

▶ **FILE #:** 4-H-18-RZ

AGENDA ITEM #: 45

AGENDA DATE: 4/12/2018

▶ **APPLICANT:** KEN GILREATH

OWNER(S): Ken Gilreath

TAX ID NUMBER: 124 212

[View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 608 E Governor John Sevier Hwy

▶ **LOCATION:** Southeast side E. Gov. John Sevier Hwy., northeast side Daytona Ln.

▶ **APPX. SIZE OF TRACT:** 7.2 acres

SECTOR PLAN: South County

GROWTH POLICY PLAN:

ACCESSIBILITY: Access is via E' Governor John Sevier Hwy., a major arterial street with 37' of pavement width within 130' of right-of-way.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Burnett Creek

▶ **PRESENT ZONING:** A (Agricultural) & CB (Business & Manufacturing)

▶ **ZONING REQUESTED:** PC (Planned Commercial)

▶ **EXISTING LAND USE:** Community pool

▶ **PROPOSED USE:** Commercial development

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Business / CB (Business & Manufacturing)

South: Vacant land / PR (Planned Residential) at 1-5 du/ac

East: Attached residential development / PR (Planned Residential) at up to 12 du/ac

West: Vacant land and residence / PR (Planned Residential) and CA (General Business)

NEIGHBORHOOD CONTEXT: This area is developed primarily with commercial uses along E. Gov. John Sevier Hwy., under CA and CB zoning, with residential uses to the rear, zoned A, RB and PR.

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE PC (Planned Commercial) zoning.**

Commercial use of the subject property, if limited to PC zoning, as requested, is appropriate for this site. The site is has access to a major arterial street and is surrounded by other commercially developed land. PC zoning will give MPC the opportunity to review a development plan and address issues such as access and buffering to adjacent residential uses.

COMMENTS:

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. This site is located in close proximity to other commercial development along E. Gov. John Sevier Hwy. Commercial zoning for the subject property is an extension of that zoning and development to the north and west.
2. The site is accessed from E. Governor John Sevier Hwy., a major arterial street, with sufficient capacity to support commercial development.
3. PC zoning will require the review and approval of a development plan by MPC as part of a public hearing process. This will give staff the opportunity to address issues such as access, buffering, landscaping and other development concerns. It will also provide the opportunity for public comment.

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

1. Based on the property's location adjacent to 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.
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 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. A traffic impact study may be required to be submitted with the use on review plan, if deemed necessary by MPC and Engineering staff.
4. This proposed rezoning will not adversely affect any other part of the County.

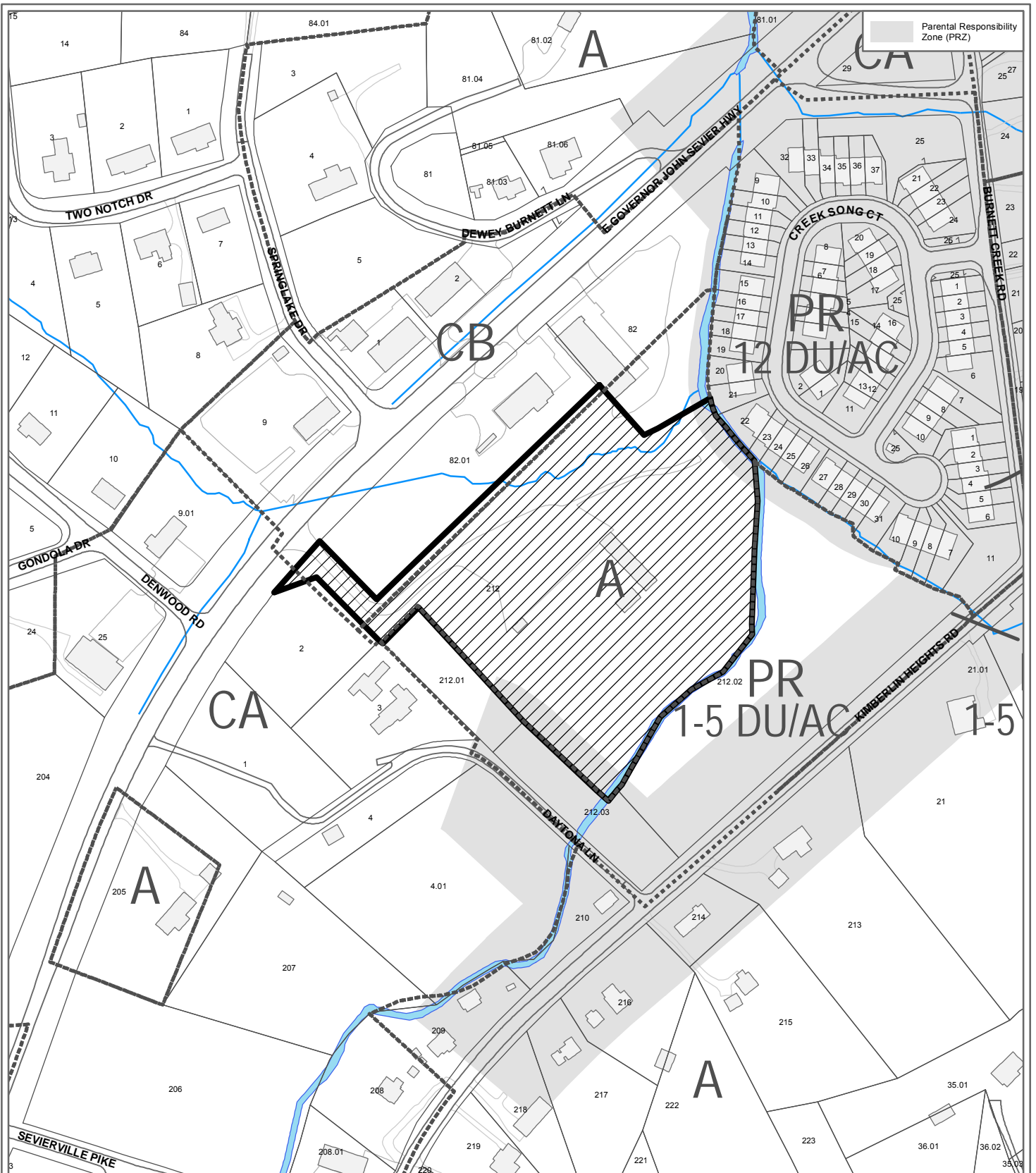
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The South County Sector Plan designates this site within a MU-SD (Mixed Use Special District) (Sco-2), which allows consideration of commercial zoning, as long as limited to a planned zoning district. PC is a planned zoning district that will require MPC review and approval of development plans prior to any development of the site.
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.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 5/8/2018 and 5/22/2018. 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 15 days to appeal an MPC decision in the County.



