

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

▶ **FILE #:** 7-A-10-RZ
 7-A-10-SP

AGENDA ITEM # 31
AGENDA DATE: 7/8/2010

▶ **APPLICANT:** LJSRRC, LLC
 OWNER(S): LJSRRC, LLC

TAX ID NUMBER: 52 011
 JURISDICTION: Commission District 8

▶ **LOCATION:** East and west sides Sand Plant Ln., south side Mascot Rd., east side Whirlwind Way

▶ **TRACT INFORMATION:** 96 acres.

SECTOR PLAN: Northeast County
 GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Sand Plant Ln., a local gravel street with 14-16' of width within 30' of right-of-way, Mascot Rd., a minor collector street with 20' of pavement width within 40' of right-of-way, or Whirlwind Way a private 10-12' wide, gravel driveway within 50' of right-of-way.

UTILITIES: Water Source: Northeast Knox Utility District
 Sewer Source: Knoxville Utilities Board

WATERSHED: Flat Creek and Roseberry Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LI (Light Industrial) & SLPA (Slope Protection Area) / LI (Light Industrial)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) & SLPA (Slope Protection Area) / A (Agricultural)

▶ **EXISTING LAND USE:** Farming

▶ **PROPOSED USE:** Farming with one dwelling

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of LDR from the north, east and west and extension of Agricultural from the west.

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Mascot Rd. - Houses and vacant land / LDR / I (Industrial) and RA (Low Density Residential)

South: Railroad right-of-way, vacant land / LDR / I (Industrial)

East: Mascot Rd. - Houses and vacant land / LDR / I (Industrial)

West: Whirlwind Way - Houses and vacant land / LI / A (Agricultural)

NEIGHBORHOOD CONTEXT: This site is located in the Mascot community, which is developed with agricultural, rural and low density residential, and light to heavy industrial uses under A, RA, PR and I zoning. The Eastbridge Industrial Park is located to the east, zoned I.

STAFF RECOMMENDATION:

- ▶ **ADOPT RESOLUTION # 7-A-10-SP, amending the Northeast County Sector Plan to LDR (Low Density Residential) and HP (Hillside Protection) and recommend that County Commission also adopt the sector plan amendment. (See attached resolution, Exhibit A.)**

Low density residential development is consistent with much of the adjacent development and zoning in the area. The requested agricultural zoning is consistent with the LDR designation. Most of the land to the north and west of the site is designated for low density residential development on the sector plan.

- ▶ **RECOMMEND that County Commission APPROVE A (Agricultural) zoning.**

A downzoning to the Agricultural zone allows compatible uses with the surrounding development and zoning pattern and an extension of zoning from the west. The site is located at the western edge of the industrial-zoned area.

COMMENTS:

SECTOR PLAN REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

NEW ROAD OR UTILITY IMPROVEMENTS:

No known improvements have been made to the roads or utility facilities in the area. However, the proposed agricultural use is less intense than the current designated industrial use.

ERROR OR OMISSION IN CURRENT PLAN:

The current sector plan proposes light industrial uses for this site, which is currently used for agricultural purposes. If adopted, this recommended plan amendment would bring the sector plan into consistency with the current use of the property.

CHANGES IN GOVERNMENT POLICY:

There is an abundance of underutilized industrial zoning in the area. This property is at the edge of the light industrial designated area. The proposed land use change is an extension of the LDR designation from the north and west.

CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:

No significant changes have occurred in the area in recent years. The requested low density residential designation is less intense than the current light industrial designation.

REZONING REQUIREMENTS:

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

1. Agricultural zoning is compatible with the scale and intensity of the surrounding development and zoning pattern in the area.
2. Most of the surrounding area is zoned Agricultural, including large properties to the north and west of the site.
3. The proposed Agricultural zoning is an extension of zoning from the west.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. Agricultural zoning allows for farming, agriculture and horticulture, including the keeping of livestock. It also allows residential development on one-acre minimum lot sizes.
2. Based on the above description, this site is appropriate for Agricultural zoning.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available in the area, but may need to be extended in order to serve this site. Sanitary sewer may not be necessary to meet the wastewater needs for this particular site.
2. The potential impact to the street system is lessened with the proposed rezoning to Agricultural zoning.
3. The proposed zoning is compatible with surrounding development, and the impact should be minimal.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northeast County Sector Plan proposes light industrial uses for the site. With the recommended plan amendment to LDR, the requested Agricultural zoning is consistent with the sector plan.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of these requests could lead to future requests for Agricultural zoning in the area on other underutilized industrial-zoned sites.

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 8/23/2010. 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.

