



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

▶ **FILE #:** 3-B-16-RZ  
3-B-16-SP

**AGENDA ITEM #:** 27  
**AGENDA DATE:** 3/10/2016

▶ **APPLICANT:** ESTATE OF RONALD E. BEVERLY (EXECUTRIX - LINDA C. BEVERLY)  
**OWNER(S):** Estate of Ronald E. Beverly

**TAX ID NUMBER:** 143 B D 003 [View map on KGIS](#)

**JURISDICTION:** Commission District 5

**STREET ADDRESS:** 109 Farlow Dr

▶ **LOCATION:** West side of Farlow Dr., south of Kingston Pike.

▶ **TRACT INFORMATION:** 0.6 acres.

**SECTOR PLAN:** Southwest County

**GROWTH POLICY PLAN:** Urban Growth Area (Farragut)

**ACCESSIBILITY:** Access is via Farlow Dr., a local street with 18' of pavement width within 40' of right-of-way.

**UTILITIES:** Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

**WATERSHED:** Turkey Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / OB (Office, Medical, and Related Services)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** C (Commercial) / CA (General Business)

▶ **EXISTING LAND USE:** Vacant, gravel parking lot

▶ **PROPOSED USE:** Repossession lot (existing use)

**EXTENSION OF PLAN DESIGNATION/ZONING:** Yes. Extension of CA from the north and west.

**HISTORY OF ZONING REQUESTS:** Property rezoned from RA to OB in 2001. Applicant requested CA.

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

North: Vacant / CA (General Business)  
South: Detached houses / RA (Low Density Residential)  
East: Church / RA (Low Density Residential)  
West: Retail and Detached houses / CA (General Business) and RA (Low Density Residential)

**NEIGHBORHOOD CONTEXT:** This area has been developed with commercial uses under CA zoning along Kingston Pike and residential uses and a church under RA and RAE zoning to the south of this site along Farlow Dr.

**STAFF RECOMMENDATION:**

▶ **ADOPT RESOLUTION #3-B-16-SP, amending the Southwest County Sector Plan from LDR (Low**

**Density Residential) to C (Commercial) and recommend that Knox County Commission also adopt the sector plan amendment.**

Commercial uses for this site would be a logical extension of the adjacent plan designation from the north, where an office/commercial corridor is established along Kingston Pike. The property is currently zoned OB (Office, Medical, and Related Services) and is currently used as a repossession lot, which is not permitted in the OB zone. The proposed plan amendment is justified and is compatible with the surrounding land uses and zoning pattern.

► **RECOMMEND that County Commission APPROVE CA (General Business) zoning, subject to 1 condition.**

1) Provide landscape screening adjacent to residential zoning and road right-of-way consistent with a type "A" screen (see attached).

**COMMENTS:**

This property is in Knox County but within the Urban Growth Boundary of the Town of Farragut, which designates this property for Regional Commercial land uses and identifies the Kingston Pike / Lovell Road area a town gateway. With the exception of the PC (Planned Commercial) zone that is not intended for properties as small as the subject site, the CA (General Business) zone with the recommended landscape screening condition is the most compatible zone district to meet the intent of the Knox County General Plan (sector plan) and the Town of Farragut Comprehensive Land Use Plan.

The Southwest County Sector Plan was last updated in 2005 and the property was designated LDR (low density residential). The property has been used for commercial purposes since at least 1996, according to aerial photography. The site was used as part of a nursery business that fronted on Kingston Pike until sometime between 1998 and 2001. By 2003, a repossession lot had been established on the lot even though it was not a permitted use in the OB zone.

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:

1. Water and sewer utilities are available to this site.
2. The intersection of Farlow Drive and Kingston Pike was improved in the last few years to align it with the access to Costco across Kingston Pike, which also included the installation of a traffic lights.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The property was designated LDR (low density residential) in 2005 when the Southwest County Sector Plan was last updated. At this time the property was zoned OB (Office, Medical, and Related Services) and the use was commercial (repossession lot).

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

1. The development policies of the General Plan recommend that there be transitional uses or buffers from intense uses to less intense, such as from commercial to residential. The current OB zoning currently provides this buffer, however, dense landscape screening is another appropriate method for buffering residential areas from commercial uses.

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

1. With the construction of Costco, the Kingston Pike / Lovell Road area has developed into an extension of the regional commercial area around the Turkey Creek. It is anticipated that this area will continue to see new commercial development and the redevelopment of existing commercial properties.

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.

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. The realignment of the Farlow Drive and Kingston Pike intersection improves access to this site.
2. With the construction of Costco, the Kingston Pike / Lovell Road area has developed into an extension of the regional commercial area around the Turkey Creek. It is anticipated that this area will continue to see new commercial development and the redevelopment of existing commercial properties. The proposal is a logical extension of the adjacent CA zoning from the north and west.

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

1. CA zoning is intended for general retail business and services but not for manufacturing or for processing materials other than farm products.
2. If developed under the CA zoning with the recommended condition for additional landscape screening, the site can be developed in such a way to be compatible and consistent with nearby development in the area.

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. The development policies of the General Plan recommend that there be transitional uses or buffers from intense uses to less intense, such as from commercial to residential. The current OB zoning currently provides this buffer, however, dense landscape screening is another appropriate method for buffering residential areas from commercial uses.
2. The access to this site is before any residential uses along Farlow Drive.

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. If the amendment to the Southwest County Sector Plan is approved, changing the land use designation from LDR (low density residential) to C (commercial) as recommended, the proposed CA zoning, with the recommended landscape screening, will be consistent with the General Plan and any of its elements.
2. Approval of this request could lead to future requests for non-residential zoning in this area, however, commercial zoning along Farlow Drive is not appropriate south of this property.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 4/25/2016. 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.