



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

▶ **FILE #:** 11-B-18-RZ  
11-A-18-SP

**AGENDA ITEM #:** 29  
**AGENDA DATE:** 11/8/2018

▶ **APPLICANT:** FIRST KNOX REALTY, LLC  
**OWNER(S):** First Knox Realty, LLC

**TAX ID NUMBER:** 141 04114 [View map on KGIS](#)

**JURISDICTION:** Commission District 6

**STREET ADDRESS:** 1215 Everett Rd

▶ **LOCATION:** South side Everett Rd, west of Yarnell Rd

▶ **TRACT INFORMATION:** 14.45 acres.

**SECTOR PLAN:** Northwest County

**GROWTH POLICY PLAN:** Planned Growth Area

**ACCESSIBILITY:** Access is via Everett Rd., a major collector street with 20' of pavement within a 50' right-of-way.

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

Sewer Source: West Knox Utility District

**WATERSHED:** Hickory Creek

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

▶ **PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial) / PC (Planned Commercial)

▶ **EXISTING LAND USE:** Mulching operation (Agriculture/Forestry/Vacant)

▶ **PROPOSED USE:** Office, Warehouse

**EXTENSION OF PLAN DESIGNATION/ZONING:** Yes

**HISTORY OF ZONING REQUESTS:** 9-E-03-SP: Requested CB zoning on Ag/RR designated land, MPC recommended denial, County Commission approved CB for a reduced area.

**SURROUNDING LAND USE, PLAN DESIGNATION, ZONING** North: Single family residential & rural residential / AG (Agricultural)

South: Interstate 40 right-of-way / ROW (Right of Way)

East: Rural residential & single family residential / AG (Agricultural) & LDR (Low Density Residential)

West: Church & commercial / CI (Civic/Institutional) and GC (General Commercial)

**NEIGHBORHOOD CONTEXT:** This site is adjacent to the north side of the I-40 right of way, near the commercial and industrial node at the Watt Road/Everett Road interchange, abutting rural residential and low density residential properties.

**STAFF RECOMMENDATION:**

► **APPROVE GC (General Commercial) sector plan designation.**

The requested GC (General Commercial) sector plan designation is recommended as an extension of the adjacent GC, commercial node at the Watt Road/Everett Road I-40 interstate interchange.

► **APPROVE PC (Planned Commercial) zoning, consistent with the requested GC sector plan recommendation.**

PC zoning at this location is compatible with the adjacent CB (Business and Manufacturing) zoning, near the interchange and adjacent to the interstate 40 right-of-way. The PC zone requires a public review of a development plan prior to construction so that any issues may be addressed through the design process.

**COMMENTS:**

SECTOR PLAN AMENDMENT 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 additional streets or utilities improvements have been made in the area since the Northwest County Sector Plan was last updated.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The site is currently used as a mulching operation and would have limited options for reuse in the agricultural land use classification. The GC land use classification will allow a more broad range of recommended zone districts, including the requested, PC (Planned Commercial) zone.

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

Population growth in the Northwest County Sector continues to outpace other sectors of Knox County. Additional opportunities for commercial development warrant reconsideration of the original plan sector plan proposal and extension of the commercial node at the interchange.

State law regarding amendments of the General Plan (which includes 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 property is located adjacent to the CB (Business and Manufacturing) zone for the commercial node at the I-40 and Watt Road/Everett Rd interchange.
2. The site is located in the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan map.

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

1. The PC zoning district, as stated in the Knox County Zoning Ordinance, is intended for a unified grouping of commercial buildings which do not require or desire a central business district location. The objective of this zone is to achieve the highest quality site design, building arrangement, landscaping and traffic circulation patterns possible.
2. The PC zoning district is for office, commercial services and light distribution centers. It requires site plan review and complies with the requirements of the Knoxville-Knox County-Farragut Growth Policy Plan.

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

1. PC zoning is compatible with the surrounding land uses.
2. The PC zoning requires use on review approval of a development plan by MPC prior to construction. This will provide the opportunity for staff to review the plan and address issues related to the design. It will also give the opportunity for public comment at the MPC meeting.
3. Consideration of buffering to protect the neighboring area reserved for a multi-family development, as part of the Hickory Village use on review (3-A-16-UR), may be addressed during the PC use on review process for this site.
4. Protection of any creeks or streams that exist on the property may also be addressed through the PC use on review process.
5. A traffic impact study and/or a discussion between Knox County Engineering and MPC staff on the location of the access point considering the location within the curve on Yarnell Road, may be required as part of the use on review process.

