



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

▶ **FILE #:** 9-C-16-RZ
9-A-16-SP

AGENDA ITEM #: 37
AGENDA DATE: 9/8/2016

▶ **APPLICANT:** LECONTE EQUITIES GROUP, LLC
OWNER(S): LeConte Equities Group, LLC

TAX ID NUMBER: 137 210 [View map on KGIS](#)
JURISDICTION: Commission District 9
STREET ADDRESS:

▶ **LOCATION:** Northwest side E. Governor John Sevier Hwy., north of Chapman Hwy.

▶ **TRACT INFORMATION:** 6.65 acres.

SECTOR PLAN: South County

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

ACCESSIBILITY: Access is via E. Governor John Sevier Hwy., a major arterial street with 2 travel lanes and various turning lanes within 150' of right-of-way.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Stock Creek and Burnett Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** MDR/O (Medium Density Residential and Office) / OB (Office, Medical, and Related Services)

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Commercial/retail

EXTENSION OF PLAN DESIGNATION/ZONING: Not an extension of GC plan designation. CA zoning is present to the southeast, but is on the opposite side of the highway from the subject property.

HISTORY OF ZONING REQUESTS: None noted. The South County Sector Plan was adopted with the current MDR/O proposal by Knox County Commission on March 25, 2013.

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Residences / LDR / RA (Low Density Residential)
South: E. Governor John Sevier Hwy., vacant land and road interchange / LDR / CA (General Business)
East: Developing residential subdivision / LDR / PR (Planned Residential) @ 1-5 du/ac
West: Business / MDR-O and GC / A (Agricultural) and CA (General Business)

NEIGHBORHOOD CONTEXT: This area south of Chapman Hwy., around the interchange with E. Governor John Sevier Hwy. is developed with commercial uses under C-3, C-4 and CA zoning. On the north side of Chapman Hwy., commercial development has been limited to only properties having direct access to Chapman Hwy.

STAFF RECOMMENDATION:

- ▶ **ADOPT RESOLUTION # 9-A-16-SP, amending the South County Sector Plan to GC (General Commercial) and recommend that County Commission also adopt the sector plan amendment. (See attached resolution, Exhibit A.)**

The property is appropriate for commercial development, as long as developed under the recommended PC zoning, which will require the review and approval of a development plan by MPC prior to issuance of building permits. The site is located along E. Governor John Sevier Hwy., near the interchange with Chapman Hwy., where significant commercial development is occurring.

- ▶ **RECOMMEND that County Commission APPROVE PC (Planned Commercial) zoning, subject to 1 condition. (Applicant requested CA.)**

1. No clearing or grading of the site may be permitted until after the approval of a use on review development plan by MPC.

Commercial use of the subject property, if limited to PC zoning with the condition, is appropriate for this site. The site is located along a major arterial street and is just north of other commercially developed land. PC is recommended rather than CA so that MPC can review a development plan and address issues such as access and buffering to adjacent residential uses. The condition is included because the site is heavily wooded and staff would like the opportunity to recommend the preservation of some vegetation, as deemed appropriate for buffering and other aesthetic purposes. CA zoning would allow a wide range of uses with no public review of a plan.

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 road improvements have been made recently in the area. The last known road improvements in the area occurred in the mid 2000's with the overhaul of the Chapman Hwy./E. Gov John Sevier Hwy. interchange to accommodate the large, developing commercial area to the south. Commercial uses and zoning have been established to the south of the site and this proposal is an extension of those uses.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan now proposes medium density residential and office uses for the site, consistent with the current OB zoning. There is no error or omission in the plan, but consideration of commercial uses on this site are appropriate, considering surrounding development and zoning, and the property's frontage on a major arterial street near the interchange with Chapman Hwy.

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

With previous approvals of commercial zoning and development in the area to the south, a pattern has been established to concentrate commercial development in this area around the interchange.

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

A trend of commercial development has been established to the south of the site since road and interchange improvements were made, along with the installation of traffic signals. This proposal continues that trend.

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. There is a large commercial development to the south of the site. Commercial zoning for the subject

property is an extension of that zoning and development to the north.