**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTHEAST COUNTY SECTOR PLAN**

WHEREAS, the Knoxville-Knox County Metropolitan Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and

WHEREAS, the Metropolitan Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Metropolitan Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the Northeast County Sector Plan, consistent with the requirements of the General Plan; and

WHEREAS, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within sector plans initiated by the Planning Commission or in response to applications from property owners; and

WHEREAS, LJSRRC, LLC, has submitted an application to amend the Sector Plan from Light Industrial and Slope Protection to Low Density Residential and Slope Protection for property described in the application; and

WHEREAS, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Northeast County Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and

WHEREAS, the Metropolitan Planning Commission, at its regularly scheduled public hearing on July 8, 2010, after consideration of the staff recommendation and testimony from those persons in support and opposed to the sector plan amendment, approved the amendment for the subject property, as requested, and/or amended.

NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the Northeast County Sector Plan, with its accompanying, staff report and map, file #7-A-10-SP.

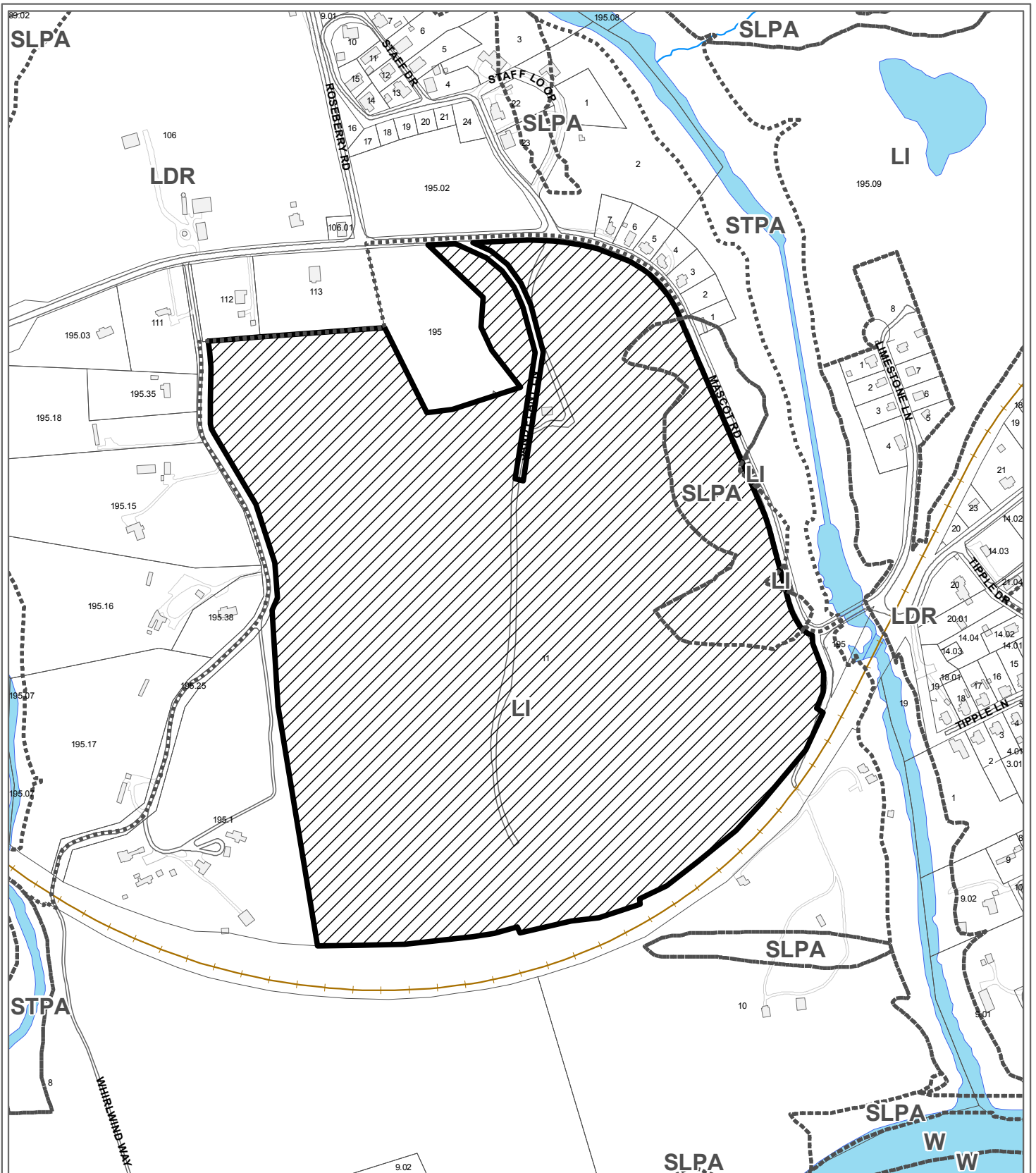
SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that The Knox County Commission likewise consider this revised amendment to the General Plan 2033.

