



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

▶ **FILE #:** 4-C-12-RZ  
4-B-12-SP

**AGENDA ITEM #:** 37  
**AGENDA DATE:** 4/12/2012

▶ **APPLICANT:** JOHN K. KING  
**OWNER(S):** John King

**TAX ID NUMBER:** 89 PT. OF 193 076-PT. OF 009 (SURVEY ON FILE AT MPC)  
**JURISDICTION:** Commission District 6

▶ **LOCATION:** North side Joe Daniels Rd., north of Oak Ridge Hwy.

▶ **TRACT INFORMATION:** 13.03 acres.

**SECTOR PLAN:** Northwest County

**GROWTH POLICY PLAN:** Rural Area

**ACCESSIBILITY:** Access is via Joe Daniels Rd., a local street with 15' of pavement width within large railroad and Oak Ridge Hwy. right-of-way.

**UTILITIES:** Water Source: West Knox Utility District  
Sewer Source: West Knox Utility District

**WATERSHED:** Clinch River

▶ **PRESENT PLAN DESIGNATION/ZONING:** PP/OS (Public Parks & Open Space) & SLPA (Slope Protection Area) / A (Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** RC (Rural Commercial) & SLPA (Slope Protection Area) / CR (Rural Commercial)

▶ **EXISTING LAND USE:** Mulching operations/vacant

▶ **PROPOSED USE:** Any use permitted in CR zone

**EXTENSION OF PLAN DESIGNATION/ZONING:** No

**HISTORY OF ZONING REQUESTS:** None noted

**SURROUNDING LAND USE, PLAN DESIGNATION, ZONING**  
North: Vacant land / PPOS / A (Agricultural)  
South: Joe Daniels Rd. - Railroad right-of-way / I (Industrial)  
East: Vacant land / PPOS & Ag-RR / A (Agricultural)  
West: Vacant land / PPOS / A (Agricultural)

**NEIGHBORHOOD CONTEXT:** This site is located to the northeast of the Pellissippi Pkwy./Oak Ridge Hwy. interchange in a primarily agricultural and rural residential area, zoned A and PR. The site was formerly used for Knox County's Greenwaste Collection and Processing Facility.

**STAFF RECOMMENDATION:**

▶ **ADOPT RESOLUTION #4-B-12-SP, amending the Northwest County Sector Plan to RC (Rural Commercial & SLPA (Slope Protection) and recommend the Knox County Commission also adopt the plan amendment.**

**(See attached resolution, Exhibit A.)**

Rural commercial uses are appropriate at this location within the Rural Area on the Growth Policy Plan map, but near a major interchange. The site has been used for quasi-commercial uses for many years, as the former location of Knox County Greenwaste Facility.

► **RECOMMEND that County Commission APPROVE CR (Rural Commercial) zoning.**

For this site, CR is the most appropriate, permissible commercial zoning that may be requested within an area designated as Rural Area on the Growth Policy Plan. CR will accommodate the continued use of this site for a greenwaste collection and processing facility. CR zoning is intended for crossroads areas in Rural-designated areas. This site is in close proximity to the interchange of Oak Ridge Hwy. and Pellissippi Pkwy.

**COMMENTS:**

**SECTOR PLAN REQUIREMENTS:**

**CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:**

**NEW ROAD OR UTILITY IMPROVEMENTS:**

No road or utility improvements have been made recently in the area.

**ERROR OR OMISSION IN CURRENT PLAN:**

The current sector plan proposes public park and open space uses for the subject property. It was likely designated as such because it was once owned by Knox County. The current plan does not acknowledge that the property has been used for a number of years as a greenwaste collection and processing facility, which could be considered a commercial use.

**CHANGES IN GOVERNMENT POLICY:**

Knox County sold this property to a private operator for continued operation of the greenwaste facility for profit requiring the need for this plan amendment and zoning change. Knox County was not required to seek commercial zoning for its previous operation of the facility.

**CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:**

There are no changes in development, population or traffic trends that impact this sector plan amendment. The subject site has been used for a greenwaste collection and processing facility for a number of years. This use generates similar traffic and has similar impact to many commercial uses that could be permitted under the requested CR zoning.

**REZONING REQUIREMENTS:**

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

1. CR is the most appropriate commercial zone that is allowable within areas designated as Rural Area on the Growth Policy Plan, such as this site.
2. The surrounding area is developed with a mix of agricultural and rural residential uses. Rural commercial uses are appropriate to serve surrounding residents and commuters through the area.
3. With the performance standards included in the CR zone, the proposal is compatible with the surrounding development and zoning pattern.

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

1. The requested CR zoning district provides the opportunity to locate limited retail and service uses in a manner convenient to outlying rural areas. It is intended to provide for the recurring shopping and personal service needs of nearby rural residential areas. Development should be compatible with the character of the adjacent neighborhood. This zoning should be placed on properties that are located at or near intersections of arterial and/or collector streets in order to maximize accessibility from surrounding areas. The range of permitted uses is limited to those that are generally patronized on a frequent basis by area residents. Development performance standards are provided to maximize compatibility between commercial uses and surrounding rural areas, and to maintain the rural character of these areas.
2. The subject property fits the criteria spelled out in the above general description of the CR zone from the Knox County Zoning Ordinance.