**4-H-18-RZ
REZONING**

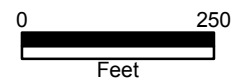
From: A (Agricultural) & CB (Business & Manufacturing)
To: PC (Planned Commercial)



Petitioner: Gilreath, Ken

Map No: 124

Jurisdiction: County



Original Print Date: 3/19/2018
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

SE side of Gov John Sevier Hwy, NE side Dayton Ln.

SP, MU-SD (SC-2) PC OK

KNOXVILLE-KNOX COUNTY
M P C
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: Ken Gilreath

Date Filed: 2/23/18 Meeting Date: April 12, 2018

Application Accepted by: _____

Fee Amount: \$960⁰⁰ File Number: Rezoning 4-H-18-R7

Fee Amount: _____ File Number: Plan Amendment _____



PROPERTY INFORMATION

Address: 608 East Governor Sevier Hwy
General Location: South Knoxville, 1 mile East of Chapman Hwy on the South Side of John Sevier
Parcel ID Number(s): Tax map 124 (A11111) Parcel ID, 212.00 Map 20020806-0010747
Tract Size: 7.155 ACRES
Existing Land Use: Community Pool
Planning Sector: South County
Growth Policy Plan: Planned Growth
Census Tract: 55.01
Traffic Zone: 167
Jurisdiction: City Council _____ District
 County Commission 9TH District

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT
Name: Ken Gilreath
Company: _____
Address: 637 E. Gov John Sevier Hwy
City: Knoxville State: TN Zip: 37920
Telephone: 865-388-7737
Fax: _____
E-mail: kgilreath@gilreathfarms.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:
PLEASE PRINT
Name: SAME AS ABOVE
Company: TCS OF TENN, INC
Address: P.O. BOX 20697
City: KNOX State: TN Zip: 37940
Telephone: 865-389-8096
Fax: N/A
E-mail: CWitt, tcs@COMCAST.NET

Requested Change

REZONING

FROM: A/CB

TO: PC

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____

TO: _____

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: Ken Gilreath

PLEASE PRINT
Name: Ken Gilreath

Company: _____

Address: 3928 Gooseneck Dr

City: Knoxville State: TN Zip: 37920

Telephone: 865-388-7737

E-mail: kgilreath@gilreathfarms.com

PROPOSED USE OF PROPERTY

Commercial Uses

Density Proposed _____ Units/Acre

Previous Rezoning Requests: None acted

NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:

Please Print or Type in Black Ink:

(If more space is required attach additional sheet.)

Name	Address	City	State	Zip	Owner	Option
KEN GILBERTH	7928 GUSSE NECK DR	KNOXVILLE, TENN	37920	865-388-7737	✓	

REQUIRED SIGN POSTING AGREEMENT FORM

For all rezoning, plan amendment, concept plan, use on review, BZA variance, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC/BZA Administrative Rules and Procedures. When applicable, MPC staff will provide the sign(s) to post on the subject property at the time of application.

The sign(s) must be posted in a location that is clearly visible from the nearest adjacent street. If the property has more than one street frontage, then the sign(s) should be placed along the higher classified street. MPC staff may recommend a preferred location for the sign(s) to be posted at the time of application.

The sign(s) must be posted no later than two weeks prior to the scheduled MPC/BZA hearing and must remain in place until after the meeting. The applicant is responsible for ensuring that the signs remain posted throughout the two-week period prior to the public hearing. Failure to maintain the signs during this time period may be cause for postponement of the application until the next scheduled meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted no later than two weeks prior to the next MPC/BZA meeting.

MPC staff will provide the first sign(s) for no additional charge as part of the application fees. If the sign(s) are lost or stolen and need to be replaced, then the applicant will be responsible for picking up a new sign from the MPC offices. The applicant will be charged a replacement fee for additional sign(s) consistent with the agency's cost of purchasing each sign.

I hereby agree to post the sign(s) provided on the subject property on or before March 28, 2018 consistent with the guidelines provided above; and remove the sign(s) within one week after the MPC/BZA public hearing.

Signature: _____

Printed name: _____

Date: _____

MPC/BZA File #: _____