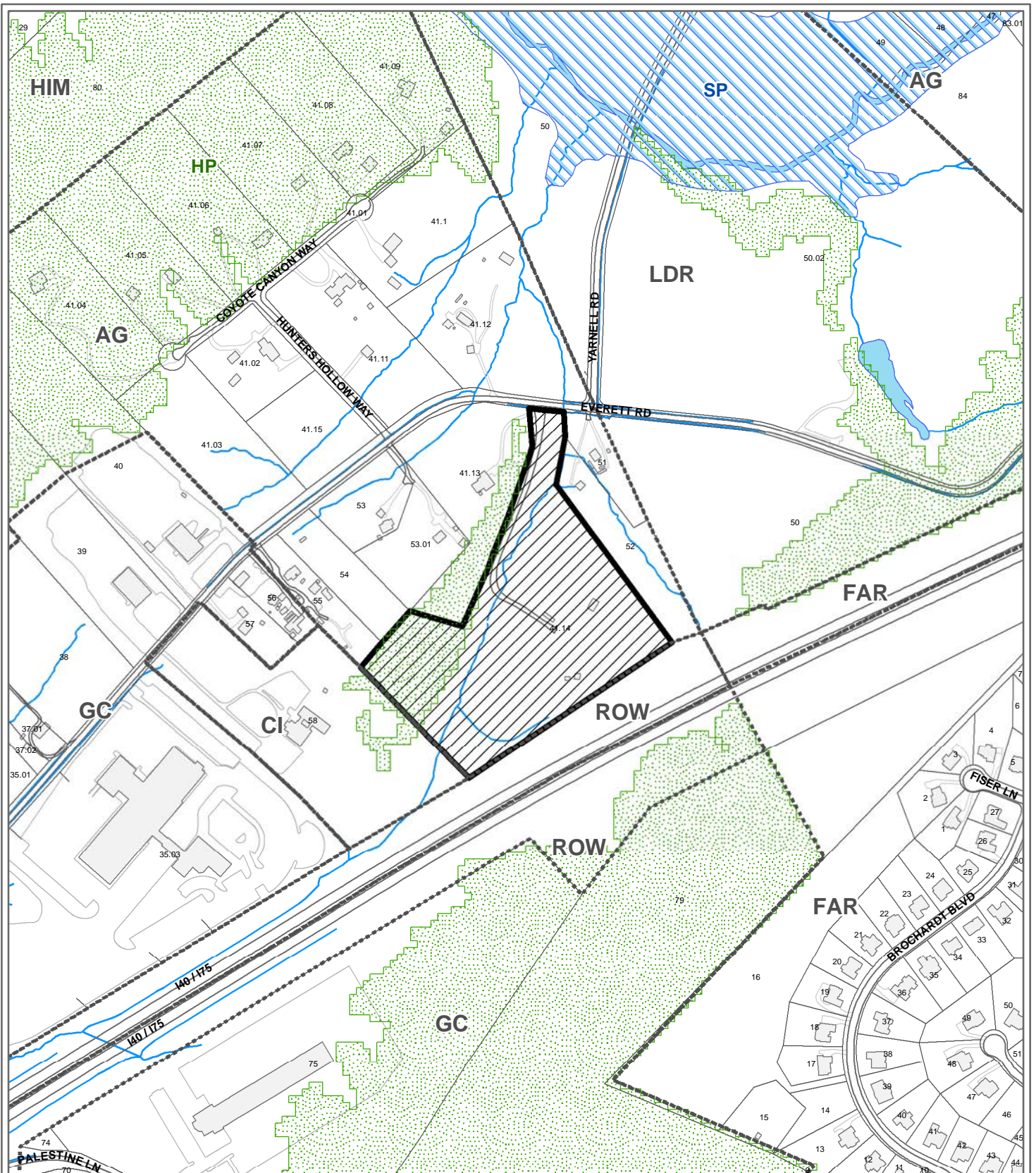
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Northwest County Sector Plan proposes agriculture for this property, however, the site has been used most recently as a mulching operation.
2. The request will not have any impact on the school system.
3. Access points, including realignment with Yarnell Road, and traffic patterns may be assessed in accordance with a traffic impact study or discussions with Knox County Engineering and MPC staff as part of the development plan review for the PC (Planned Commercial) zone.

