

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

▶ **FILE #:** 10-A-18-SP

AGENDA ITEM #: 38

AGENDA DATE: 10/11/2018

▶ **APPLICANT:** LECONTE HOLDINGS

OWNER(S): LeConte Holdings, LLC

TAX ID NUMBER: 144 03201

[View map on KGIS](#)

JURISDICTION: Council District 2

STREET ADDRESS: 9608 Westland Dr

▶ **LOCATION:** Southeast side Westland Dr., northeast side I-140

▶ **APPX. SIZE OF TRACT:** 2.4 acres

SECTOR PLAN: Southwest County

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

ACCESSIBILITY: Accessed via Westland Dr., a minor arterial with 30-50' of pavement width within a 195' right of way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Sinking Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** LDR (Low Density Residential) / A-1 (General Agricultural)

▶ **PROPOSED PLAN DESIGNATION:** GC (General Commercial)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Self-service storage facility

EXTENSION OF PLAN DESIGNATION:

HISTORY OF REQUESTS: Recent case immediately east of parcel (7-C-18-SP)

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Shoreline Church (RP-1 Zoning)

South: Interstate 140 (OS-1 Zoning)

East: Rural Residential (A Zoning - County)

West: Interstate 140 and Office, Commercial, Medium Density Residential on other side of interstate (OS-1, PC, CA, PR Zoning)

NEIGHBORHOOD CONTEXT Interstate interchange area with a mixture of civic/institutional, low and medium density residential, office, and commercial developments.

STAFF RECOMMENDATION:

▶ **RECOMMEND City Council APPROVE GC (General Commercial) designation.**

This site is located at the southeastern side of the Westland Drive and I-140 interchange. For years the plans have never designated commercial in this area because of community resistance. However, public policy has recently shifted a recent plan amendment for GC in this area, the MPC case was 7-C-18-SP that changed this

public policy.

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 new roads or utilities have been introduced in this area to make general commercial development more feasible. However, there have been improvements to the interchange in recent years. Non-residential development has been limited to the western side of the I-140/Westland Dr. interchange, as proposed by the sector plan. A change in the development pattern will occur in this area with the introduction of commercial uses, that was approved with the recent plan amendment of 7-C-18-SP

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The Southwest County Sector Plan was updated in 2016. Knox County Commission adopted the updated sector plan on October 24, 2016. Recently, MPC approved a plan change in this area, introducing commercial uses into a previously designated low density residential area.

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

A change in policy occurred with the recent amendment to the Southwest County Sector Plan that introduced commercial uses into this area.

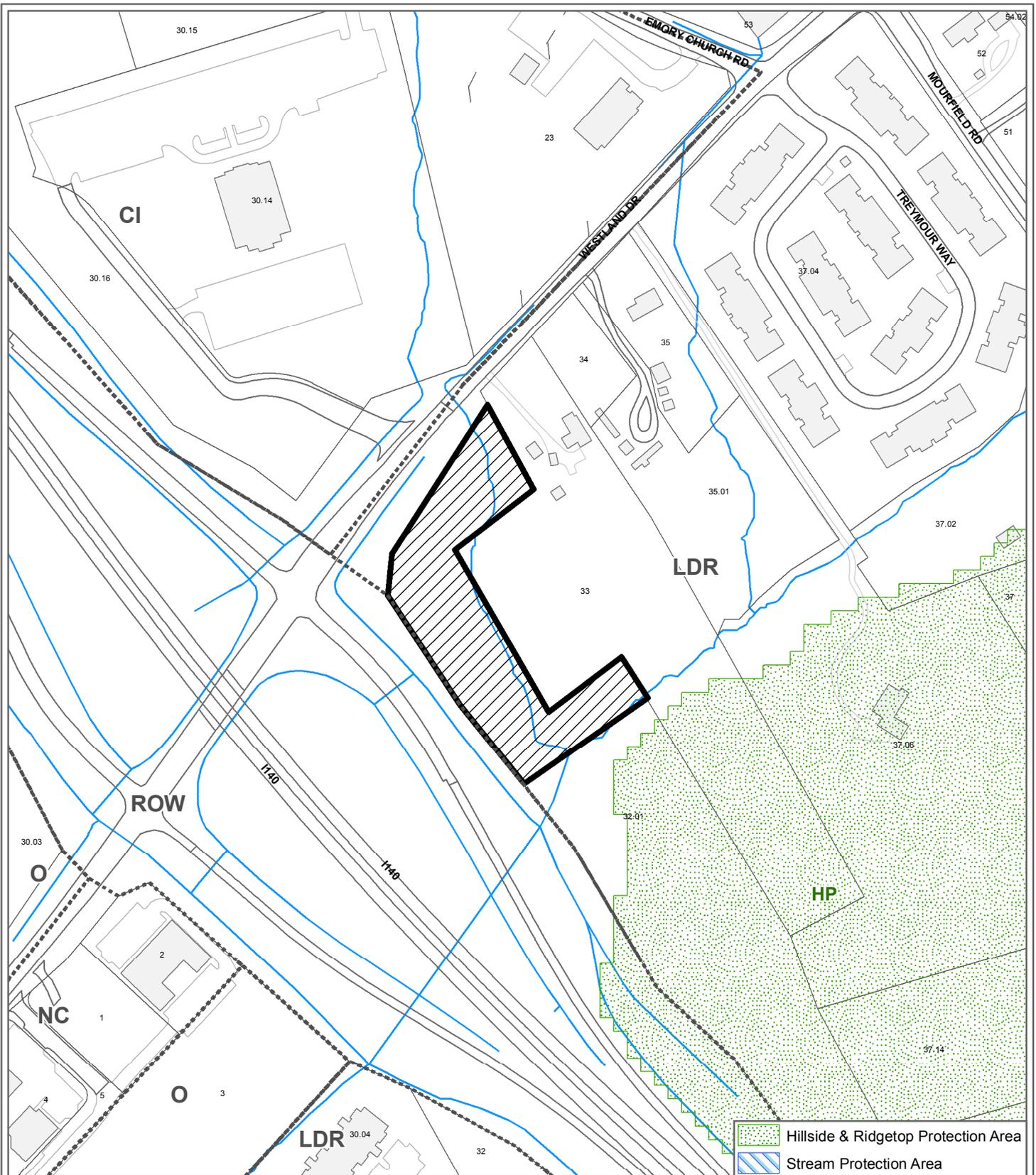
TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

