

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

▶ **FILE #:** 4-C-10-RZ **AGENDA ITEM #** 34
 4-B-10-SP **AGENDA DATE:** 4/8/2010

▶ **APPLICANT:** GREEN RIVER HOLDINGS, LLC
 OWNER(S): GREEN RIVER HOLDINGS, LLC

TAX ID NUMBER: 92 009.01
 JURISDICTION: Commission District 6

▶ **LOCATION:** Southwest side Johnson Rd., southeast side Schaad Rd.

▶ **TRACT INFORMATION:** 2.17 acres.

SECTOR PLAN: Northwest County

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

ACCESSIBILITY: Access is via Schaad Rd., a four-lane minor arterial street with center median within 80' of right-of-way, or Johnson Rd., a local street with 3 lanes and 35' of pavement width within 80' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board

WATERSHED: Grassy Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / A (Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** LI (Light Industrial) / LI (Light Industrial)

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Office warehouse

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
 North: Schaad Rd. - Houses / LDR / A (Agricultural)
 South: House / LDR / A (Agricultural)
 East: Johnson Rd. - Houses / LDR / A (Agricultural)
 West: Vacant land / LDR / A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is developed primarily with residential uses under A zoning. Amherst Elementary School is located to the northwest, zoned A.

STAFF RECOMMENDATION:

▶ **DENY LI (Light Industrial) sector plan designation.**

Light industrial or other non-residential use of this property would be out of character with surrounding land uses and zoning and would be a spot sector plan amendment. Additionally, the proposal does not meet any

of the general plan criteria regarding changes of conditions warranting amendment of the land use plan.

► **DENY LI (Light Industrial) zoning.**

LI zoning allows uses that would be out of character with surrounding development and zoning and would be a spot rezoning. There is a large area about a quarter of a mile away, at the intersection of Ball Camp Pike and Amherst Rd., that is currently zoned Industrial. It is underutilized for that purpose. Light industrial uses should be located there, rather than rezoning additional property for light industrial.

COMMENTS:

SECTOR PLAN REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

NEW ROAD OR UTILITY IMPROVEMENTS:

Despite the extension of the new four-lane Schaad Rd. facility to this area, the property is still surrounded by residential uses and zoning. In addition, if non-residential nodes were to be proposed along the new Schaad Rd., it would be preferable to locate them at intersections with other collector or arterial streets. Johnson Rd. is classified as a local street by the Knoxville-Knox County Major Road Plan.

ERROR OR OMISSION IN CURRENT PLAN:

The plan appropriately calls for LDR development at this location. Approval of light industrial or commercial at this location would be a spot sector plan amendment. There is a large area to the southwest of this site that is currently proposed for light industrial uses and zoned I (Industrial). It is underutilized for those purposes. Amending the sector plan to allow light industrial or other non-residential uses on the subject property is not warranted at this time.

CHANGES IN GOVERNMENT POLICY:

No changes have occurred to warrant this sector plan change. The Schaad Rd. extension was taken into account during the last update of the Northwest County Sector Plan, which was adopted by MPC on August 14, 2003.

CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:

Despite the new Schaad Rd. being constructed adjacent to the site, the area remains predominantly residential and is zoned Agricultural.

REZONING REQUIREMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. Despite the new Schaad Rd. extension being constructed through this area in recent years, the area surrounding the subject property is still developed with residential uses under A zoning. Light industrial uses should be placed to the southwest on a large tract of land that is already zoned Industrial. There is no need to rezone additional property for light industrial usage.
2. The surrounding area is developed with primarily agricultural and rural residential uses, under A zoning. LI zoning would not be compatible with those uses.
3. Approval of this site for light industrial or commercial uses would permit incompatible uses in close proximity to residential uses.
4. If small, non-residential nodes are to be established along the new Schaad Rd., they should be placed at intersections with other streets that are classified as either collector or arterial. Johnson Rd. is classified as a local street.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The intent of the requested LI zoning is to provide areas in which the principal use of land is for processing, storage, packaging, wholesaling, distribution, light manufacturing and restricted retailing.
2. Based on the above description and intent of LI zoning, this property is not appropriate to be rezoned to LI, because of compatibility concerns with surrounding residential land uses.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to the 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 a non-residential use.
3. Light industrial or other non-residential 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 low density residential uses is appropriate for this site.