ESTIMATED TRAFFIC IMPACT: Not required.

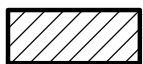
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 12/17/2018. 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 30 days to appeal an MPC decision in the County.



**11-A-18-SP / 11-B-18-RZ  
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

Petitioner: First Knox Realty, LLC



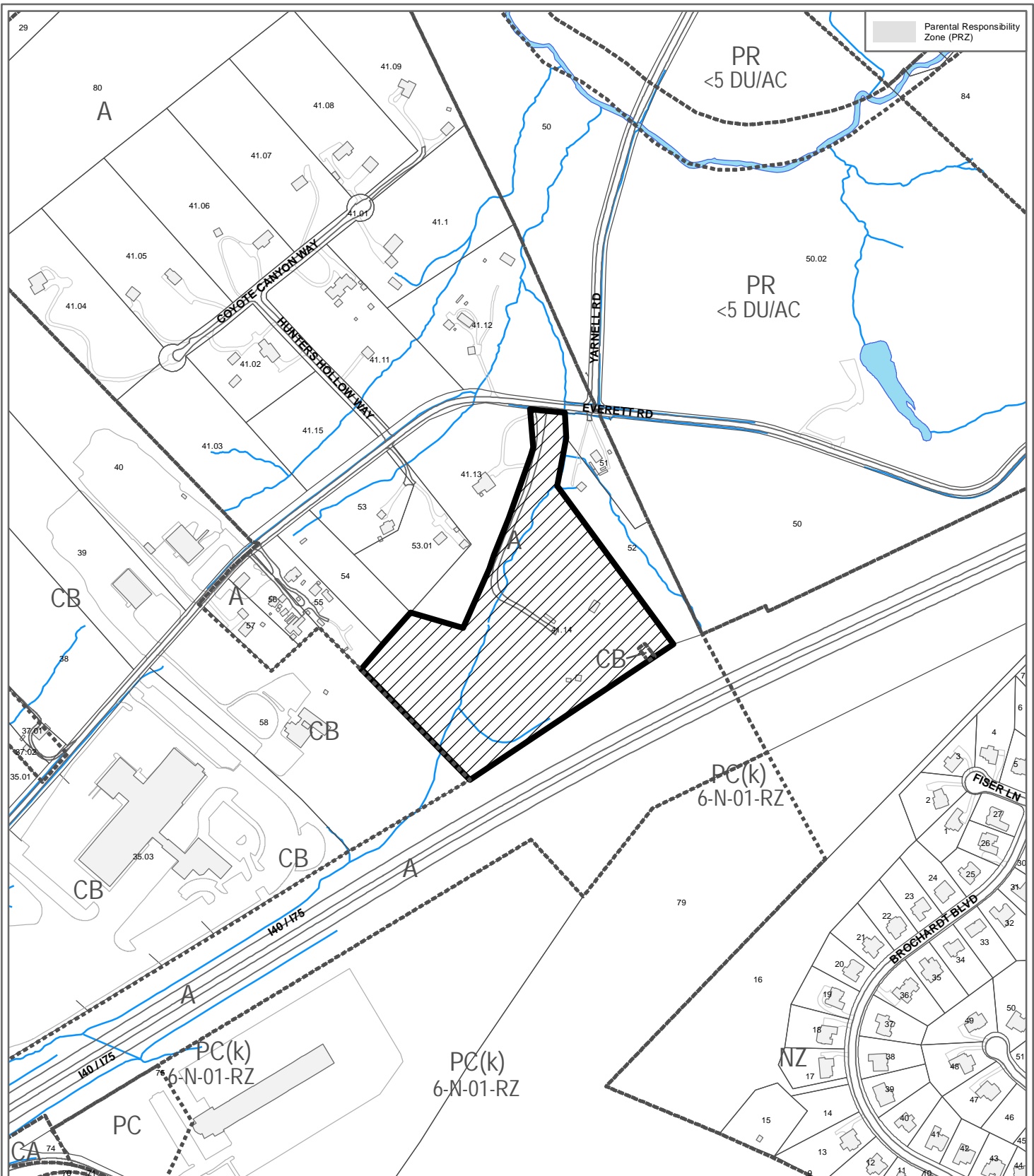
From: AG (Agricultural)  
To: GC (General Commercial)