2. The site is accessed from E. Governor John Sevier Hwy., a major arterial street, with sufficient capacity to support commercial development.
3. With the recommended approval of the associated plan amendment (9-A-16-SP), this rezoning proposal is consistent with the South County Sector Plan.

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

1. Based on the property's location just north of other commercially zoned properties, the proposed rezoning is clearly compatible with the surrounding development and zoning pattern.
2. The recommended PC zoning will allow the property to be developed with commercial uses, while giving the opportunity for MPC and public review of a specific site plan prior to development. The applicant will need to pursue use on review approval of a plan by MPC before proceeding with development.

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 and sewer utilities are available in the area, but may have to be extended to serve the site.
2. Establishment of PC zoning at this location would have little to no adverse impact on surrounding properties. The requested CA zoning would potentially lead to more negative impact on adjacent residential areas, if not adequately buffered.
3. The site has access to E. Governor John Sevier Hwy., a major arterial street with sufficient capacity to handle additional traffic that would be generated by commercial use of this site. Under the recommended PC zoning, MPC and Knox County Engineering Staff would have the opportunity to review the access to the site with the objective of minimizing traffic conflicts and maximizing safety. If possible, it would be preferable to access the subject property through the adjacent commercial site to the southwest, leading to Chapman Hwy., where curbcuts are already established. If access must come directly from E. Gov. John Sevier Hwy., then it will likely need to be located directly across the highway from where the existing Chapman Hwy. access road is located on the south side. A traffic impact study may also be required to be submitted with the use on review plan, if deemed necessary by MPC and Engineering staff.
4. This proposed amendment of the zoning map will not adversely affect any other part of the County.

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 the South County Sector Plan to GC (General Commercial), either the recommended PC zoning or the proposed CA zoning could be considered.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. The recommended PC zoning 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 provides for two methods to amend the plan at TCA 13-3-304:

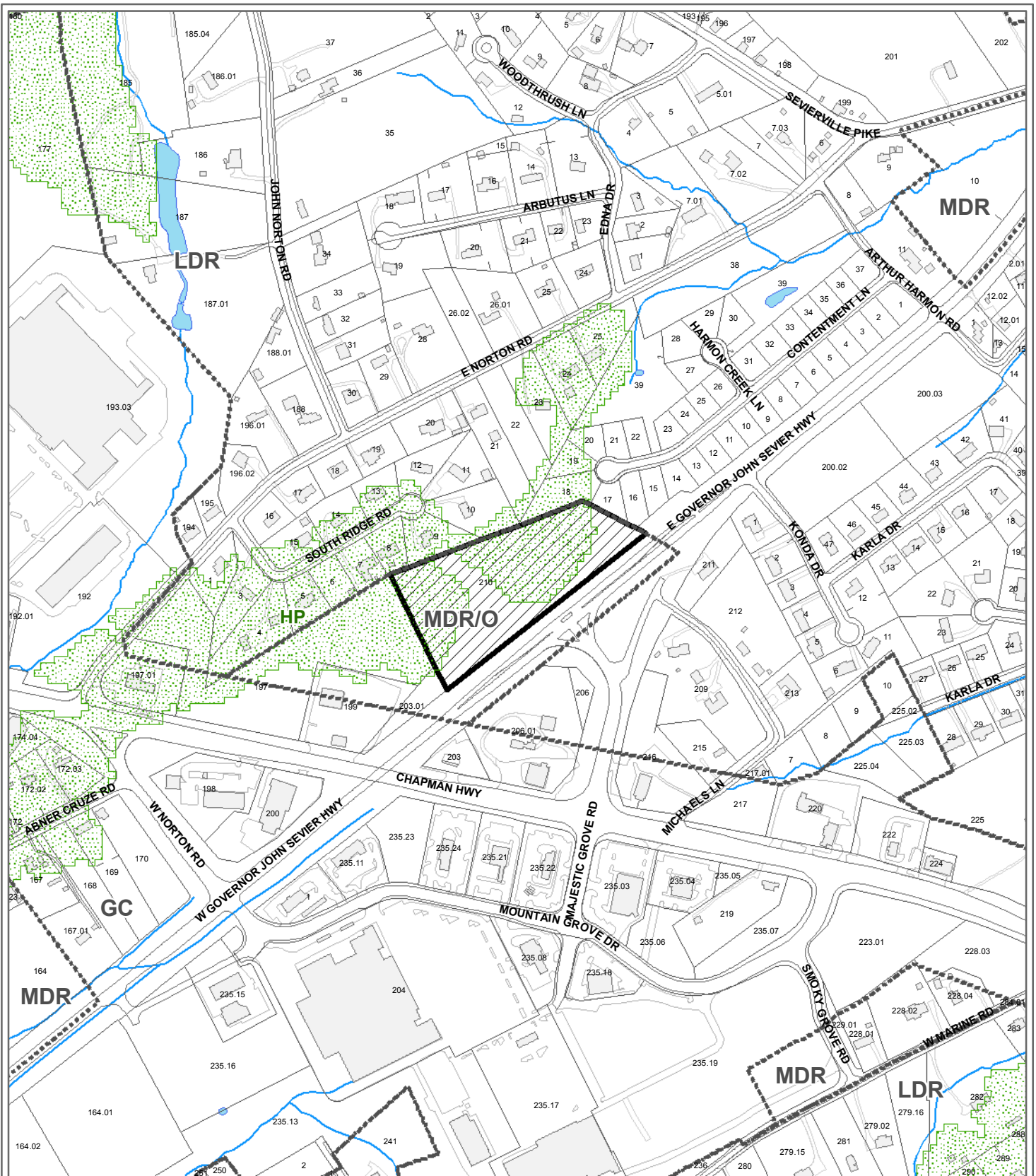
1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to 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 10/24/2016. 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.



