



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

▶ **FILE #:** 1-E-15-RZ
1-B-15-SP

AGENDA ITEM #: 25
AGENDA DATE: 1/8/2015

▶ **APPLICANT:** FRALEY & SCHILLING, INC.
OWNER(S): Robert Schilling

TAX ID NUMBER: 72 PT OF 279 & 08501 PORTIONS ZONED A ONLY [View map on KGIS](#)

JURISDICTION: Commission District 8

STREET ADDRESS: 7220 Strawberry Plains Pike

▶ **LOCATION:** South side Region Ln., southeast of Strawberry Plains Pike

▶ **TRACT INFORMATION:** 18.4 acres.

SECTOR PLAN: East County

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

ACCESSIBILITY: Access is via Region Ln., a local street with 36' of pavement within the large Strawberry Plains Pike right-of-way. Region Ln. serves as an access road for businesses along Strawberry Plains Pike, a major arterial street with 4 lanes and a center median within 270' of right-of-way.

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

WATERSHED: Swan Pond Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** A (Agricultural) / A (Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial) / CB (Business and Manufacturing)

▶ **EXISTING LAND USE:** Vacant land / agricultural

▶ **PROPOSED USE:** Overflow trailer parking

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of GC from the north

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Truck parking / GC / C-6 (General Commercial Park)
South: Vacant land and houses / Ag / A (Agricultural)
East: Vacant land / GC and Ag / CB (Business & Manufacturing)
West: Vacant land / GC and Ag / C-4 (Highway & Arterial Commercial)

NEIGHBORHOOD CONTEXT: This site is located just south of the Strawberry Plains Pike/I-40 interchange. The area surrounding the interchange is developed with commercial businesses under various City and County commercial zoning districts.

STAFF RECOMMENDATION:

- ▶ **DENY the request to amend the future land use map of the East County Sector Plan to GC (General Commercial) land use classification.**

An appropriate natural boundary, Swan Pond Creek, has been established as a stopping point for proposed commercial uses to the southeast of Strawberry Plains Pike. Staff recommends that this appropriate boundary be maintained as is and not be extended beyond the creek as proposed.

- ▶ **RECOMMEND that County Commission APPROVE CB (Business and Manufacturing) zoning only on the portion of parcel 279 northwest of Swan Pond Creek, zoned F (Floodway). (See attached 'MPC staff recommendation' map.)**

The zoning recommendation is consistent with the sector plan proposal for the area, which recommends that commercial uses not be extended southeast beyond Swan Pond Creek. CB zoning for the recommended portion is compatible with the surrounding and zoning pattern, and is consistent with the sector plan proposal for the site.

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 road improvements have been made recently in the area. Strawberry Plains Pike, is classified as a major arterial street, and is sufficient to provide access for commercial uses. However, commercial uses should not be extended southeast beyond Swan Pond Creek. There is sufficient unused land in the area that is already proposed and zoned for commercial uses.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The plan appropriately calls for Ag (Agricultural) uses to the southeast of Swan Pond Creek. The East County Sector Plan was updated in 2010 and 2011, and adopted by Knox County Commission on June 27, 2011. The portion of the subject property located northwest of Swan Pond Creek is already designated for commercial uses. Other unused sites in the area are also designated for commercial uses, so the requested plan amendment is not necessary or warranted.

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

There have not been significant changes that have taken place to justify amendment of the sector plan. Staff maintains that commercial uses are not appropriate southeast of Swan Pond Creek.

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

There are no apparent trends that warrant an amendment to the sector plan. The appropriate properties for commercial development in the area are already designated as such on the sector plan map.

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. No significant changes have occurred in the area that warrant the requested change in zoning southeast of the creek. CB zoning is recommended only for the portion of the site that is currently designated for general commercial uses.
2. Staff recognizes that the commercial zoning on adjacent sites extends southeast of the creek. However, this zoning pattern is not recognized on the sector plan map. With the exception of a TDOT facility to the northeast, no commercial development has occurred on the southeast side of Swan Pond Creek, despite the commercial zoning.
3. There are several commercially zoned parcels adjacent to the site, which are underutilized for commercial purposes. This commercial zoning is sufficient to allow businesses that may be needed in the area.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE 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, the recommended portion of the property is appropriate to be rezoned to CB.