Map No: 141  
Jurisdiction: County



Original Print Date: 10/16/2018      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902





**11-B-18-RZ  
REZONING**

From: A (Agricultural)

To: PC (Planned Commercial)



Petitioner: First Knox Realty, LLC

Map No: 141

Jurisdiction: County



Original Print Date: 10/16/2018      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

KNOXVILLE-KNOX COUNTY  
METROPOLITAN PLANNING COMMISSION  
A RESOLUTION AMENDING THE NORTHWEST 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 Northwest 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 plans initiated by the Planning Commission or in response to applications from property owners; and

WHEREAS, First Knox Realty, has submitted an application to amend the Sector Plan from Agricultural to General Commercial, for property described in the application; and

WHEREAS, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Northwest 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 November 8, 2018, after consideration of the staff recommendation and testimony from those persons in support and opposed to the 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 Northwest County Sector Plan, with its accompanying staff report and map, file #11-A-18-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

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 400 Main Street  
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 865 • 215 • 2500  
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**REZONING**       **PLAN AMENDMENT**

Name of Applicant: FIRST KNOX REALTY LLC  
 Date Filed: 9/24/18 Meeting Date: 11/8/18  
 Application Accepted by: Marc Payne  
 Fee Amount: 1,072.00 File Number: Rezoning 11-B-18-RZ  
 Fee Amount: 800.00 File Number: Plan Amendment 11-A-18-SP



**PROPERTY INFORMATION**

Address: 1215 EVERETT ROAD  
 General Location: SOUTH OF EVERETT ROAD, NORTH OF I-40  
 Parcel ID Number(s): 14 PARCEL 41.4  
 Tract Size: 14.45  
 Existing Land Use: MULTI-FAMILY  
 Planning Sector: NORTHWEST COUNTY  
 Growth Policy Plan: \_\_\_\_\_  
 Census Tract: 59.04  
 Traffic Zone: 222  
 Jurisdiction:  City Council \_\_\_\_\_ District  
 County Commission 6TH District

**Requested Change**

**REZONING**

FROM: A  
 TO: ~~CB~~ ~~PC~~ AC

**PLAN AMENDMENT**

One Year Plan  Northwest Sector Plan  
 FROM: A  
 TO: GC

**PROPOSED USE OF PROPERTY**

OFFICE, WAREHOUSE

Density Proposed \_\_\_\_\_ Units/Acre  
 Previous Rezoning Requests: 7-T-83-RZ ??  
9-K-03-RZ/9-E-03-SP(A to CB, A to C)

**PROPERTY OWNER**     **OPTION HOLDER**

PLEASE PRINT  
 Name: FIRST KNOX REALTY  
 Company: \_\_\_\_\_  
 Address: 12248 PATAGONIA LN  
 City: KNOXVILLE State: TN Zip: 37922  
 Telephone: 805-9730  
 Fax: \_\_\_\_\_  
 E-mail: \_\_\_\_\_

**APPLICATION CORRESPONDENCE**

All correspondence relating to this application should be sent to:

PLEASE PRINT  
 Name: ARTHUR G. SEYMOUR, JR  
 Company: FRANTZ, McCONVILLE, SEYMOUR  
 Address: P.O. BOX 39  
 City: KNOXVILLE State: TN Zip: 37901  
 Telephone: 546 9321  
 Fax: 637-5249  
 E-mail: ARTSEYMOUR@KNSMHA.COM