**THE EFFECTS OF THIS PROPOSAL**

1. Public water is available to serve the site. Sanitary sewer is available in the area, but may have to be extended, if necessary, to serve this site.
2. The proposal will have no impact on schools, and the traffic impact will depend on the type of commercial uses that are proposed. Traffic should not change much with the zoning change, because the site has been used for a Knox County greenwaste facility for a number of years, which is a commercial-type use.
3. CR zoning is compatible with surrounding development and should have a minimal impact on adjacent

properties.

**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

1. With the amendment from PPOS to RC, the requested CR zoning would be consistent with the Northwest County Sector Plan.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map. CR zoning is an acceptable zone for consideration within the Rural Area.
3. Approval of these requests could lead to future requests for rural commercial or similar zoning in the surrounding area. Each request would have to be considered on a case by case basis, based on its own merits.

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 5/29/2012. 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 NORTHWEST 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 Northwest 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**, John K. King, has submitted an application to amend the Sector Plan from Public Parks and Open Space to Rural Commercial for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Northwest 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 April 12, 2012, 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 Northwest County Sector Plan, with its accompanying, staff report and map, file #4-B-12-SP.*

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

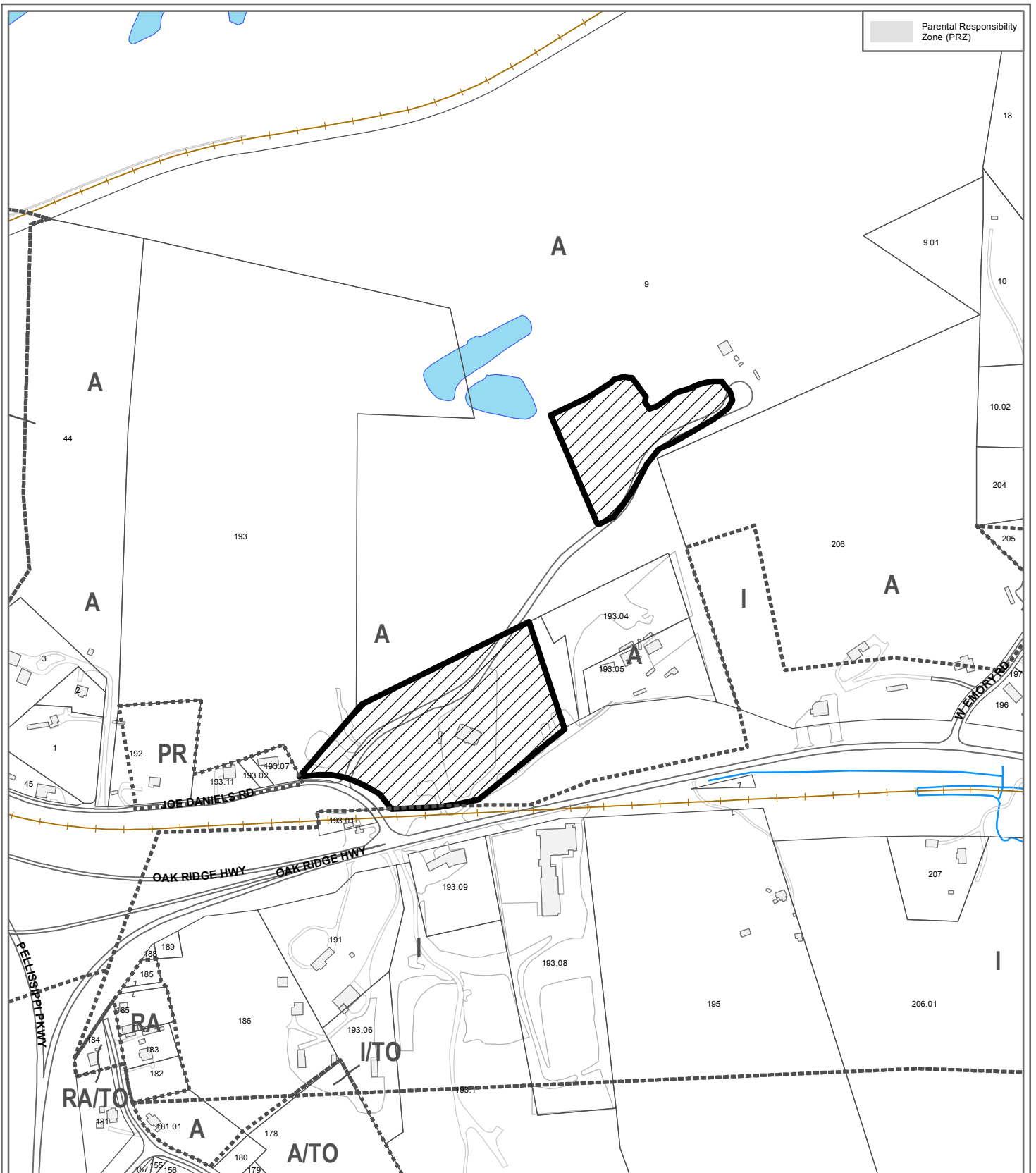
*SECTION 3: The Planning Commission further recommends that The Knox County Commission likewise consider this revised amendment to the General Plan 2033.*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary





**4-C-12-RZ  
REZONING**

From: A (Agricultural)  
To: CR (Rural Commercial)



Petitioner: King, John K.

Map No: 89  
Jurisdiction: County



Original Print Date: 3/20/2012 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902