A change in policy occurred with the recent amendment to the Southwest County Sector Plan that introduced commercial uses into this area and will lead to a change in development patterns and traffic.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 11/6/2018 and 11/20/2018. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. 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 City.



 Hillside & Ridgetop Protection Area
 Stream Protection Area

**10-A-18-SP
SOUTHWEST COUNTY SECTOR PLAN AMENDMENT**

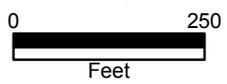
Petitioner: LeConte Holdings



From: LDR (Low Density Residential)
To: GC (General Commercial)

Map No: 144
Jurisdiction: City

Original Print Date: 9/17/2018 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE SOUTHWEST 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 Southwest 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**, the Metropolitan Planning Commission has submitted an application to amend the Sector Plan from Low Density Residential to General Commercial for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Southwest 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 October 11, 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 Southwest County Sector Plan, with its accompanying staff report and map, file #10-A-18-SP.

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that The Knoxville City Council likewise consider this revised amendment to the General Plan 2033.

Date

Chairman

Secretary



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

▶ **FILE #:** 10-B-18-RZ
10-A-18-PA

AGENDA ITEM #: 38
AGENDA DATE: 10/11/2018

▶ **APPLICANT:** LECONTE HOLDINGS
OWNER(S): LeConte Holdings, LLC

TAX ID NUMBER: 144 03201 [View map on KGIS](#)

JURISDICTION: Council District 2

STREET ADDRESS: 9608 Westland Dr

▶ **LOCATION:** Southeast side Westland Dr., northeast side I-140

▶ **TRACT INFORMATION:** 2.4 acres.

SECTOR PLAN: Southwest County

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

ACCESSIBILITY: Accessed via Westland Dr., a minor arterial with 30-50' of pavement width within a 195' right of way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Sinking Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / A-1 (General Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial) / C-4 (Highway and Arterial Commercial)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Self-service storage facility

EXTENSION OF PLAN DESIGNATION/ZONING:

HISTORY OF ZONING REQUESTS: Recent case immediately east of parcel (7-C-18-SP)

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Shoreline Church (RP-1 Zoning)

South: Interstate 140 (OS-1 Zoning)

East: Rural Residential (A Zoning - County)

West: Interstate 140 and Office, Commercial, Medium Density Residential on other side of interstate (OS-1, PC, CA, PR Zoning)

NEIGHBORHOOD CONTEXT: Interstate interchange area with a mixture of civic/institutional, low and medium density residential, office, and commercial developments.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council Approve GC (General Commercial) designation.**

A change in policy recently occurred with the approval of 7-C-18-SP that amended the Southwest County Sector Plan (2016) for the parcel immediately to the east, located within Knox County, from LDR (Low Density Residential) to O (Office) and GC (General Commercial). The location at the intersection of Westland Drive and I-140 makes ideal place for commercial development.

► **RECOMMEND City Council APPROVE C-4 (Highway and Arterial Commercial)**

A change in policy recently occurred with the approval of 7-E-18-RZ which rezoned the parcel immediately to the west from A (Agricultural) to OA (Office Park) and CA (General Business).

