

▶ **FILE #:** 10-I-11-RZ

**AGENDA ITEM #:** 35

**AGENDA DATE:** 10/13/2011

▶ **APPLICANT:** J.T. CHAPMAN

OWNER(S): J.T. Chapman

TAX ID NUMBER: 62 245 & 246

JURISDICTION: County Commission District 8

▶ **LOCATION:** South side Asheville Hwy., east of S. Molly Bright Rd.

▶ **APPX. SIZE OF TRACT:** 3.75 acres

SECTOR PLAN: East County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Asheville Hwy., a major arterial street with 4 lanes and a center median within 180-200' of right-of-way.

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

WATERSHED: Lyon Creek

▶ **PRESENT ZONING:** CA (General Business)

▶ **ZONING REQUESTED:** CB (Business and Manufacturing)

▶ **EXISTING LAND USE:** Three warehouses and vacant land

▶ **PROPOSED USE:** Warehousing, light manufacturing

EXTENSION OF ZONE: No

HISTORY OF ZONING: MPC approved rezoning of a portion of this site from A to CA zoning in April of 2011 (4-E-11-RZ).

SURROUNDING LAND USE AND ZONING: North: Asheville Hwy. - Business / CA (General Business)  
 South: Vacant land - Future public school site / PR (Planned Residential)  
 East: Residence / CA (General Business)  
 West: Residence / A (Agricultural)

NEIGHBORHOOD CONTEXT: This section of Asheville Hwy. is developed with commercial, office and residential uses under CA, CB, OB and A zoning.

**STAFF RECOMMENDATION:**

▶ **RECOMMEND that County Commission APPROVE CB (Business and Manufacturing) zoning, subject to 1 condition.**

1. The rear (southern) 75 feet of the site, adjacent to the current PR zoning, as measured from the rear property line, must remain undisturbed.

With the above condition, CB zoning at this location is compatible with surrounding land uses and zoning and is consistent with the sector plan proposal on the property.

**COMMENTS:**

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

1. Other properties fronting on Asheville Hwy. in this area are developed with a range of commercial uses that are compatible with uses permitted in the CB zone.
2. The site is accessed from Asheville Hwy., a major arterial street with sufficient capacity to support CB development.
3. A good portion of the surrounding area is already zoned for and developed with commercial uses, under CA and CB zoning. Residential uses in the area are located behind the commercial businesses on Asheville Hwy. and are generally accessed from separate streets.

#### CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The requested CB zoning provides for a wide range of business and manufacturing uses. The nature of such businesses is to attract large volumes of automobile and truck traffic and have adverse effects on surrounding properties. Hence, they are not properly associated with, nor compatible with residential or institutional uses, or with other uses that require an environment free of noise, odors and congestion.
2. Based on the above description and intent of CB zoning, this property is appropriate to be rezoned to CB.

#### THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available in the area, but may have to be extended to serve the site.
2. Establishment of CB zoning at this location would have little adverse impact on surrounding properties.
3. The adjacent site to the south, currently zoned PR, is a possible future location for a new public school. The Supervisor of Facilities Management for Knox County Schools has been contacted and has no concerns about the proposed rezoning. He stated that the school and related facilities will likely be located closer to the front of their site off of Strawberry Plains Pike. They do not anticipate disturbing the existing vegetation at the rear of the school site. With staff's recommended condition, the impact of the CB zoning on the subject property on the future school site should be minimal.

