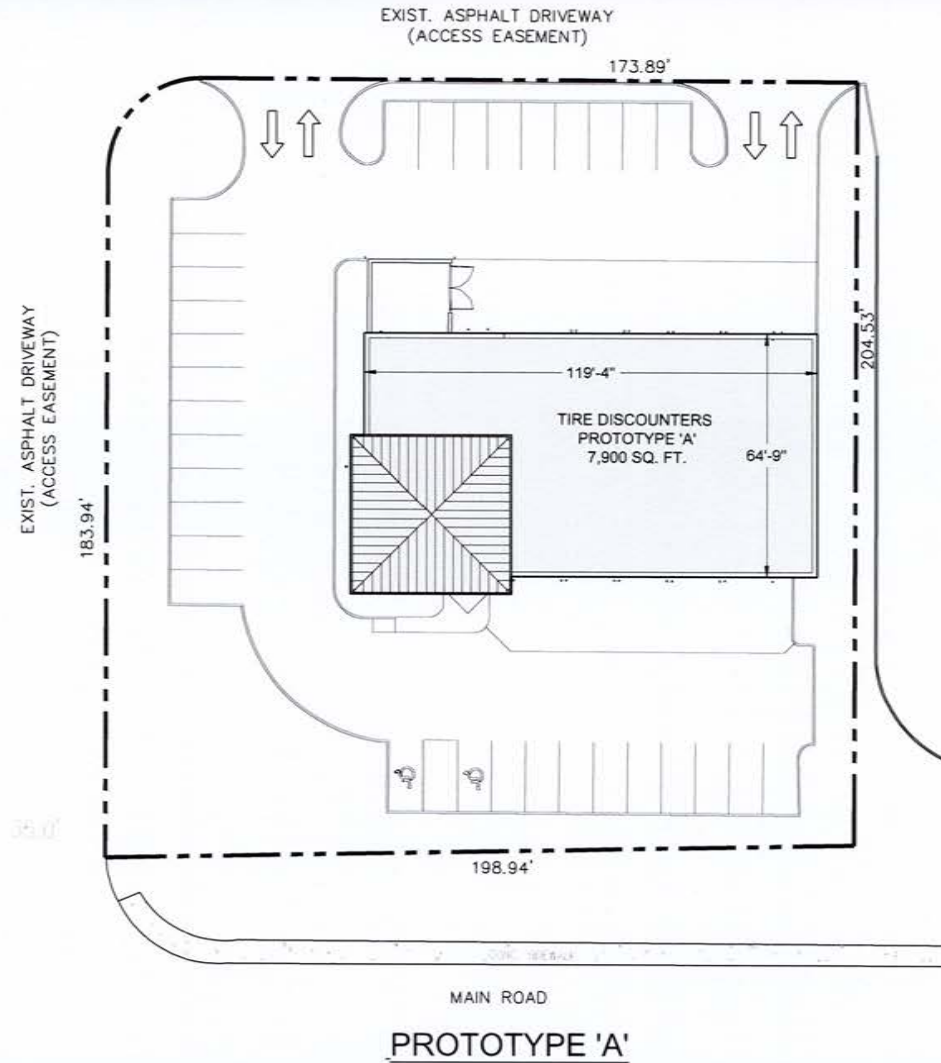
08.23.2016

Tire Discounters
Prototype 'A'



Andrew Sellet / +1 513 763 3053 / andrew.sellet@cushwake.com

www.cushmanwakefield.com





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: Tim Dwyer Lesman Engineering

Date Filed: 8/30/2017 Meeting Date: 10/12/2017

Application Accepted by: Marc Payne

Fee Amount: 1,400.00 File Number: Rezoning 10-J-17-RZ

Fee Amount: File Number: Plan Amendment



PROPERTY INFORMATION

Address: Moss Grove Blvd General Location: Approx 350' from intersection of Moss Grove Blvd and Kingston Pike

Parcel ID Number(s): 132 02729

Tract Size: 1.75 Acres

Existing Land Use: Vacant

Planning Sector: Southwest County

Growth Policy Plan: Urban

Census Tract: 57.06

Traffic Zone: 171

Jurisdiction: City Council 2nd District

Requested Change

REZONING

FROM: PC-1

TO: C-6

PLAN AMENDMENT

One Year Plan Southwest Co. Sector Plan

FROM: CC

TO: CC

PROPOSED USE OF PROPERTY

Proposed Tire Discounters store Automotive Service Station

Density Proposed 1 Units/Acre

Previous Rezoning Requests:

PROPERTY OWNER OPTION HOLDER

Name: Slate Ridge Holdings Company: Slate Ridge Holdings Address: one east 4th street City: Cincinnati State: OH Zip: 45202 Telephone: (513) 618-7308 Fax: (513) 618-7309 E-mail: R.osterhoer@tirediscounters.com

APPLICATION CORRESPONDENCE

Name: Tim Dwyer Company: Lesman Engineering Address: 4820 Glenway Ave City: Cincinnati State: OH Zip: 45238 Telephone: 513 702-0571 E-mail: email@lesmanengineering.com

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: Tim Dwyer Name: Tim Dwyer Company: Lesman Engineering Address: 4820 Glenway Ave City: Cincinnati State: OH Zip: 45238 Telephone: 513 702-0571 E-mail: email@lesmanengineering.com