**9-A-16-SP / 9-C-16-RZ
SOUTH COUNTY SECTOR PLAN AMENDMENT**

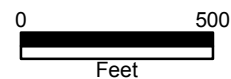
From: MDR/O (Medium Density Residential and Office)
To: GC (General Commercial)

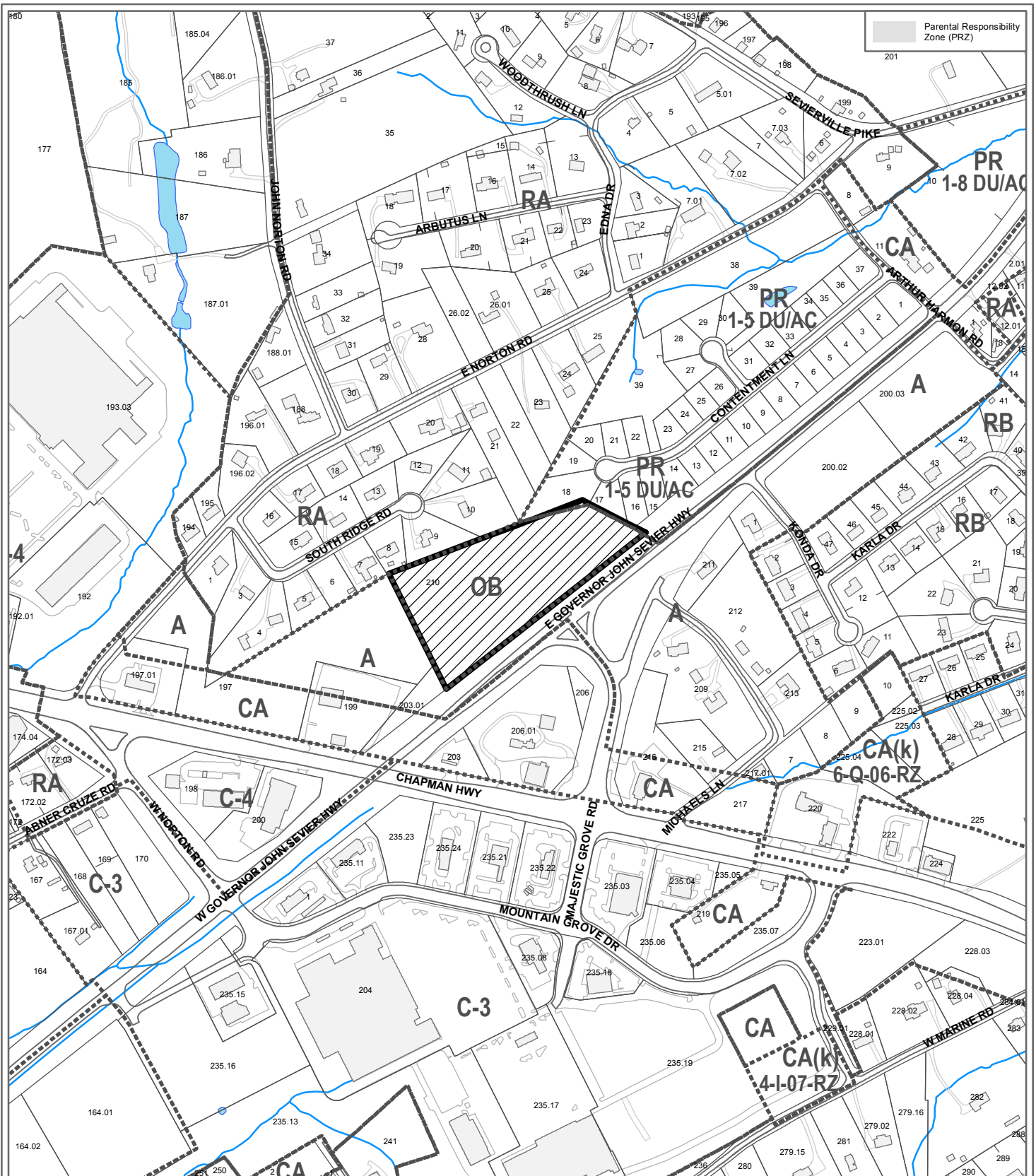


Petitioner: LeConte Equities Group, LLC

Map No: 137
Jurisdiction: County

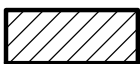
Original Print Date: 8/12/2016 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902





**9-C-16-RZ
REZONING**

From: OB (Office, Medical, and Related Services)
To: CA (General Business)



Petitioner: LeConte Equities Group, LLC

Map No: 137

Jurisdiction: County



Original Print Date: 8/12/2016 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

South Co SP

KNOXVILLE KNOX COUNTY

MPC
METROPOLITAN
PLANNING
COMMISSION

TENNESSEE

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
FAX • 215 • 2068
www.knoxmpc.org

REZONING **PLAN AMENDMENT**

Name of Applicant: LeConte Equities Group, LLC

Date Filed: 7/19/16 Meeting Date: Sept. 8, 2016

Application Accepted by: Bmsseum

Fee Amount: \$1665 File Number: Rezoning 9-C-16-R2

Fee Amount: \$800 File Number: Plan Amendment 9-A-16-SP

PROPERTY INFORMATION

Address: E Governor John Sevier Hwy
General Location: South Knoxville, close to intersection of Chapman Hwy & East Governor John Sevier Hwy.

Parcel ID Number(s): 137 210 NN side Gov JSA Hwy

Tract Size: 6.65 acres

Existing Land Use: Unused Land

Planning Sector: South County

Growth Policy Plan: Urban Growth

Census Tract: 55.01

Traffic Zone: _____

Jurisdiction: City Council _____ District
 County Commission 9 District

**Requested Change
REZONING**

FROM: OB

TO: CA

PLAN AMENDMENT

One Year Plan South Co Sector Plan

FROM: MDR/O

TO: GC

PROPOSED USE OF PROPERTY

Commercial retail

Density Proposed 1 unit per 1.5 acre Units/Acre

Previous Rezoning Requests: _____

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT
Name: Matthew D. Turner

Company: LeConte Equities Group

Address: 500 Henley St., Suite 200

City: Knoxville State: TN Zip: 37902

Telephone: 865-310-8745

Fax: 865-522-1415

E-mail: mtturner@leconteequities.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
Name: Matthew D. Turner

