



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

FILE #: 6-K-08-RZ
6-G-08-SP

AGENDA ITEM #: 44
AGENDA DATE: 7/10/2008

POSTPONEMENT(S): 6/12/2008

APPLICANT: TYLER FARRIS
OWNER(S): FARRIS TYLER E & REBECCA

TAX ID NUMBER: 117 091 (FRONT 2 ACRES ONLY) MAP ON FILE AT MPC
JURISDICTION: Commission District 5

LOCATION: Southeast side Yarnell Rd., northeast of Carmichael Rd.

TRACT INFORMATION: 2 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Yarnell Rd., a major collector street with 23' of pavement width within 40' of right of way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Hickory Creek

PRESENT PLAN DESIGNATION/ZONING: A/RR (Agricultural/Rural Residential) / A (Agricultural)

PROPOSED PLAN DESIGNATION/ZONING: HI (Heavy Industrial) / I (Industrial)

EXISTING LAND USE: Excavation business

PROPOSED USE: Excavation business

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Yarnell Rd. - Residences / LDR / A (Agricultural)

South: Residence / Ag-RR / A (Agricultural)

East: Residence / Ag-RR / A (Agricultural)

West: Residence / Ag-RR / A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is developed with residential uses under A and PR zoning.

STAFF RECOMMENDATION:

DENY HI (Heavy Industrial) sector plan designation.

HI for this site would be a spot sector plan amendment and would be completely out of character with surrounding development and zoning.

► **DENY I (Industrial) zoning.**

Industrial zoning for this site would be an inappropriate spot zoning, giving this property owner development rights that none of the adjacent property owners has. Additionally, this site is located within the Rural Area on the Growth Policy Plan. I zoning is not permitted within areas designated as Rural Area.

COMMENTS:

There is an excavating business located at this site, which is not permitted under the existing A zoning. Someone filed a complaint to the Knox County Code Administration Department about this property, which led to this request. The County's codes enforcement officer informed the applicant that a rezoning to I would be necessary for this business operation to continue as it currently exists. The applicant chose to seek this rezoning, rather than immediately cease the operations at this location. At the time of staff's site visit, there were some large trucks parked on the site, along with three trailers, one with a large piece of construction equipment on it. Almost the entire front and east side of the site was a gravel parking area. The structures on site appear to be used as an office and additional storage. There was also a small sign with the business name and phone number located along Yarnell Rd. It should be noted that staff also observed a business sign located at 11027 Yarnell Rd. on the north side of the street, east of the subject property, also zoned Agricultural. The sign advertised a welding and fabrication business. If this type of business operation is taking place on that site, that would also be in violation of the zoning ordinance.

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The proposal is not consistent with the established low density and rural residential pattern in this area.
2. The sector plan's current proposal for low density residential uses on the both sides of Yarnell Rd. is appropriate and should not be changed for this site only. The request is an inappropriate spot plan amendment and rezoning that, if approved, would give this property owner development rights that none of the surrounding property owners has.
3. Allowing industrial zoning to be established at this site would allow incompatible uses in close proximity to residential areas. This business should be located in an area where the appropriate zoning is already in place.

THE EFFECTS OF THE PROPOSAL

1. Public water is available to the site. Sewer utilities are available in the general area, but may have to be extended to serve this site.
2. The proposal would have no impact on schools. Depending on how the property were developed, the street could be negatively impacted with additional traffic generated from an industrial use.
3. Industrial uses can have detrimental impacts on residential properties with the potential for increased noise, lighting, signage and traffic.