The Plan should not be amended to allow light industrial development at this location. During the 2003 update of the Northwest County Sector Plan, the future Schaad Rd. extension was considered in making land use recommendations and low density residential was the preferred land use for this site. 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 Urban Growth Area of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Allowing light industrial use of the subject property could lead to future requests for non-residential uses in the area, promoting further intrusion into the existing rural and low density residential area and adding to a surplus of existing, nearby industrially zoned land.

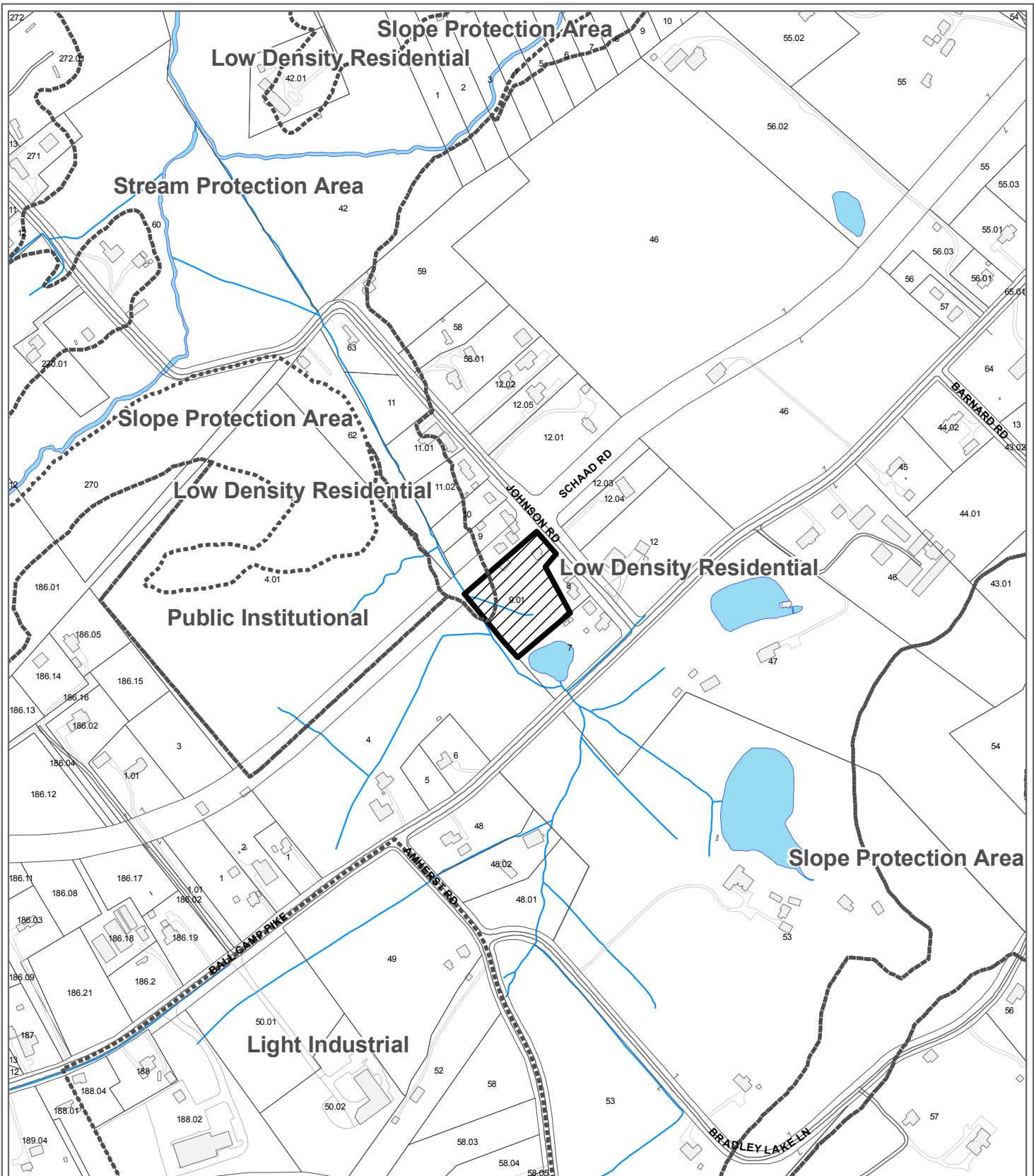
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. New law provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 5/24/2010. 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.