COMMENTS:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these.)

- A. AN ERROR IN THE PLAN - There are no apparent errors in the plan. The current One Year Plan designates the site as LDR and historically the plans have not designated commercial development on the east side of the Westland Drive and I-140 interchange due to community resistance.
- B. A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA - Improvements have been made in recent years to the interchange area.
- C. A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN - Public policy has recently shifted with a recent amendment to the Southwest County Sector Plan that placed a commercial land use designation abutting this property.
- D. NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT - No new information has become available, besides the shift in public policy.

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:

This site is located directly adjacent a parcel that had a sector plan amendment to GC and rezoning to CA was approved by Knox County.

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

- 1. The requested CA zoning is for general retail businesses and services but not for manufacturing or for processing materials.

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. Allowing general commercial use of this property could have a negative impact on the adjacent residential properties in the area.
- 2. Public water and sewer utilities are available in the area, but may need to be extended to serve this site.

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 requested CA zoning districts are not consistent with the sector plan proposal for the property. In order to consider CA or OA zoning, the associated sector plan amendment (10-A-18-PA) would have to be approved.
- 2. The site is located within the Planned Growth Area 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

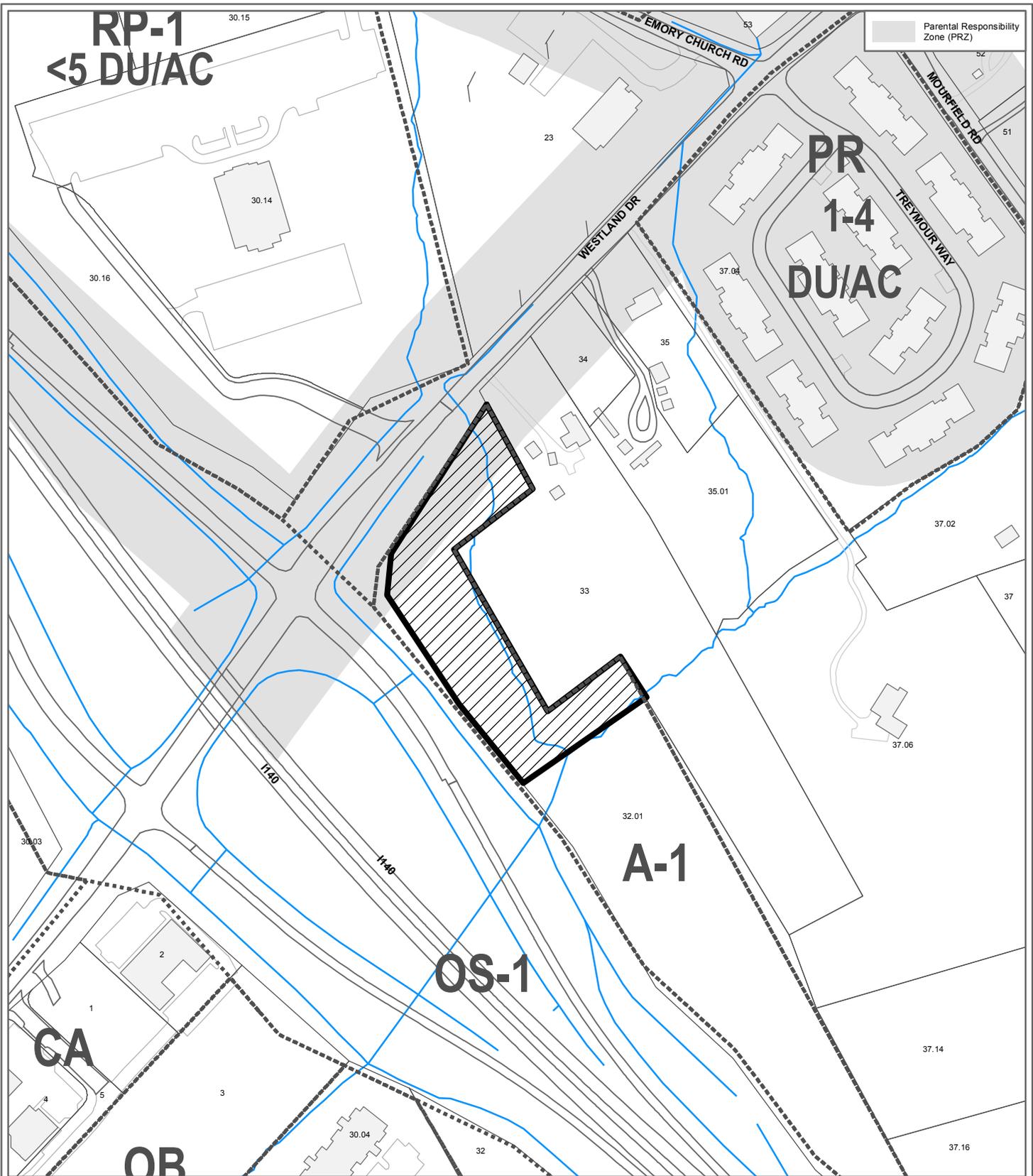
is operative.

