



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

**FILE #:** 3-D-13-RZ **AGENDA ITEM #:** 17  
 3-A-13-SP **AGENDA DATE:** 4/11/2013

POSTPONEMENT(S): 3/14/13

**APPLICANT:** BROWDER METAL RECYCLING  
**OWNER(S):** SK LAND LLC

**TAX ID NUMBER:** 138 27301 PORTION OF 138-274 (MAP ON FILE AT MPC.)

**JURISDICTION:** Commission District 9

**LOCATION:** East end of Valgro Rd., east of Sevierville Pike

**TRACT INFORMATION:** 5.01 acres.

**SECTOR PLAN:** South County

**GROWTH POLICY PLAN:** Rural Area

**ACCESSIBILITY:** Access is via Valgro Rd., a local street with 15-16' of pavement width within 50' of right-of-way.

**UTILITIES:** Water Source: Knox-Chapman Utility District  
 Sewer Source: Not available

**WATERSHED:** Hinds Creek

**PRESENT PLAN DESIGNATION/ZONING:** LI (Light Industrial), AG/RR (Agricultural/Rural Residential) & SLPA (Slope Protection Area) / LI (Light Industrial) & A (Agricultural)

**PROPOSED PLAN DESIGNATION/ZONING:** HI (Heavy Industrial) & SLPA (Slope Protection Area) / I (Industrial)

**EXISTING LAND USE:** Manufacturing facility

**PROPOSED USE:** Recycling facility

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

**HISTORY OF ZONING REQUESTS:** None noted

**SURROUNDING LAND USE, PLAN DESIGNATION, ZONING**

North: Industrial businesses / LI / A (Agricultural)  
 South: Vacant land / Ag-RR / A (Agricultural)  
 East: Vacant land / Ag-RR / A (Agricultural)  
 West: Vacant land / LI / LI (Light Industrial)

**NEIGHBORHOOD CONTEXT:** This site is located within an area at the east end of Valgro Rd., developed with industrial businesses under LI, A and CB zoning.

**STAFF RECOMMENDATION:**

**ADOPT RESOLUTION #3-A-13-SP, amending the South County Sector Plan to BP (Business Park) Type 1 & SLPA and recommend the Knox County Commission also approve the sector plan amendment, to make it operative. (See resolution, Exhibit A.) (App requested HI.)**

The subject property, as well as the surrounding area, is currently developed with various businesses of a light industrial nature. Establishment of this site for business park uses will bring the sector plan into consistency with existing uses.

► **RECOMMEND that County Commission APPROVE EC (Employment Center) zoning. (Applicant requested I.)**

The requested I (Industrial) zoning district may not be considered within an area designated as Rural Area on the Growth Policy Plan. The recommended alternative EC zoning district is intended to encourage development of business parks and other employment centers. This isolated area is already developed with numerous light industrial businesses. The proposed new development can be accommodated in the EC zone with approval of a similar use determination. The EC zone is the only zone available for use within the Rural Area of the Growth Policy Plan that could possibly accommodate the applicant's proposed uses.

**COMMENTS:**

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No known improvements have been made recently to Valgro Rd. The street is currently paved at a width of about 15-16 feet serves traffic leading east from Sevierville Pike entering the businesses in this isolated area. If the accompanying rezoning request is approved for EC zoning, the MPC and Knox County Engineering staff could recommend that necessary improvements be made to Valgro Rd. to support the traffic that will be generated by this proposed development.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan does not recognize the various business uses located in this area. It calls for agricultural and rural residential uses on property that is currently developed with light industrial businesses. This is consistent with the Growth Plan designation of Rural Area on the site. However, the Growth Plan allows consideration of EC zoning in the Rural Area, if appropriate for the particular site and if consistent with the sector plan, as is recommended.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

This area of light industrial businesses has been established for many years, despite the fact that many of the properties are not zoned properly for those uses.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

The site is developed with long-standing light industrial businesses. Bringing those uses into consistency warrants reconsideration of the plan proposal.

A similar use determination is on this agenda (4-A-13-OB) to determine whether the proposed uses can be considered in the EC (Employment Center) zoning district. The EC zone is the only zone that can be considered on property designated as Rural Area on the Growth Policy Plan that could possibly accommodate the uses proposed by the applicant.