Company: LeConte Equities Group, LLC

Address: 500 Henley St., Suite 200

City: Knoxville State: TN Zip: 37902

Telephone: 865-310-8745

Fax: 865-522-1415

E-mail: mtturner@leconteequities.com

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: Matthew D. Turner

PLEASE PRINT
Name: Matthew D. Turner

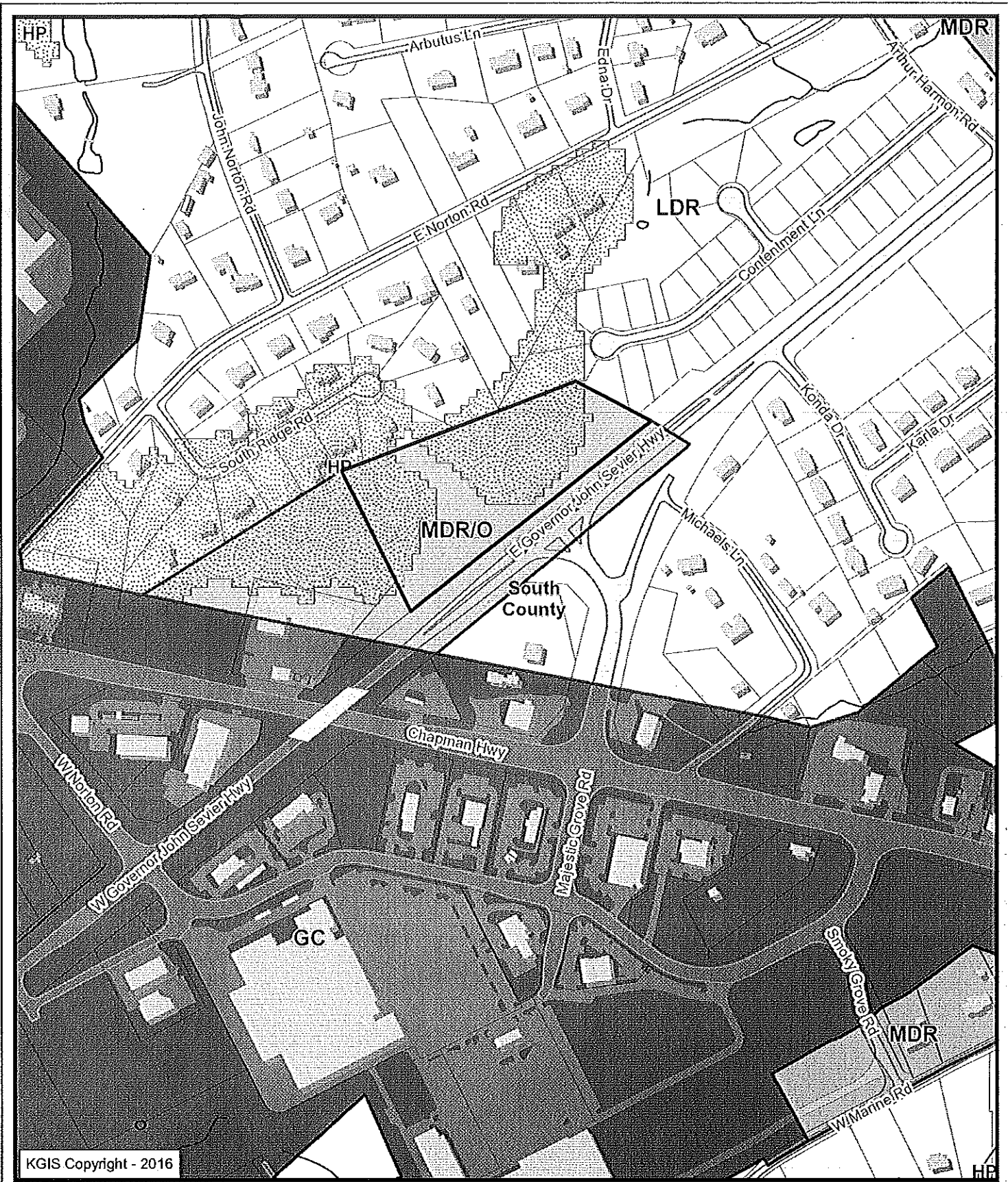