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. As recommended, CB zoning is appropriate for this site and will not adversely affect any adjacent properties or other parts of the County.
2. The extension of CB zoning southeast of the creek is not warranted or necessary and would not be consistent with the sector plan proposal for the area.
3. Swan Pond Creek provides a natural boundary between commercial and agricultural uses. The sector plan appropriately calls for commercial uses not to extend southeast of the creek.

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 requested plan amendment to the general commercial land use classification, CB zoning would be consistent with the East County Sector Plan. However, staff is recommending that the current sector plan designation be maintained. CB zoning is only recommended on the portion of the site that is already designated for commercial uses.
2. The site is located within the Urban Growth Area of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.

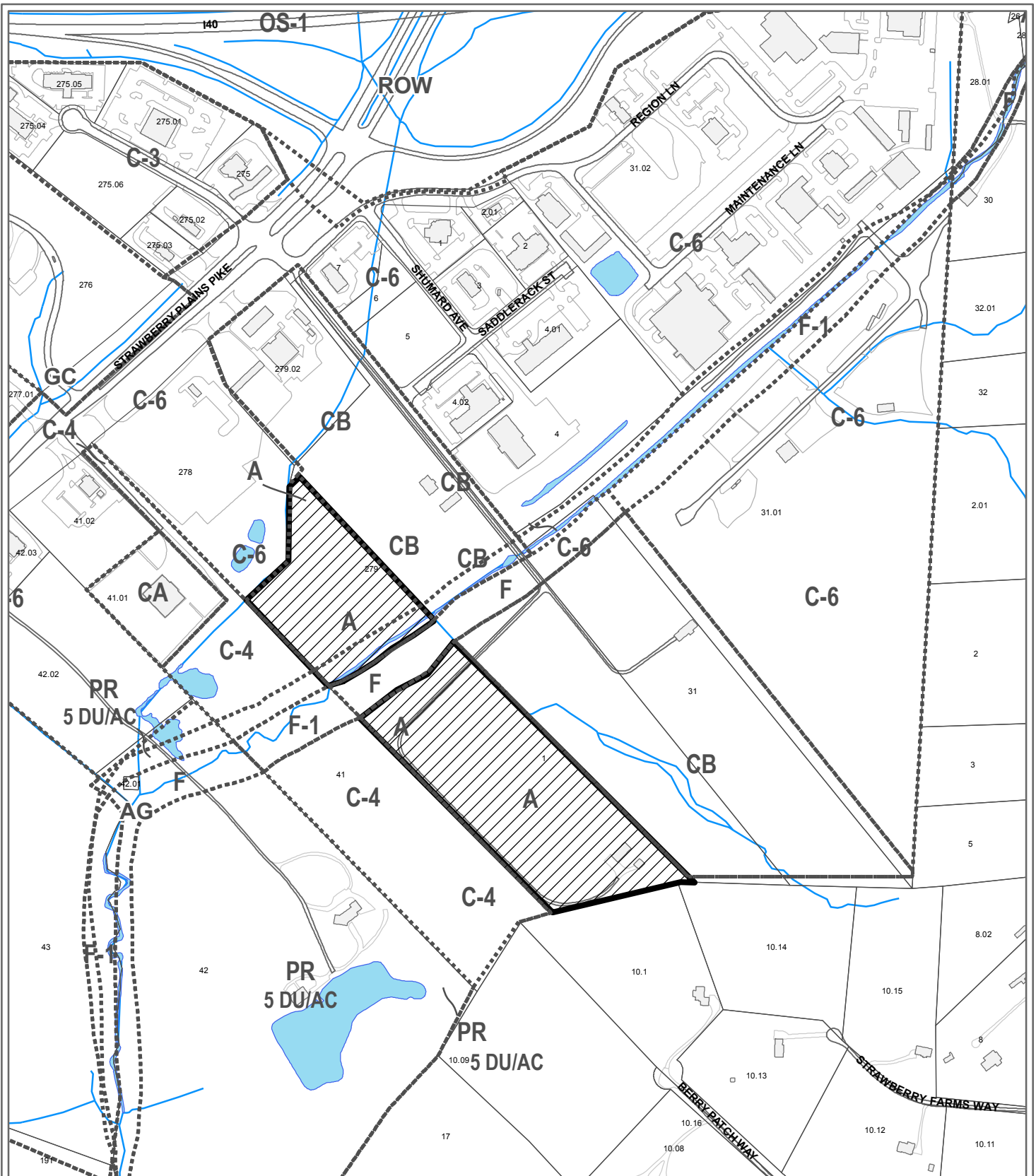
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

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 required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 2/23/2015. 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.