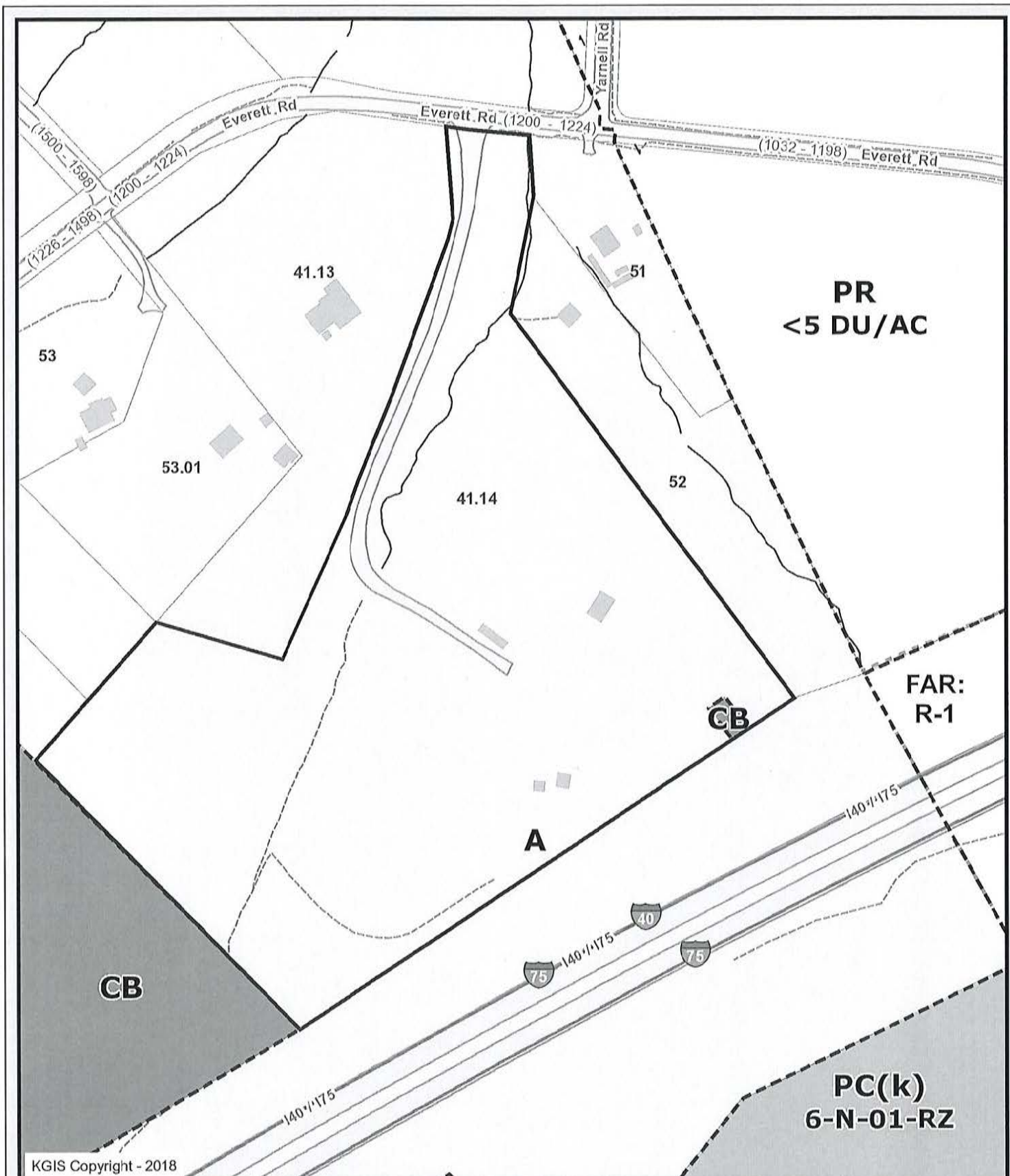
**APPLICATION AUTHORIZATION**

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: [Signature]  
 PLEASE PRINT  
 Name: SAUR AS ABOVE  
 Company: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 E-mail: \_\_\_\_\_







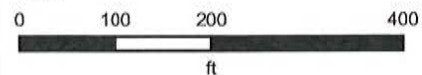
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Letter Portrait