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. EC is the only business zone that can be considered for this site, which is located within the Rural Area designation on the Growth Policy Plan, limiting eligible business zones. If the accompanying similar use determination (4-A-13-OB) is approved, then the applicant's proposed uses could be considered with development plan approval by MPC.
2. EC zoning will potentially allow the proposed development on the subject property, with approval of a similar use determination and a development plan by MPC.
3. EC zoning allows uses that are generally similar in nature to the uses that are already established in the area.
4. This 5-acre site meets the minimum size requirement for establishment of a new EC-zoned district.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The requested EC zoning district is intended to encourage development of business parks and other employment centers that will contribute to the future economic well being of Knox County. It provides standards and procedures that will minimize any conflicts or adverse impacts of these developments with other properties, public roads or facilities. It provides a zoning district for use in areas meeting the locational standards for industrial parks and technology based development contained in the General Plan. It provides a zoning district for business and technology park development that requires site plan review and complies with the requirements of the Growth Policy Plan.
2. Based on the above description, the subject property is appropriate for EC zoning.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. Public water is available to serve the site. Sanitary sewer is not currently available in the area, but could 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 uses that are proposed. The traffic impact should be minimal, as numerous businesses are already established in the immediate area. With the development plan approval process, Valgro Rd. could be recommended for improvements, which should improve the existing situation.
3. Uses permitted under EC zoning would be compatible with existing development in the area.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. With the recommended amendment to BP Type 1, EC zoning would be consistent with the South County Sector Plan.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map, which limits the types of commercial and other zones that can be proposed. EC is a zone that may be considered within the Rural Area. The EC zone was developed in 2003 to replace the LI and I zones for properties within the Rural Area on the Growth Policy Plan. The Employment Center zone is a Planned Business/Industrial Park zoning district.
3. The recommended zoning change does not present any apparent conflicts with any other adopted plans.

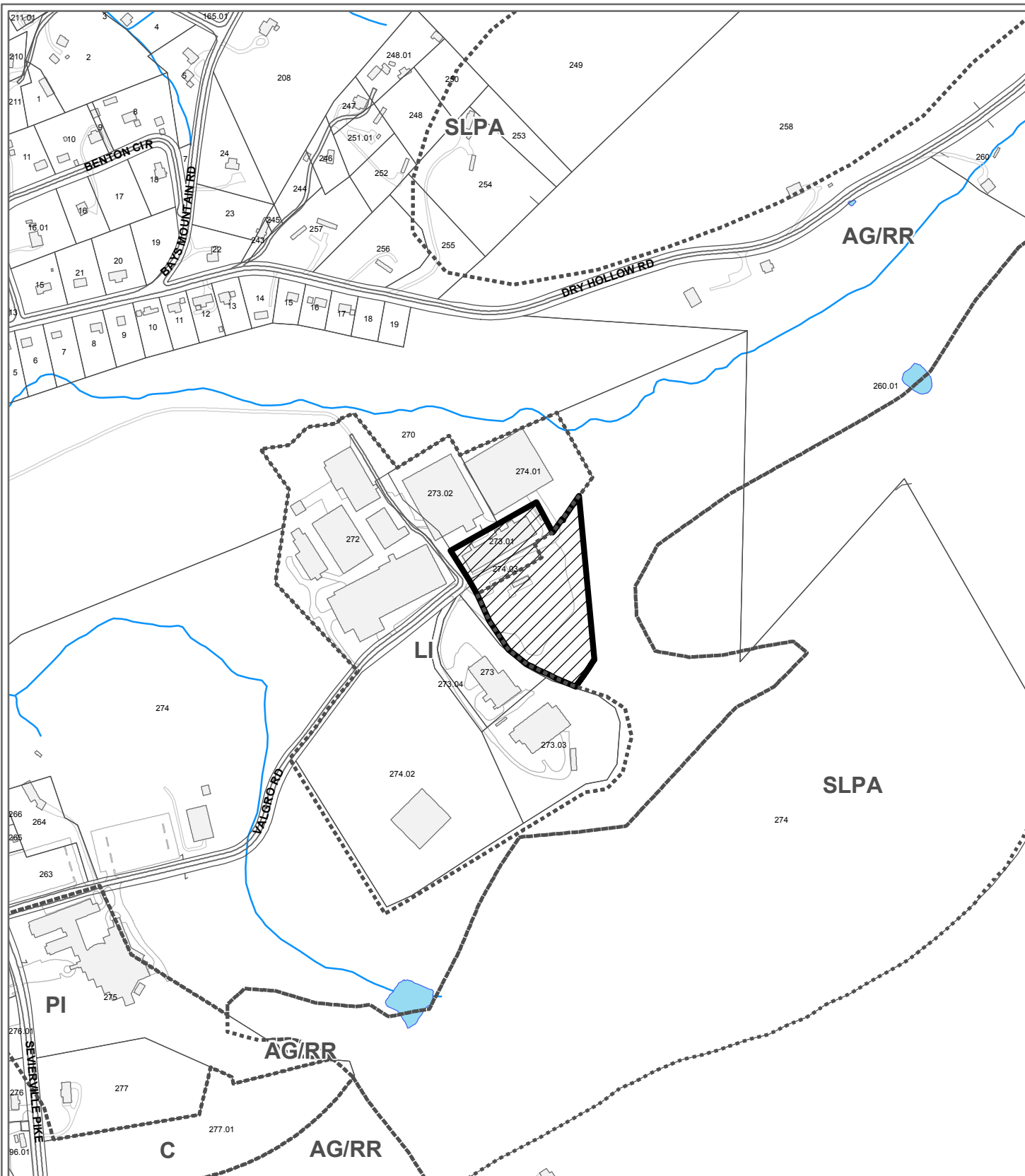
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

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.

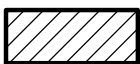
ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 5/28/2013. 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.