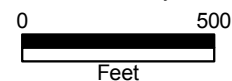
**4-B-10-SP / 4-C-10-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)
To: LI (Light Industrial)

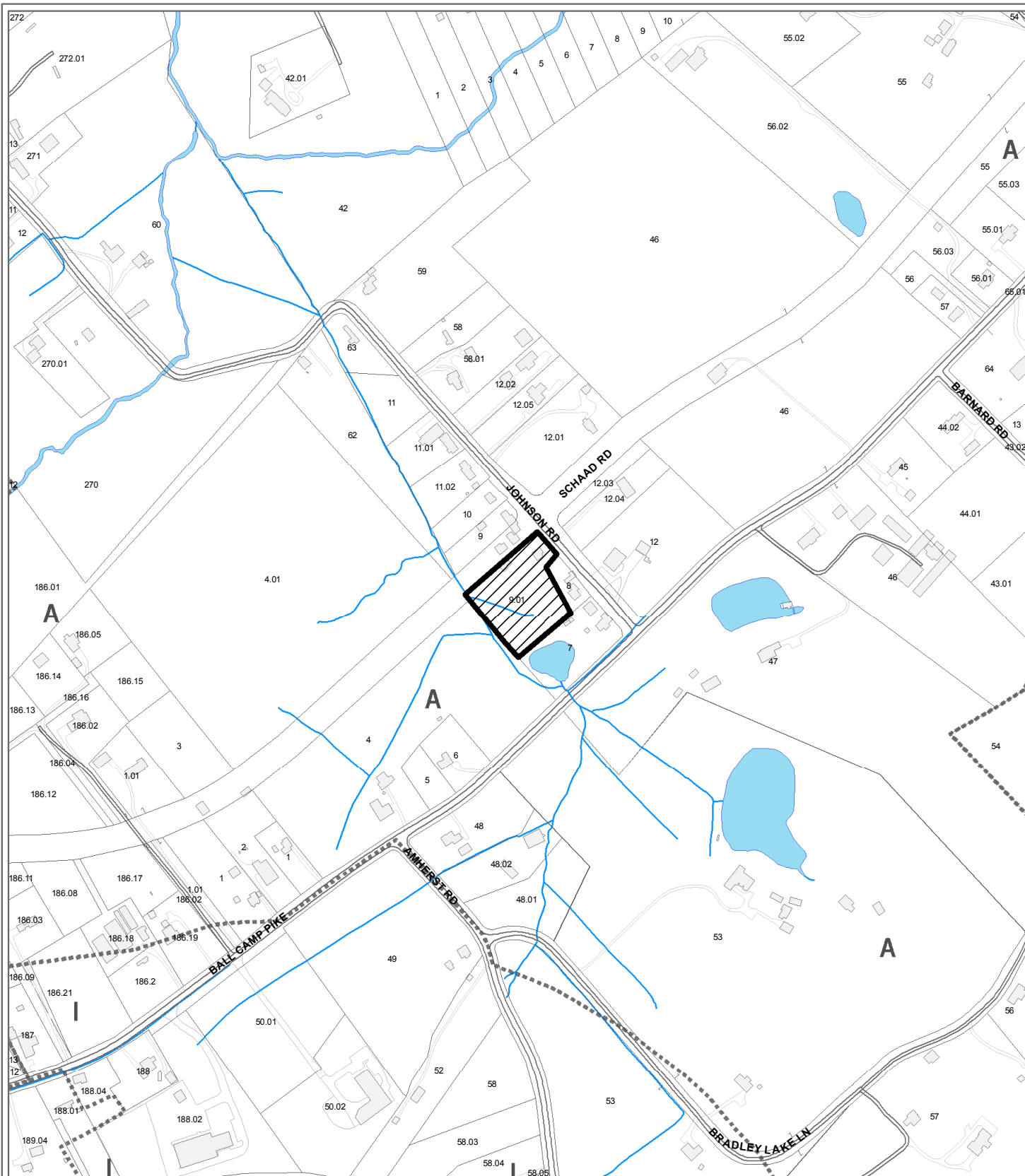


Petitioner: Green River Holdings, LLC

Map No: 92
Jurisdiction: County



Original Print Date: 3/24/2010 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**4-C-10-RZ
REZONING**

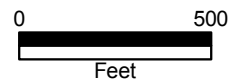
From: A (Agricultural)
To: LI (Light Industrial)



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