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

ESTIMATED TRAFFIC IMPACT: Not required.

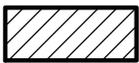
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 11/6/2018 and 11/20/2018. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. 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 City.



**10-B-18-RZ
REZONING**

From: A-1 (General Agricultural)
To: C-4 (Highway and Arterial Commercial)

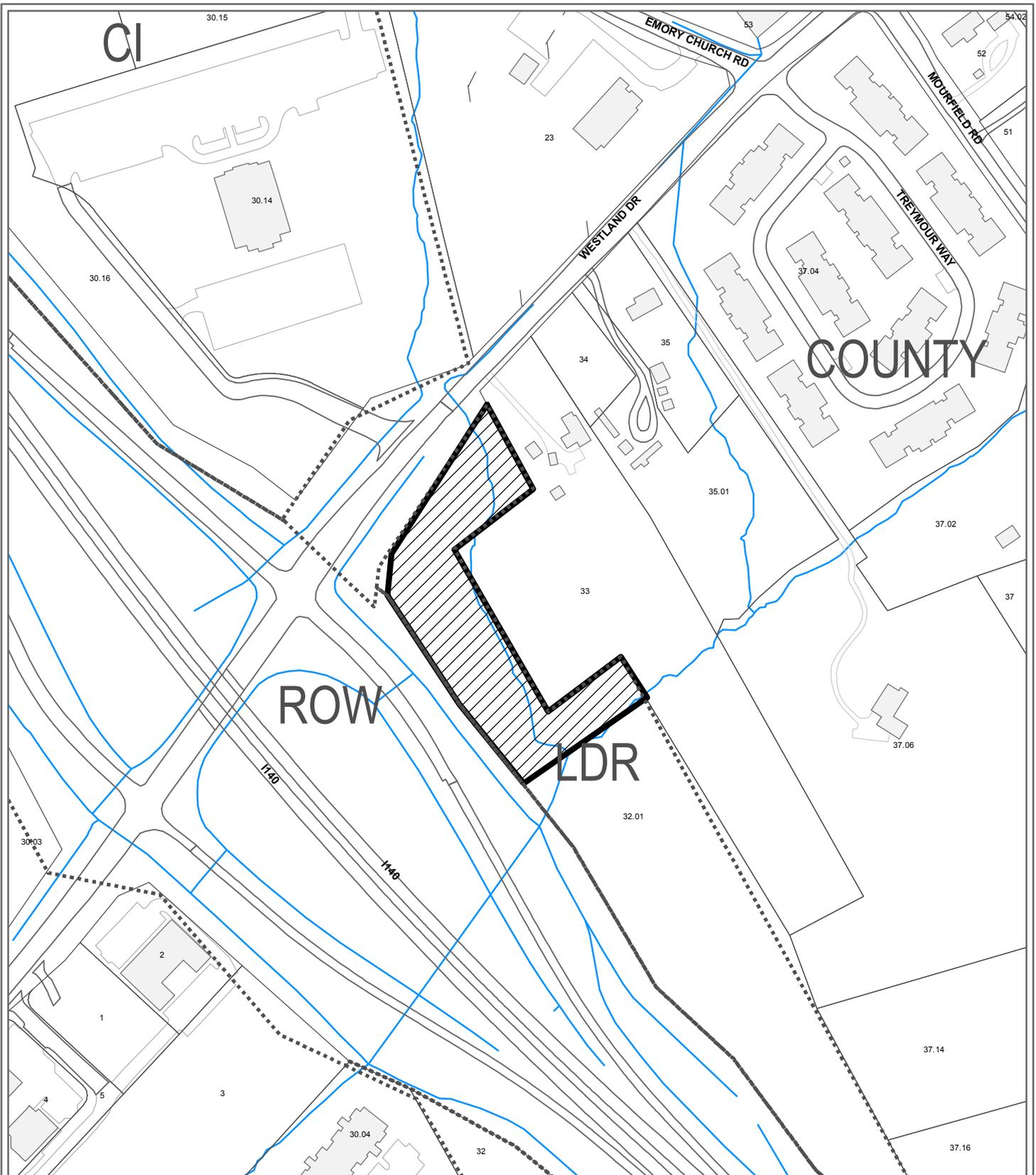


Petitioner: LeConte Holdings

Map No: 144
Jurisdiction: City



Original Print Date: 9/17/2018 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**10-A-18-PA / 10-B-18-RZ
PLAN AMENDMENT**

From: LDR (Low Density Residential)

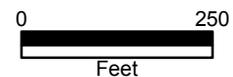
To: GC (General Commercial)



Petitioner: LeConte Holdings

Map No: 144

Jurisdiction: City



Original Print Date: 9/17/2018 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

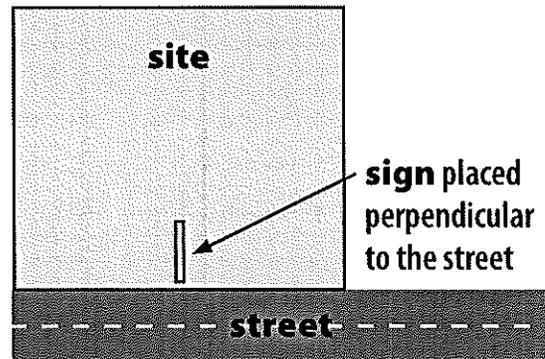
REQUIRED SIGN POSTING AGREEMENT

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.

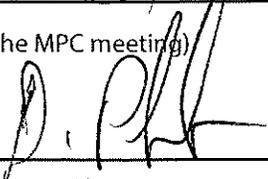


TIMING

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:

Sept 26, 2018 and Oct 12th, 2018
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: 

Printed Name: LeConte Holdings

Phone: 865-548-7647 Email: dpsmith@pottymd.com

Date: 8-23-18

MPC File Number: 10-B-18-RZ, 10-A-18-PA

10-A-18-SP

REZONING **PLAN AMENDMENT**

Name of Applicant: LeConte Holdings
 Date Filed: 8-23/18 Meeting Date: 10/11/18
 Application Accepted by: M. Payne 10-A-18-ST
 Fee Amount: \$1000.00 File Number: Rezoning 10-B-18-RZ
 Fee Amount: 600.00 File Number: Plan Amendment 10-A-18-PA



PROPERTY INFORMATION

Address: 9608 Westland Drive
 General Location: 3/5 Westland Drive
1/5 Pellissippi Parkway
 Parcel ID Number(s): 144 03201
 Tract Size: 2.4 ac +/-
 Existing Land Use: vacant
 Planning Sector: Southwest County
 Growth Policy Plan: Planned
 Census Tract: 57.11
 Traffic Zone: 232
 Jurisdiction: City Council 2nd District
 County Commission _____ District

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT
 Name: LeConte Holdings LLC
 Company: Dean Preston Smith
 Address: 7011 Lawford Road
 City: Knoxville State: TN Zip: 37919
 Telephone: 865-548-7647
 Fax: _____
 E-mail: dpsmith@pottymd.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
 Name: D. Preston Smith
 Company: LeConte Holdings LLC
 Address: 7011 Lawford
 City: Knoxville State: TN Zip: 37919
 Telephone: 865-548-7647
 Fax: _____
 E-mail: dpsmith@pottymd.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: see next page
 PLEASE PRINT
 Name: Same as above
 Company: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____
 E-mail: _____

Requested Change

REZONING

FROM: A-1
 TO: C-4

PLAN AMENDMENT

One Year Plan Southwest County Sector Plan
 FROM: LDR
 TO: GC

PROPOSED USE OF PROPERTY

Self Storage Facility

Density Proposed _____ Units/Acre
 Previous Rezoning Requests: _____

REZONING PLAN AMENDMENT

Name of Applicant: LeConte Holdings

Date Filed: 8-23/18

Meeting Date: 10/11/18

Application Accepted by: M. Payne

Fee Amount: \$1000.00

File Number: Rezoning 10-B-18-RZ

Fee Amount: 800.00 File Number: Plan Amendment 10-A-18-PA



PROPERTY INFORMATION

Address: 9608 Westland Drive
 General Location: 1/2 Westland Drive
1/2 Pellissippi Parkway

Parcel ID Number(s): 144 03201

Tract Size: 2.4 ac +/-
 Existing Land Use: Vacant
 Planning Sector: Southwest County
 Growth Policy Plan: Planned
 Census Tract: 57.11
 Traffic Zone: 232
 Jurisdiction: City Council 2nd District
 County Commission _____ District

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT
 Name: LeConte Holdings LLC
 Company: Deun Preston Smith
 Address: 7011 Lawford Road
 City: Knoxville State: TN Zip: 37919
 Telephone: 865-548-7647
 Fax: _____
 E-mail: dpsmith@pottymd.com

Requested Change

REZONING

FROM: A-1
 TO: C-4

PLAN AMENDMENT

One Year Plan Southwest County Sector Plan

FROM: LDR
 TO: GC

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
 Name: D. Preston Smith
 Company: LeConte Holdings LLC
 Address: 7011 Lawford
 City: Knoxville State: TN Zip: 37919
 Telephone: 865-548-7647
 Fax: _____
 E-mail: dpsmith@pottymd.com

PROPOSED USE OF PROPERTY

Self Storage Facility

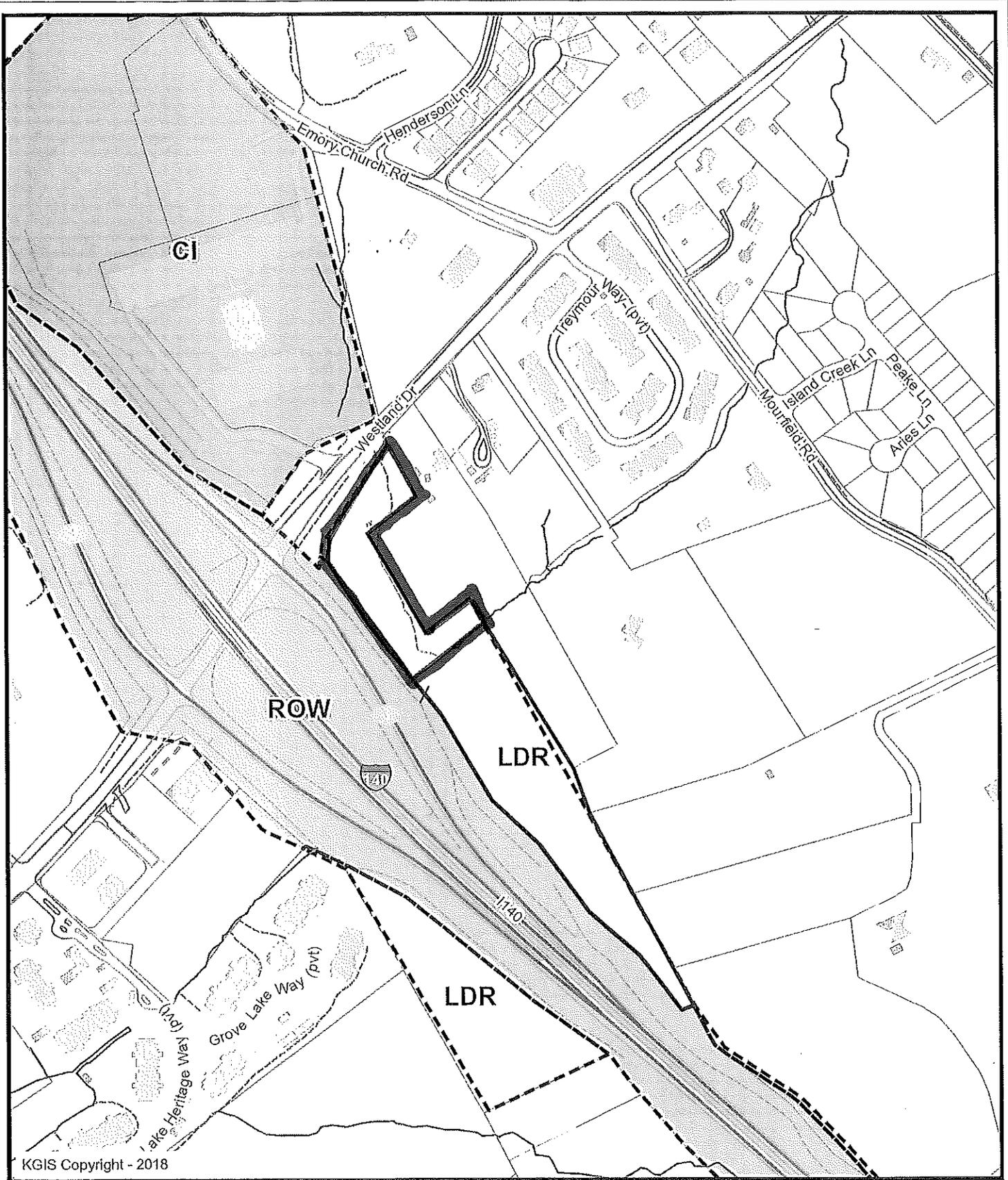
Density Proposed _____ Units/Acre
 Previous Rezoning Requests: _____

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: D. Preston Smith

PLEASE PRINT
 Name: Same as above
 Company: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____
 E-mail: _____

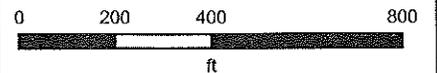


Letter Portrait

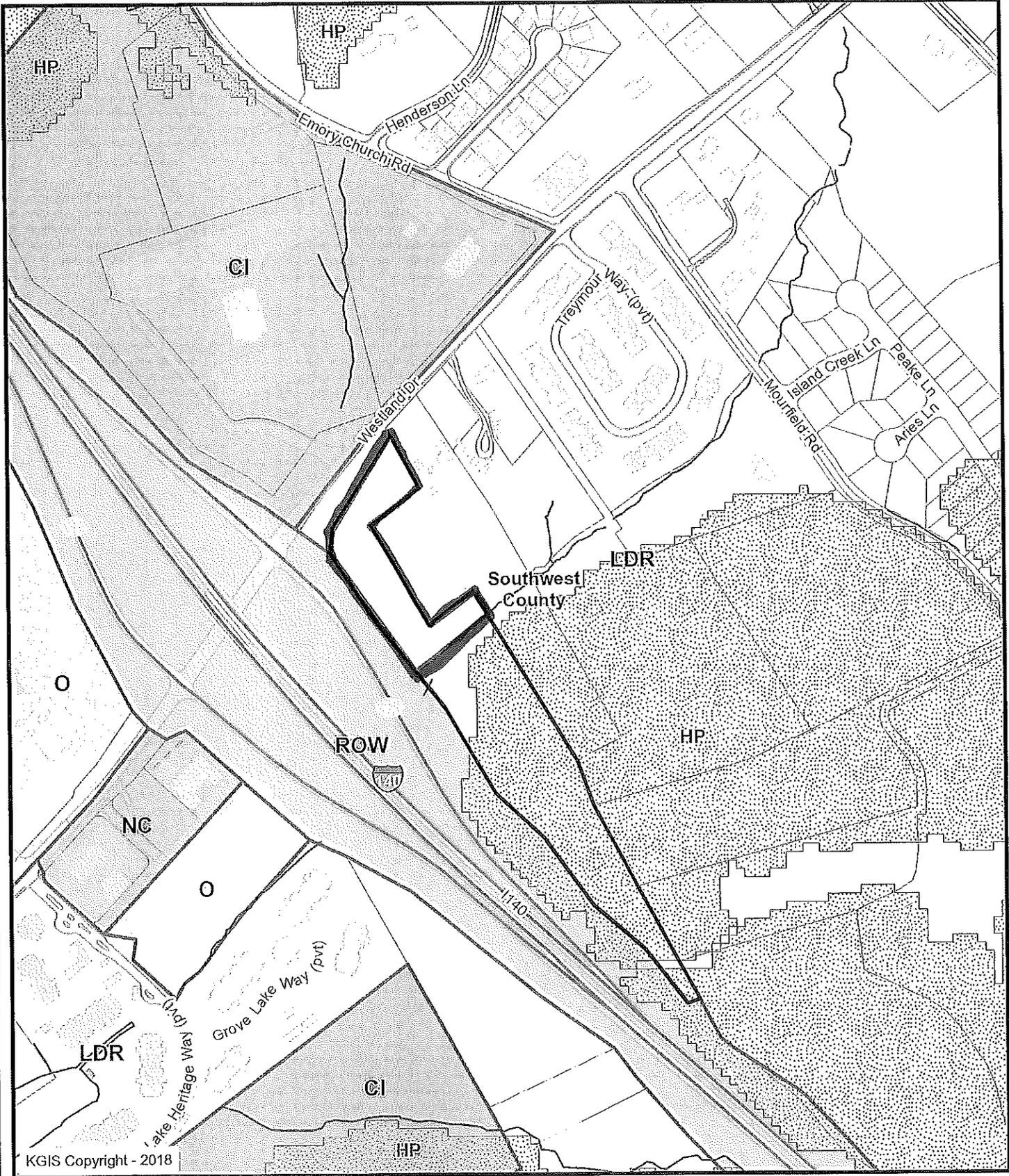
Knoxville - Knox County - KUB Geographic Information System



Printed: 8/23/2018 at 4:46:33 PM



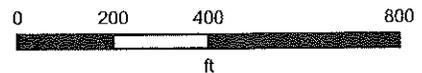
KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use hereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.



KGIS Copyright - 2018

Letter Portrait

Printed: 8/23/2018 at 4:46:05 PM

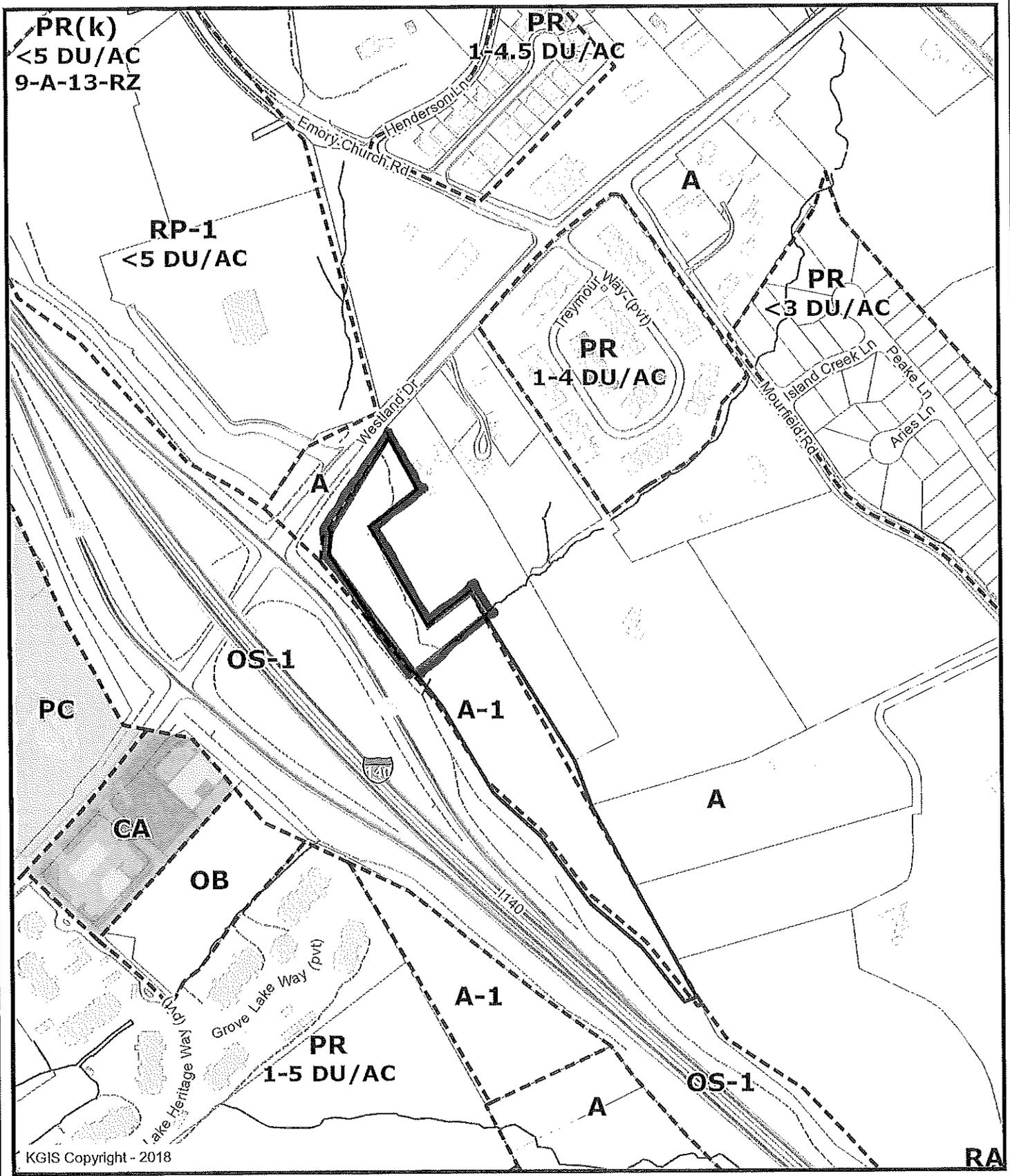


Knoxville - Knox County - KUB Geographic Information System

KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

MPC October 11, 2018

Agenda Item #38



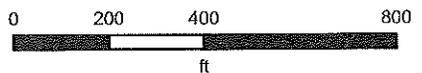
KGIS Copyright - 2018

RA

Letter Portrait



Printed: 8/23/2018 at 4:47:03 PM



Knoxville - Knox County - KUB Geographic Information System

KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

MPC October 11, 2018

Agenda Item #38

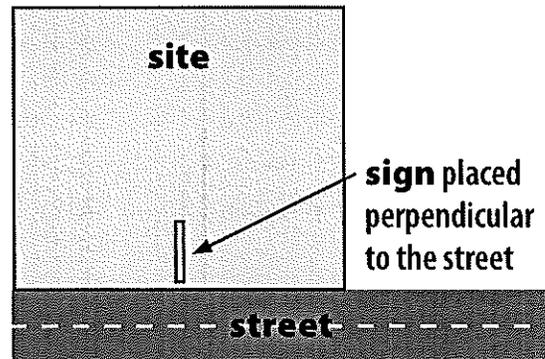
REQUIRED SIGN POSTING AGREEMENT

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:

Sept 26, 2018 and Oct 12th, 2018
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: D. P. H.

Printed Name: LeConte Holdings

Phone: 865-548-7647 Email: dpsmith@pottymd.com

Date: 8-23-18

MPC File Number: 10-B-18-RZ, 10-A-18-PA

10-A-18-SP