Date

Chairman

Secretary



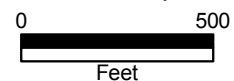
**7-A-10-SP / 7-A-10-RZ
NORTHEAST COUNTY SECTOR PLAN AMENDMENT**

From: LI (Light Industrial) & SLPA (Slope Protection Area)
 To: LDR (Low Density Residential) & SLPA (Slope Protection Area)

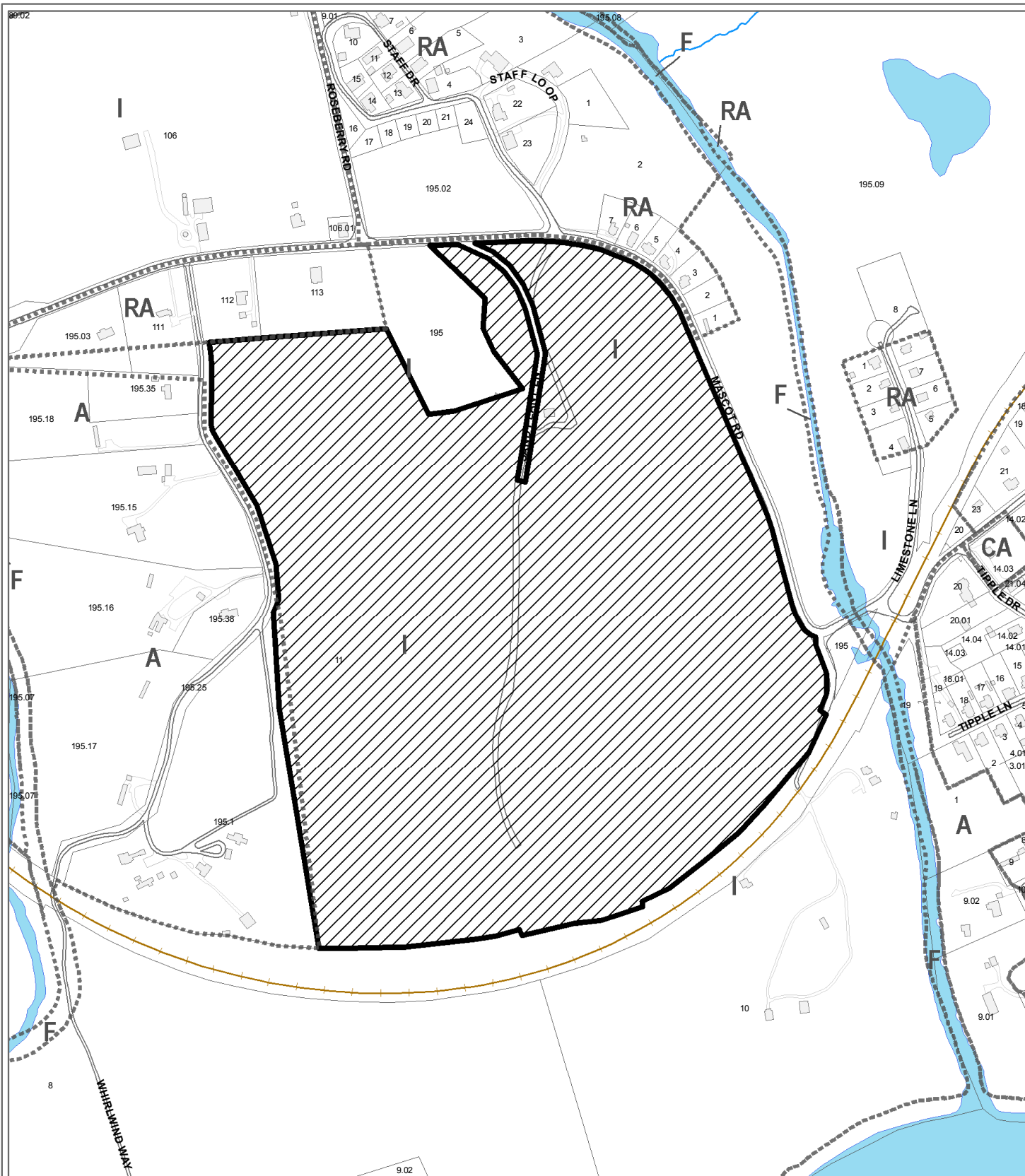


Petitioner: LJSRRC, LLC

Map No: 52
 Jurisdiction: County

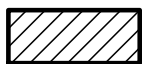


Original Print Date: 6/23/2010 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



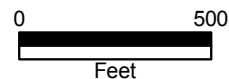
**7-A-10-RZ
REZONING**

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



Petitioner: LJSRRC, LLC

Map No: 52
Jurisdiction: County



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