**1-E-15-RZ
Rezoning**

From: A (Agricultural)
To: CB (General Commercial)

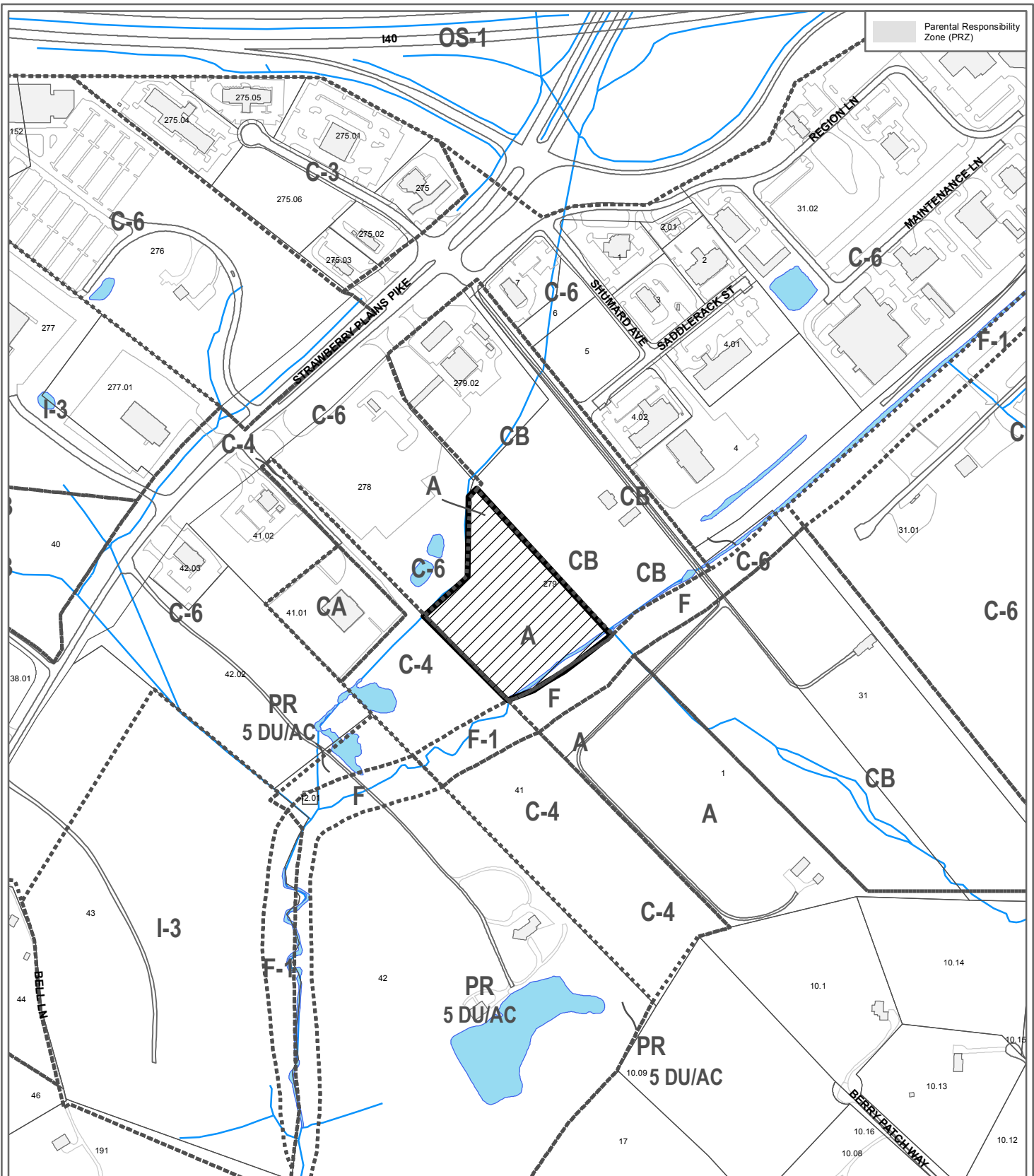


Petitioner: Fraley & Schilling, Inc.

Map No: 72

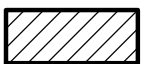
Jurisdiction: County





**1-E-15-RZ_MPC STAFF RECOMMENDATION
REZONING**

Petitioner: Fraley & Schilling, Inc.



From: A (Agricultural)
To: CB (Business and Manufacturing)

Original Print Date: 12/31/2014 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