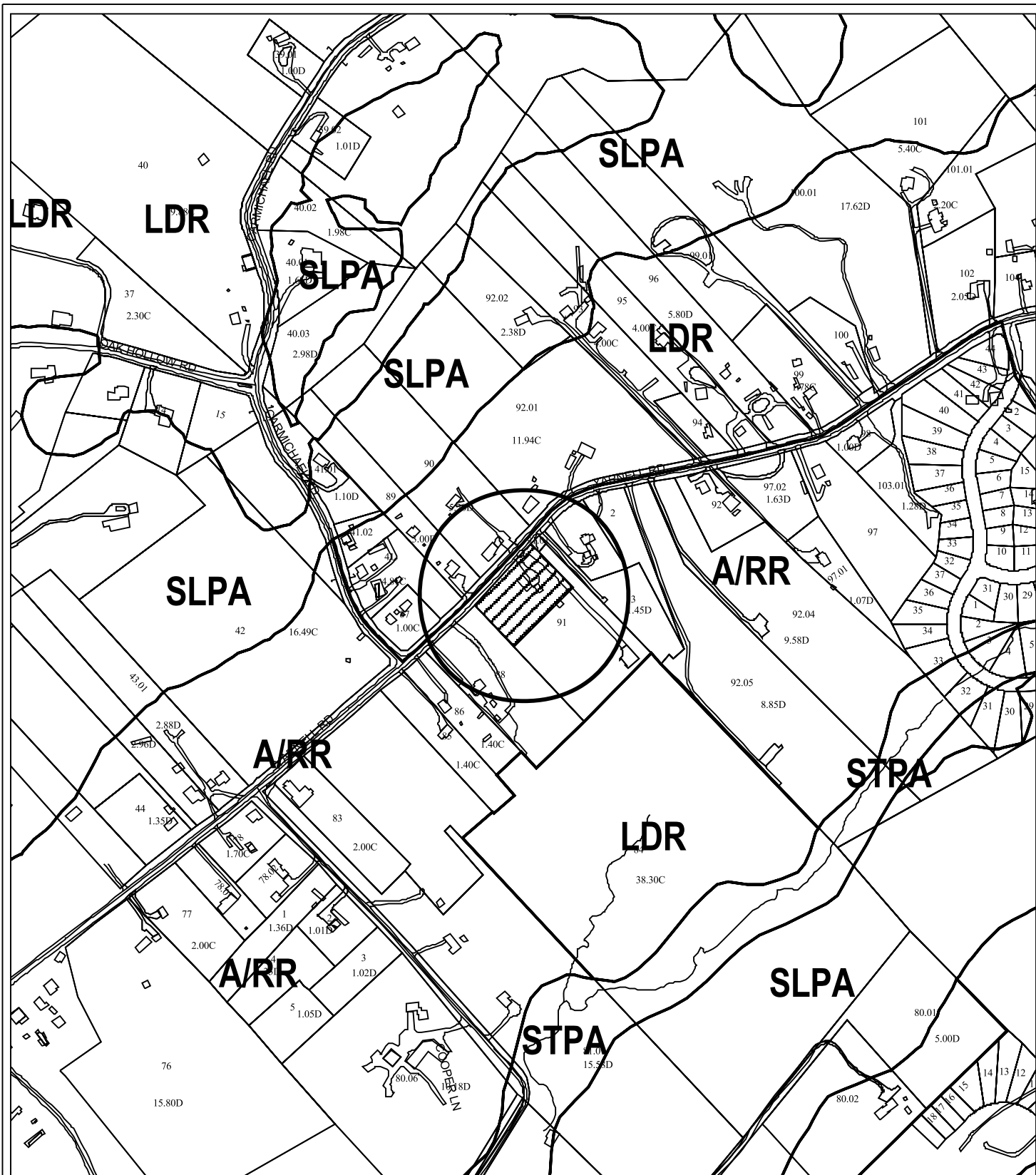
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan's proposal for agricultural and rural residential uses is appropriate for this site. The Plan should not be amended to legitimize industrial use at this location. The proposal does not meet any of the general plan criteria regarding changes of conditions warranting amendment of the land use plan.
2. This site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map. Industrial zoning is not permitted within the Rural Area. There are no zones that are permitted for consideration within the Rural Area that would work to bring this site into conformance with the zoning ordinance. The staff informed the applicant that it could not recommend approval of this request, based on the Growth Policy Plan policies, but since Industrial was the only zone that would bring the operation into compliance, the applicant opted to proceed anyway, and staff had to accept the application.
3. Allowing industrial use of the subject property could lead to future requests for non-residential uses in the area, promoting further intrusion into the existing residential area.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.


If approved, this item will be forwarded to Knox County Commission for action on 8/25/2008. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