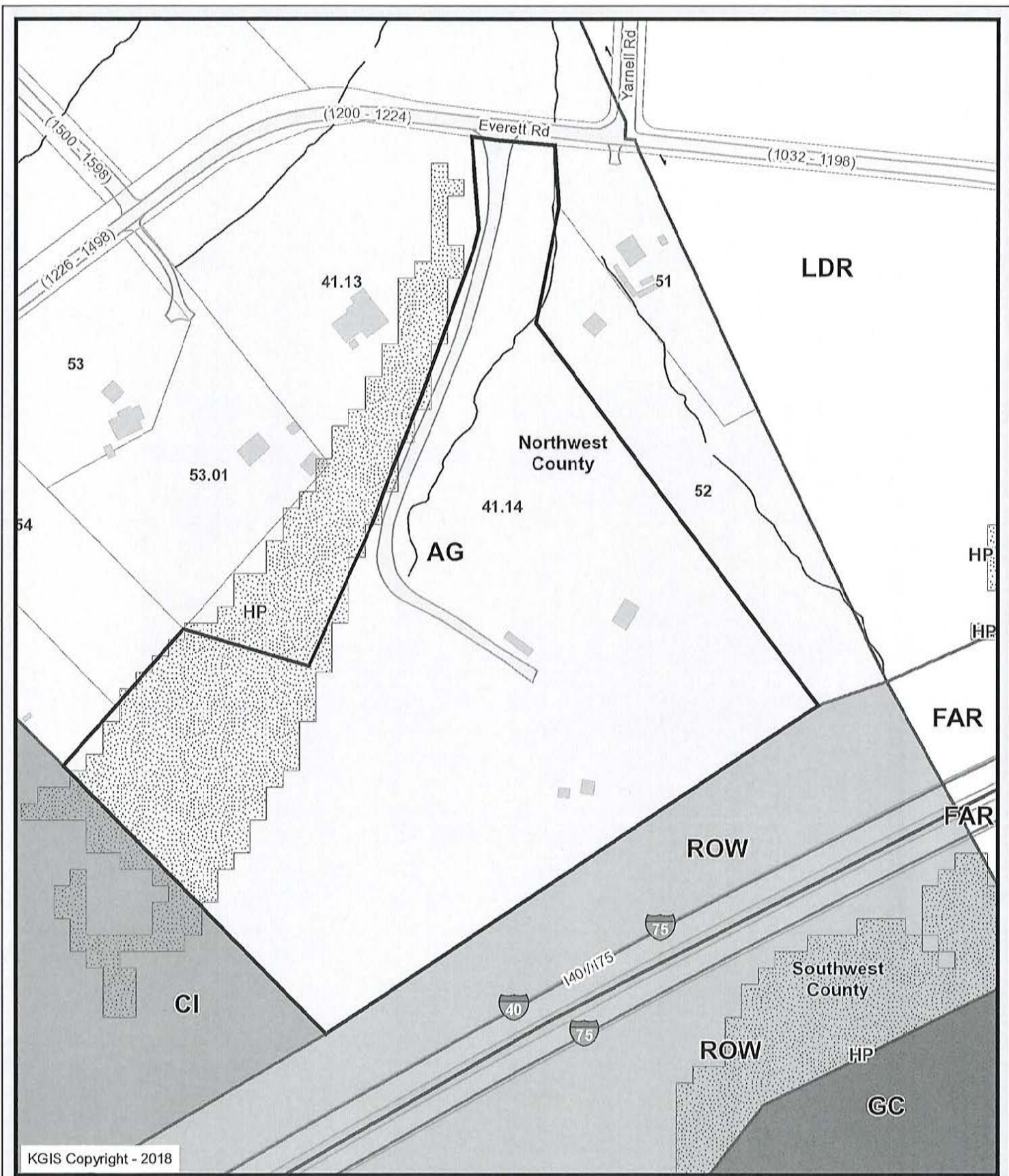
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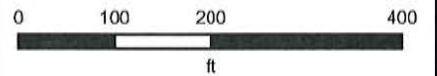


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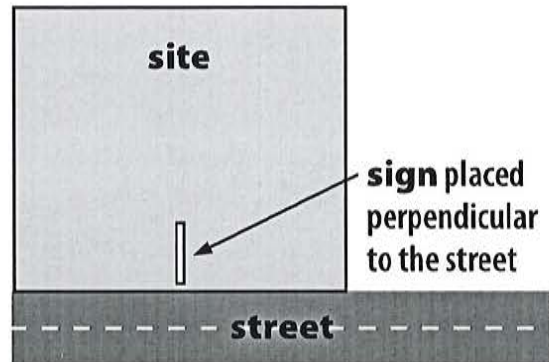
## REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

### LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



### TIMING

The sign(s) must be posted 15 days before the scheduled MPC public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

10/25/2018 and 11/8/18  
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: [Handwritten Signature]

Printed Name: ARTHUR G. SEYKOUR, JR.

Phone: 546-9321 Email: ASEYKOUR@AESHIFT.COM

Date: 9/24/18

MPC File Number: 11-B-18-82, 11-A-18-54