

▶ **FILE #:** 9-B-17-RZ

**AGENDA ITEM #:** 42

**AGENDA DATE:** 9/14/2017

▶ **APPLICANT:** T & Y PROPERTIES DBA LANCE CUNNINGHAM FORD

OWNER(S): T & Y Properties dba Lance Cunningham Ford

TAX ID NUMBER: 81 A A 002

[View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS: 4116 Hero Rd

▶ **LOCATION:** Northeast side Hero Rd., northeast of Rickard Dr.

▶ **APPX. SIZE OF TRACT:** 2.39 acres

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Hero Rd., a local street with 18' of pavement width within 60' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT ZONING:** R-1 (Low Density Residential)

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

▶ **EXISTING LAND USE:** Car storage lot

▶ **PROPOSED USE:** Car/truck sales

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

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Auto dealership / C-4 (Highway & Arterial Commercial)

South: I-640 right-of-way / R-1 (Low Density Residential)

East: Auto dealership / C-4 (Highway & Arterial Commercial)

West: Hero Rd., business / C-6 (General Commercial Park)

NEIGHBORHOOD CONTEXT: This site is located just southwest of two large auto dealerships that front on Clinton Hwy., zoned C-4. To the west, along Rickard Dr, are residential and office uses, zoned R-1 and O-1.

**STAFF RECOMMENDATION:**

▶ **RECOMMEND that City Council APPROVE C-4 (Highway & Arterial Commercial) zoning.**

C-4 zoning is consistent with the scale and intensity of the surrounding development and zoning pattern and is consistent with both the sector and One Year plan proposals for the property.

**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 proposal is compatible with the scale and intensity of the surrounding land uses and zoning pattern.
2. C-4 is a logical extension of zoning from the west.
3. The site is located in an area of already established commercial uses and the proposal is an extension of that pattern.
4. The proposal is consistent with both the sector plan and one year plan proposals for the site.

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 is appropriate for C-4 development.

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 a minimal impact on streets and no impact on schools. The impact on the streets will depend on the type of development proposed.
2. The proposal is compatible with surrounding development and will have a minimal impact on adjacent properties.
3. Public water and sewer utilities are available to serve the site. C-4 zoning is consistent with other zoning and density in the immediate area and will not adversely affect any other part of the County.