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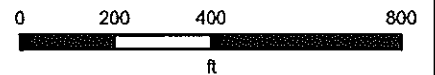
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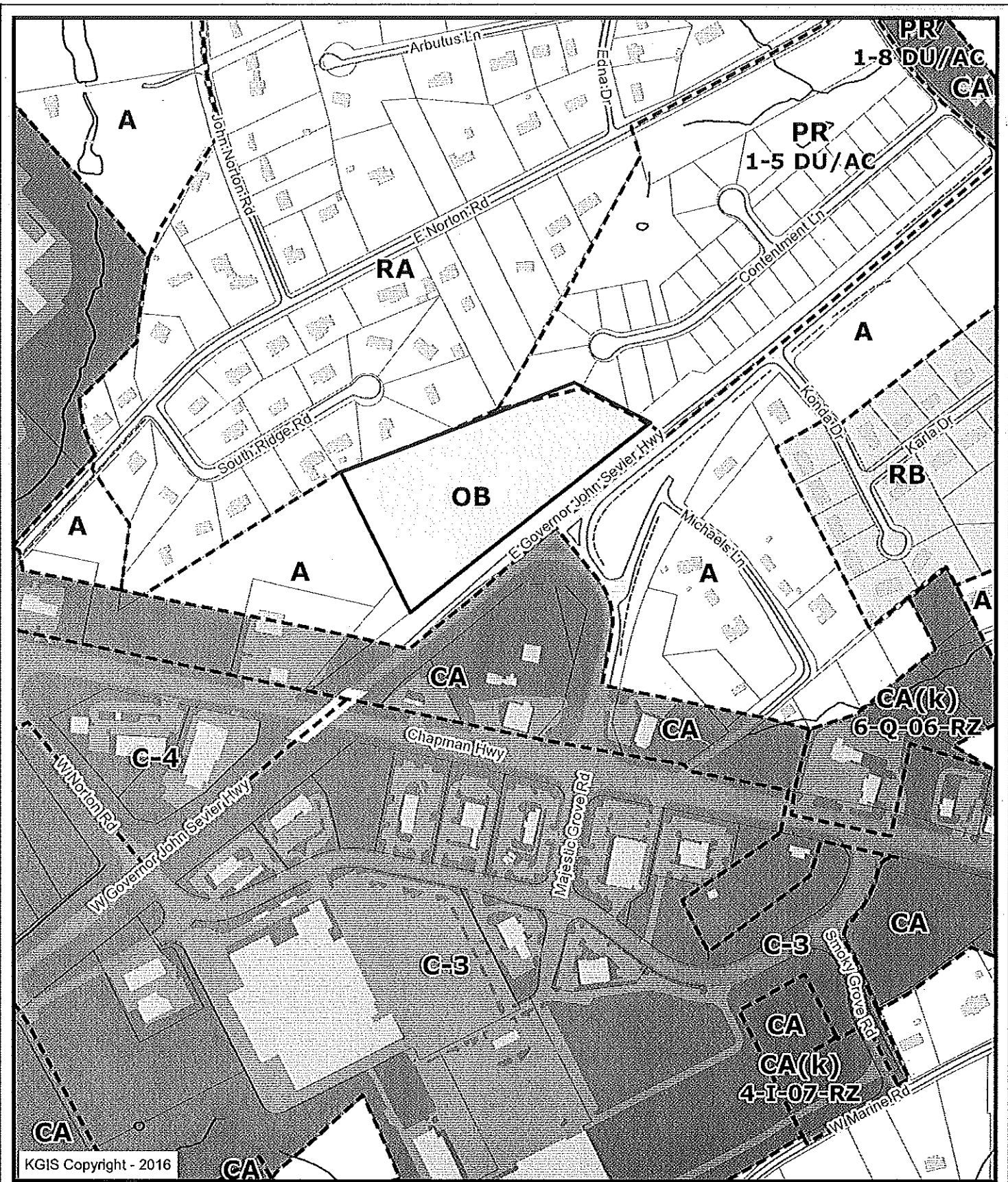
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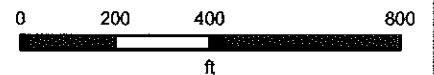
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