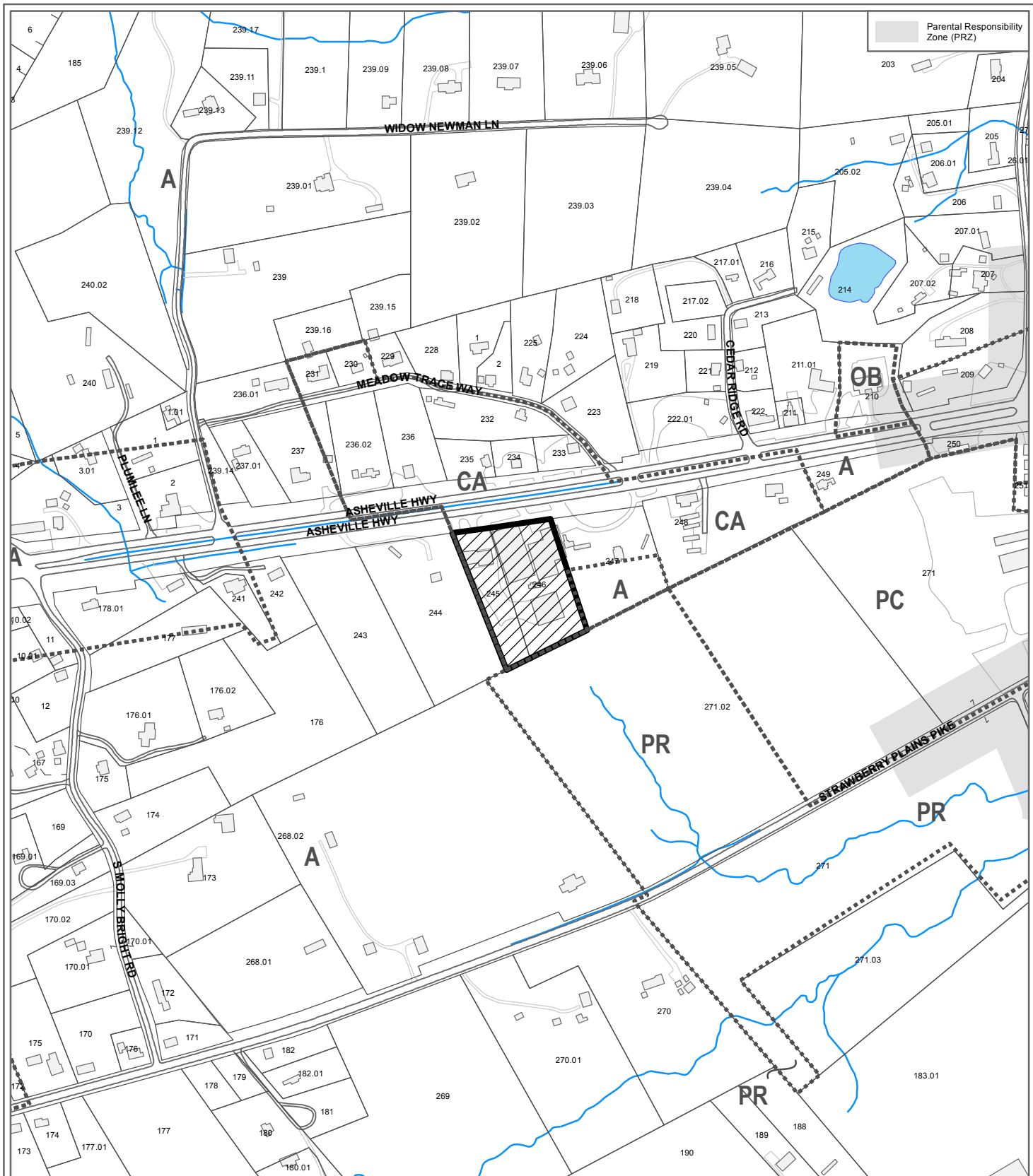
#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The East County Sector Plan designates this site within a mixed use special district (MU-SD, MU-EC06), appropriate for consideration of the requested CB zoning.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request may lead to future rezoning requests for CB zoning in the immediate area, on properties designated appropriately on the sector plan.

ESTIMATED TRAFFIC IMPACT: Not calculated.

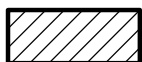
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 11/21/2011. 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.



**10-I-11-RZ  
REZONING**

From: CA (General Business)  
To: CB (Business and Manufacturing)



Petitioner: Chapman, J.T.

Map No: 62  
Jurisdiction: County

Original Print Date: 9/28/2011  
Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902





Mike Brusseau &lt;mike.brusseau@knoxmpc.org&gt;

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## DUSA Metal Recycling.doc

1 message

JT Chapman &lt;jchapman06@comcast.net&gt;

Wed, Sep 7, 2011 at 6:04 PM

To: mike.brusseau@knoxmpc.org

Mike this is the overview of operations I sent to Roy Braden of the codes dept. As of this date I haven't received a reply. If we have a problem with codes dept. we will change operations to confirm to CB zoning. Thanks, JT

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### DUSA Metal Recycling

#### Overview of Operations

All material except autos is unloaded inside the warehouse. Old appliances are stripped of all wiring, motors, compressors and any aluminum. This material along with alternators, starters and catalytic convertors are placed in their respective Gaylord Boxes (large heavy duty cardboard box, approx ¾" sidewall 4'X4'X4' approx.) and stored inside. All aluminum is placed into a roll-a-way container stored inside.

Auto are brought into the building, engines are remove and palletized, all wiring is stripped, alloy wheels are removed, all aluminum and fan and blower motors. This material is stored in their respective boxes inside. When any group of items reaches 40,000 to 45,000 pounds they are shipped. (maximum container load) Scrap metal from autos, appliances etc is placed into roll-a-way containers which are placed outside in the yard. All of these containers are loaded onto trucks and replaced with empties daily.

#### Summary

DUSA is not a typical scrap yard. Their business is more about the component parts (alternators, starters, engines, electric motors etc) the scrap metal is more of a byproduct which is why it is sold daily to a regular scrap dealer.

We have talked with MPC and were told they could not support an Industrial Zoning request but they would support Commercial B Zoning for this property. Our question is would Codes Dept. have a problem with the above operation locating in Commercial B Zoning.

If I can supply any information or answer questions please let me know.

Thanks, JT Chapman [865-567-4640](tel:865-567-4640)

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