**3-A-13-SP / 3-D-13-RZ  
SOUTH COUNTY SECTOR PLAN AMENDMENT**

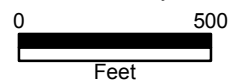


From: LI (Light Industrial), AG/RR (Agricultural/Rural Residential) & SLPA (Slope Protection Area)  
To: HI (Heavy Industrial) & SLPA (Slope Protection Area)

Petitioner: Browder Metal Recycling

Map No: 138

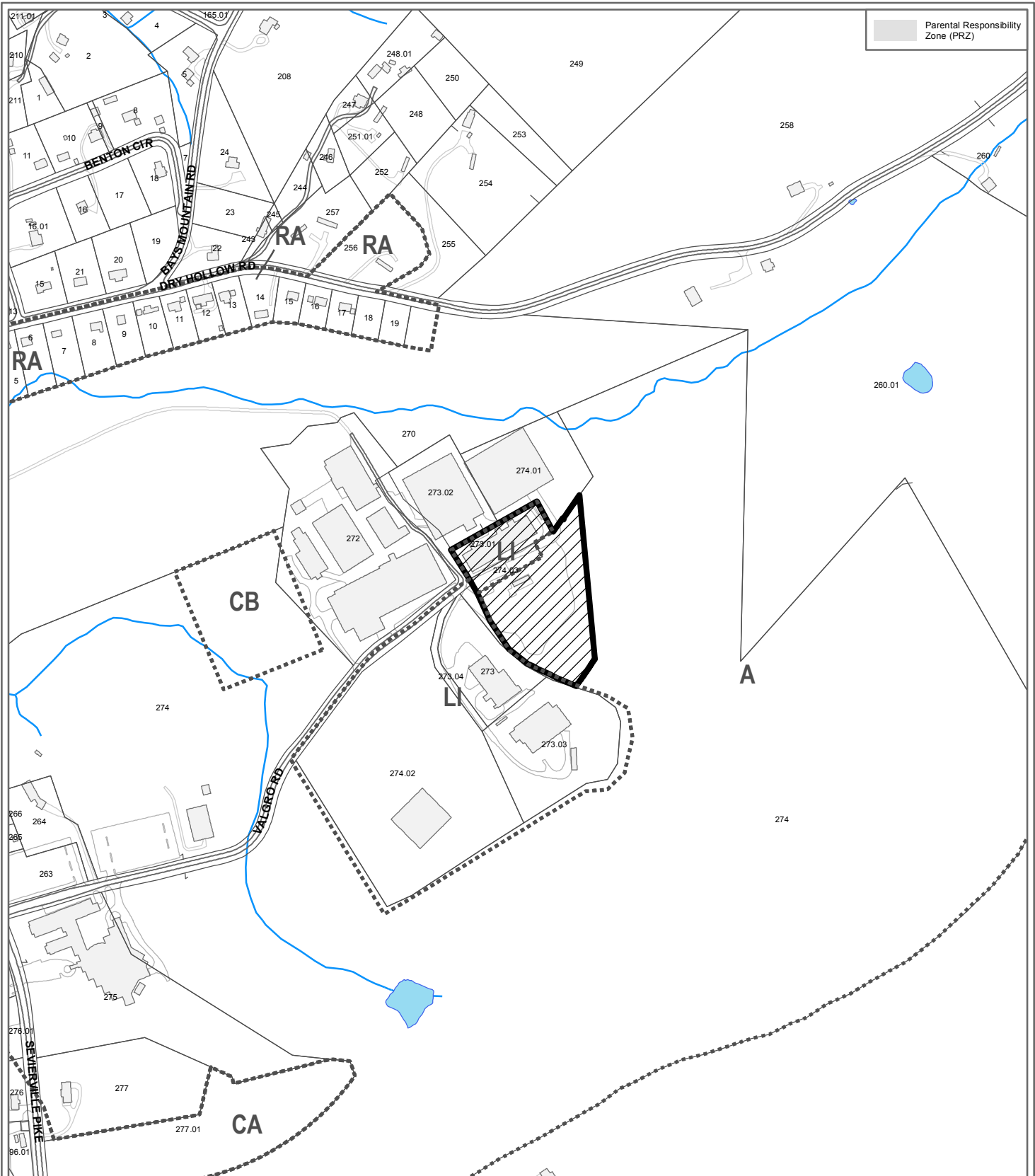
Jurisdiction: County



Original Print Date: 2/26/2013

Revised:

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



**3-D-13-RZ  
REZONING**

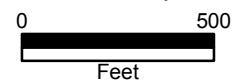
From: LI (Light Industrial) & A (Agricultural)  
To: I (Industrial)



Petitioner: Browder Metal Recycling

Map No: 138

Jurisdiction: County



**KNOXVILLE-KNOX COUNTY  
METROPOLITAN PLANNING COMMISSION  
A RESOLUTION AMENDING THE SOUTH 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 South 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**, Browder Metal Recycling has submitted an application to amend the Sector Plan from Light Industrial, Agricultural/Rural Residential and Slope Protection to Heavy Industrial and Slope Protection for property described in the application; and

**WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the South 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 11, 2013, 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 South County Sector Plan, with its accompanying, staff report and map, file #3-A-13-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