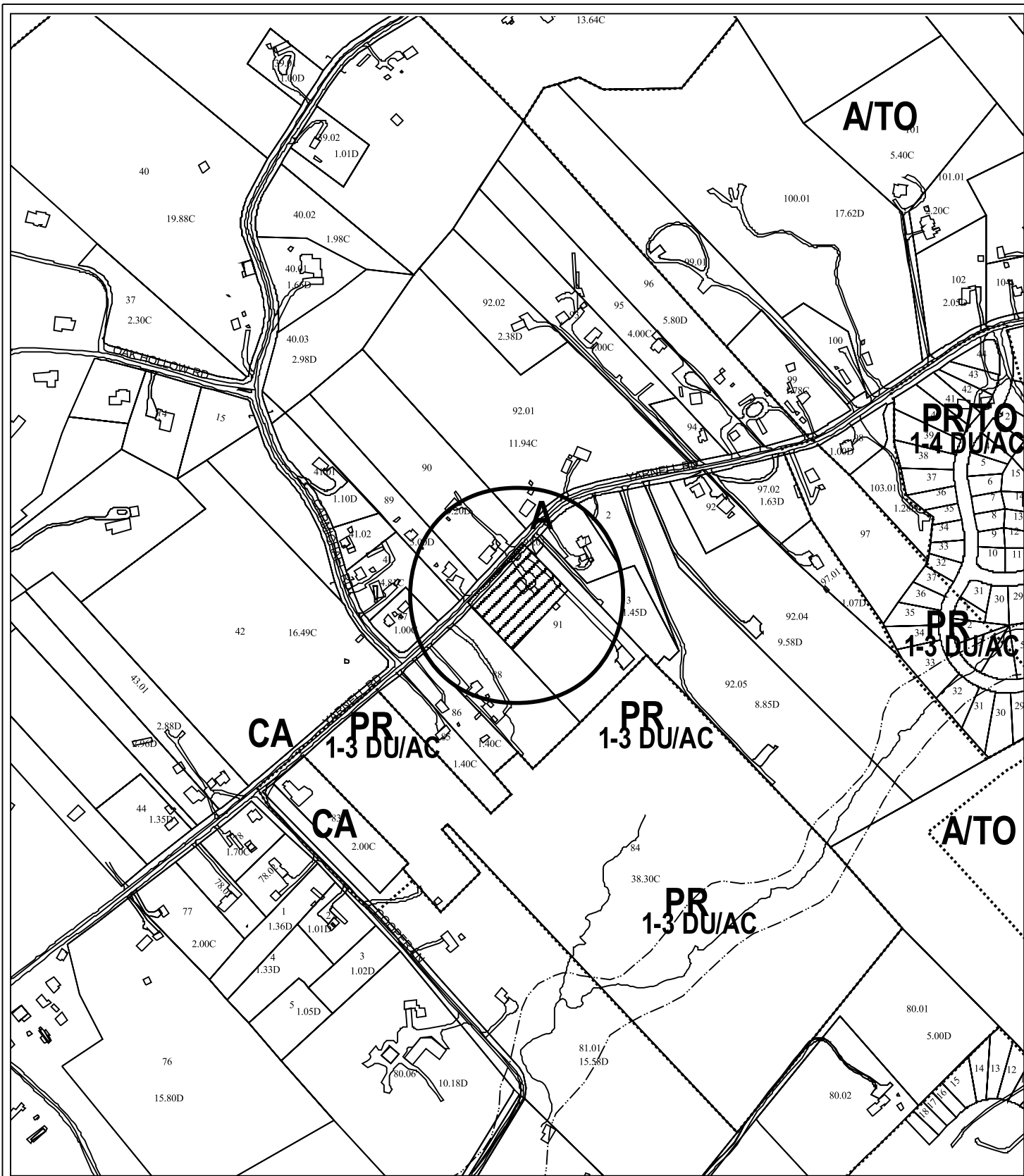
**6-G-08-SP/6-K-08-RZ
SECTOR PLAN AMENDMENT
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

Petitioner: Tyler Farris
 Map No: 117
 Jurisdiction: County



 From: A/RR (Agricultural/Rural Residential)
 To: HI (Heavy Industrial)

Original Print Date: 05/22/08 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**6-K-08-RZ
REZONING**



From: A (Agricultural)

To: I (Industrial)

Original Print Date: 05/22/08

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Tyler Farris

Map No: 117

Jurisdiction: County



From: <johnmaxwell06@comcast.net>
To: <bettyjo.mahan@knoxmpc.org>
Date: 6/6/2008 5:09:06 PM
Subject: Tyler Farris rezoning on Yarnell Road

To Whom it may concern,

I live in a subdivision of \$200,000 plus homes about a quarter of a mile down Yarnell Road from the proposed rezoning of the property at 11126-11130 Yarnell Road. The reference numbers are 6-G-08-SD and 6-K-08-RZ and I would like to go on record as opposing the rezoning from agricultural to heavy industrial. Once this was a more rural setting and industrial might have fit in better but with the newer houses going in all around me I oppose the rezoning. Please send this to anyone necessary. I work 10 hour days Tuesday through Friday in Oak Ridge and I cannot be at the zoning meeting.

Sincerely,
John Maxwell
10912 Maxwell Manor Lane