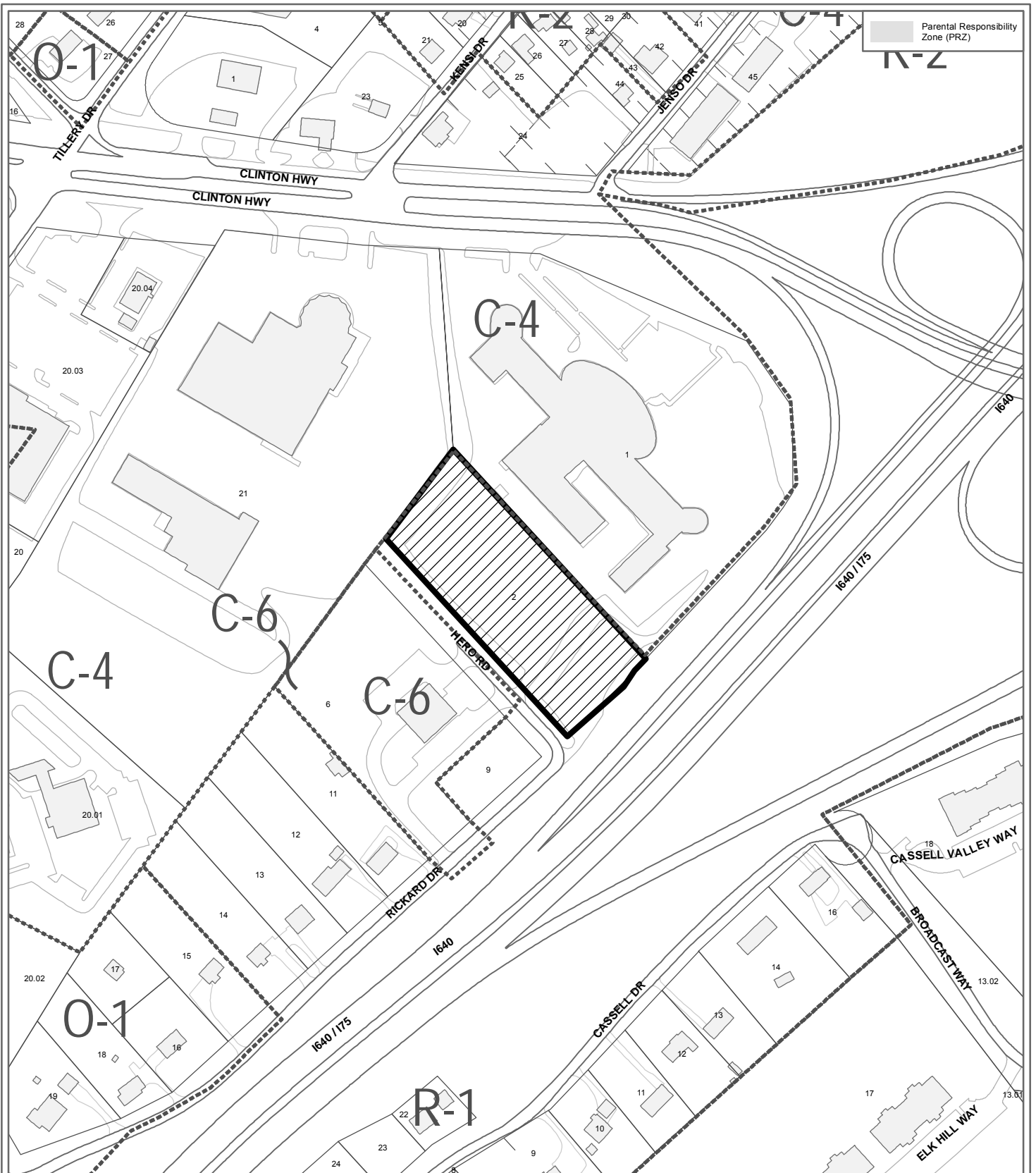
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. Both the Northwest City Sector Plan and the Knoxville One Year Plan designate this property for GC (General Commercial) uses, consistent with the proposed C-4 zoning.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. 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 10/10/2017 and 10/24/2017. 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.



**9-B-17-RZ  
REZONING**

From: R-1 (Low Density Residential)

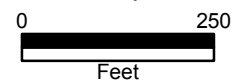
To: C-4 (Highway and Arterial Commercial)



Petitioner: T & Y Properties dba Lance  
Cunningham Ford

Map No: 81

Jurisdiction: City



Original Print Date: 8/15/2017  
Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

REZONING PLAN AMENDMENT

Name of Applicant: T+Y Properties dba Lance Cunningham

Date Filed: 7/14/17 Meeting Date: 9/14/17

Application Accepted by: DR

Fee Amount: 1000.00 File Number: Rezoning 9-B-17-R7

Fee Amount: File Number: Plan Amendment



PROPERTY INFORMATION Address: 4116 HERO RD General Location: NE/S HERO RD NE OF RICKARD DR Parcel ID Number(s): 081AA 002 Tract Size: 2.39 ACRES Existing Land Use: CAR STORAGE LOT Planning Sector: NW City Growth Policy Plan: IM-14 Census Tract: Traffic Zone: Jurisdiction: [X] City Council 5 District [ ] County Commission District

PROPERTY OWNER OPTION HOLDER PLEASE PRINT Name: Lance Cunningham Company: T+Y Properties dba Lance Cunningham Address: 4101 Clinton Hwy City: Knoxville State: TN Zip: 37912 Telephone: 687-2100 Fax: E-mail:

Requested Change REZONING FROM: R-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: Gary Kowitz Company: Realty Executives Address: 3232 Tazewell PK City: Knoxville State: TN Zip: 37918 Telephone: 548-1010 Fax: E-mail:

PROPOSED USE OF PROPERTY CAR/TRUCK SALES Density Proposed Units/Acre Previous Rezoning Requests: None Noted

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] PLEASE PRINT Name: Same as Company: Correspondence Address: City: State: Zip: Telephone: E-mail: