

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

▶ **FILE #:** 10-F-18-RZ  
 10-E-18-SP

**AGENDA ITEM #:** 42  
**AGENDA DATE:** 10/11/2018

▶ **APPLICANT:** CRAIG ALLEN  
 OWNER(S): Craig Allen

TAX ID NUMBER: 144 PART OF 03501 MAP ON FILE AT MPC [View map on KGIS](#)

JURISDICTION: Commission District 5

STREET ADDRESS: 9526 Westland Dr

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

▶ **TRACT INFORMATION:** 0.943 acres.

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Accessed via Westland Dr., an arterial with 30' of pavement width within a 50' 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 (Agricultural)

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

▶ **EXISTING LAND USE:** Residential

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

EXTENSION OF PLAN DESIGNATION/ZONING:

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

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: West Emory Presbyterian Church (A Zoning)

South: Rural residential and vacant (A Zoning)

East: Low density residential (PR Zoning)

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 County Commission APPROVE GC (General Commercial) designation.**

The rezoning is only for the back portion of the property, the front portion is to remain LDR (Low Density Residential). 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 west, from LDR to O (Office) and GC (General Commercial).

► **RECOMMEND County Commission Approve CA (General Commercial) zoning.**

Rezone the back portion of the lot, consistent with the attached map. The front portion of the parcel will remain A (Agricultural). This change is consistent with the change in public policy that occurred with the recent introduction of CA in this area 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:**

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. 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 Knox County approved a plan change in this area, introducing commercial uses into a 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:

The change in policy warrants amending the sector plan for general commercial at this location.

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 C-4 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-E-18-SP) 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.

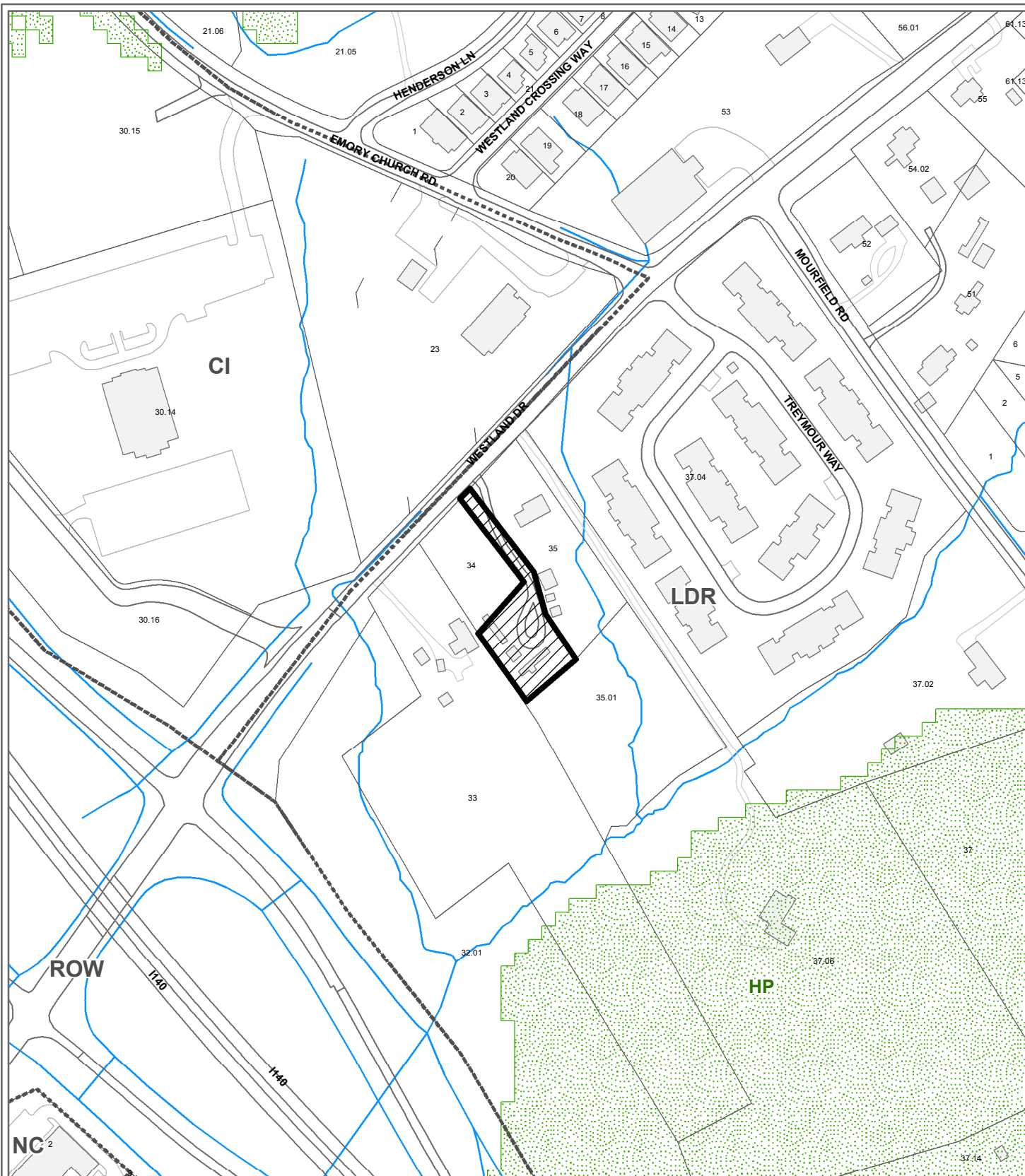
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

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, 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 11/19/2018. 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.



**10-E-18-SP / 10-F-18-RZ  
SOUTHWEST COUNTY SECTOR PLAN AMENDMENT**

Petitioner: Allen, Craig



From: LDR (Low Density Residential)

To: GC (General Commercial)

Map No: 144

Jurisdiction: County

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-E-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

**REZONING**

*SW Co. Sp*  
 **PLAN AMENDMENT**

Name of Applicant: CRAIG ALLEN

Date Filed: 08/27/18

Meeting Date: 10/11/18

Application Accepted by: Brousseau

Fee Amount: \$1,000 File Number: Rezoning 10-F-18-RZ

Fee Amount: \$600 File Number: Plan Amendment 10-E-18-SP

**PROPERTY INFORMATION**

Address: 9526 WESTLAND DRIVE

General Location: SOUTHEAST SIDE

WESTLAND DRIVE, NORTHEAST SIDE  
of I-40

Parcel ID Number(s): 144 03501  
*option*  
*See attached maps survey*

Tract Size: 0.943 AC

Existing Land Use: RURAL RESIDENTIAL / SFR

Planning Sector: SOUTHWEST COUNTY LDR

Growth Policy Plan: PLANNED GROWTH

Census Tract: 57.11

Traffic Zone: 232

Jurisdiction:  City Council \_\_\_\_\_ District  
 County Commission 5 District

**Requested Change**

**REZONING**

FROM: AGRICULTURE

TO: CA

**PLAN AMENDMENT**

One Year Plan  SOUTHWEST CO. Sector Plan

FROM: LDR

TO: GC

**PROPOSED USE OF PROPERTY**

SELF SERVICE STORAGE FACILITY

Density Proposed N/A Units/Acre

Previous Rezoning Requests: NONE KNOWN

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

PLEASE PRINT

Name: CRAIG ALLEN

Company: \_\_\_\_\_

Address: P.O. BOX 10286

City: KNOXVILLE State: TN Zip: 37939-0286

Telephone: (865) 388-0206

Fax: \_\_\_\_\_

E-mail: REINVEST 82 @ gmail.com

**APPLICATION CORRESPONDENCE**

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: DAVID HARBIN

Company: BATSON, HIMES, NORVELL & POE

Address: 4334 PAPERMILL DRIVE

City: KNOXVILLE State: TN Zip: 37909

Telephone: (865) 588-6472

Fax: (865) 588-6473

E-mail: harbin @ bhn-p.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: \_\_\_\_\_

PLEASE PRINT

Name: DAVID HARBIN

Company: BATSON HIMES NORVELL & POE

Address: 4334 PAPERMILL DRIVE

City: KNOXVILLE State: TN Zip: 37909

Telephone: (865) 588-6472

E-mail: harbin @ bhn-p.com

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

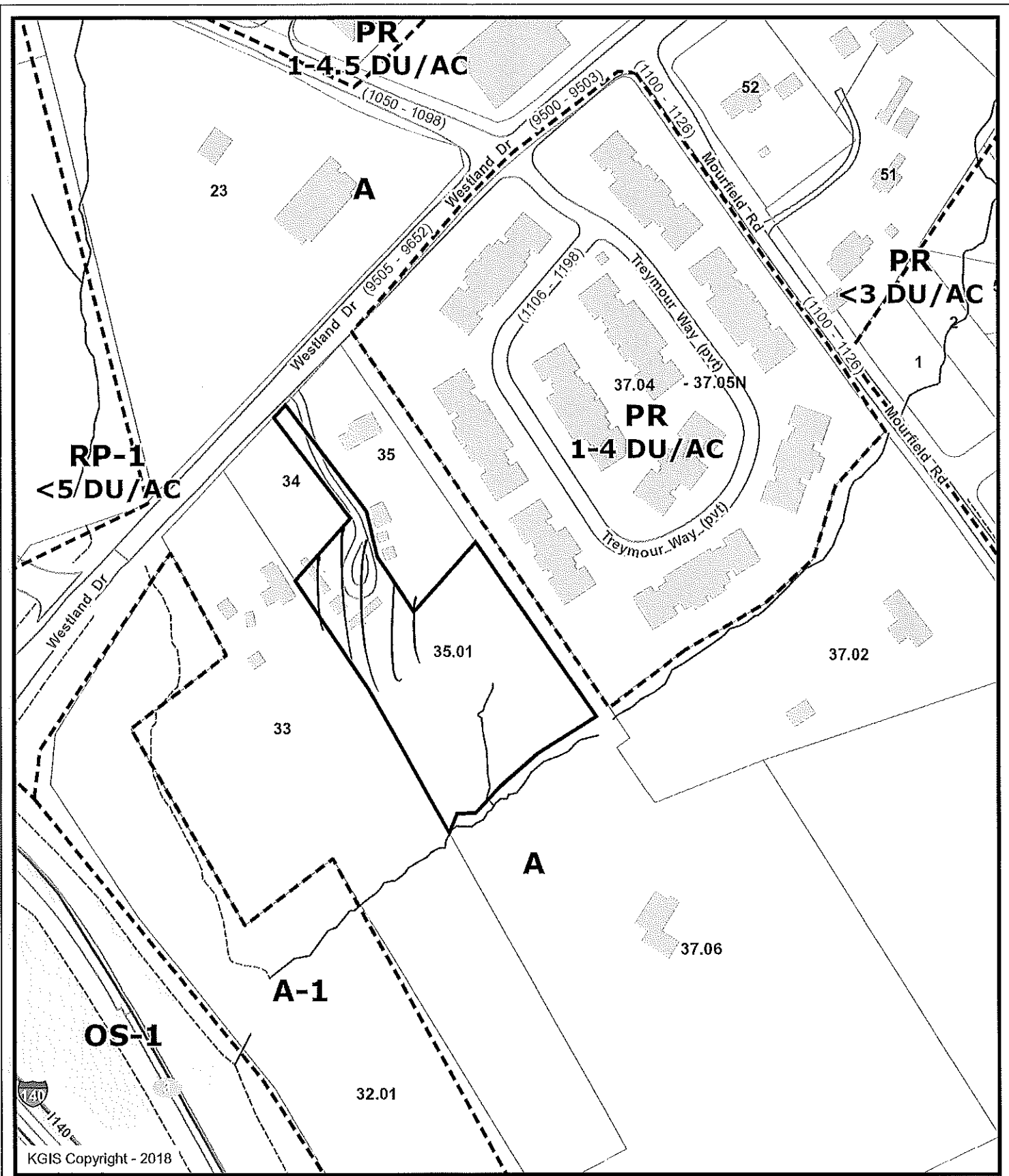
Please Print or Type in Black Ink:

(If more space is required attach additional sheet.)

Name	Address	City	State	Zip	Owner	Option
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CRAIG ALLEN	P.O. BOX	10286	KNOXVILLE, TN	37939-0286		<input checked="" type="checkbox"/>
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LARRY O. MITCHELL	9528 WESTLAND DRIVE		KNOXVILLE, TN	37922	<input checked="" type="checkbox"/>	
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Letter Portrait



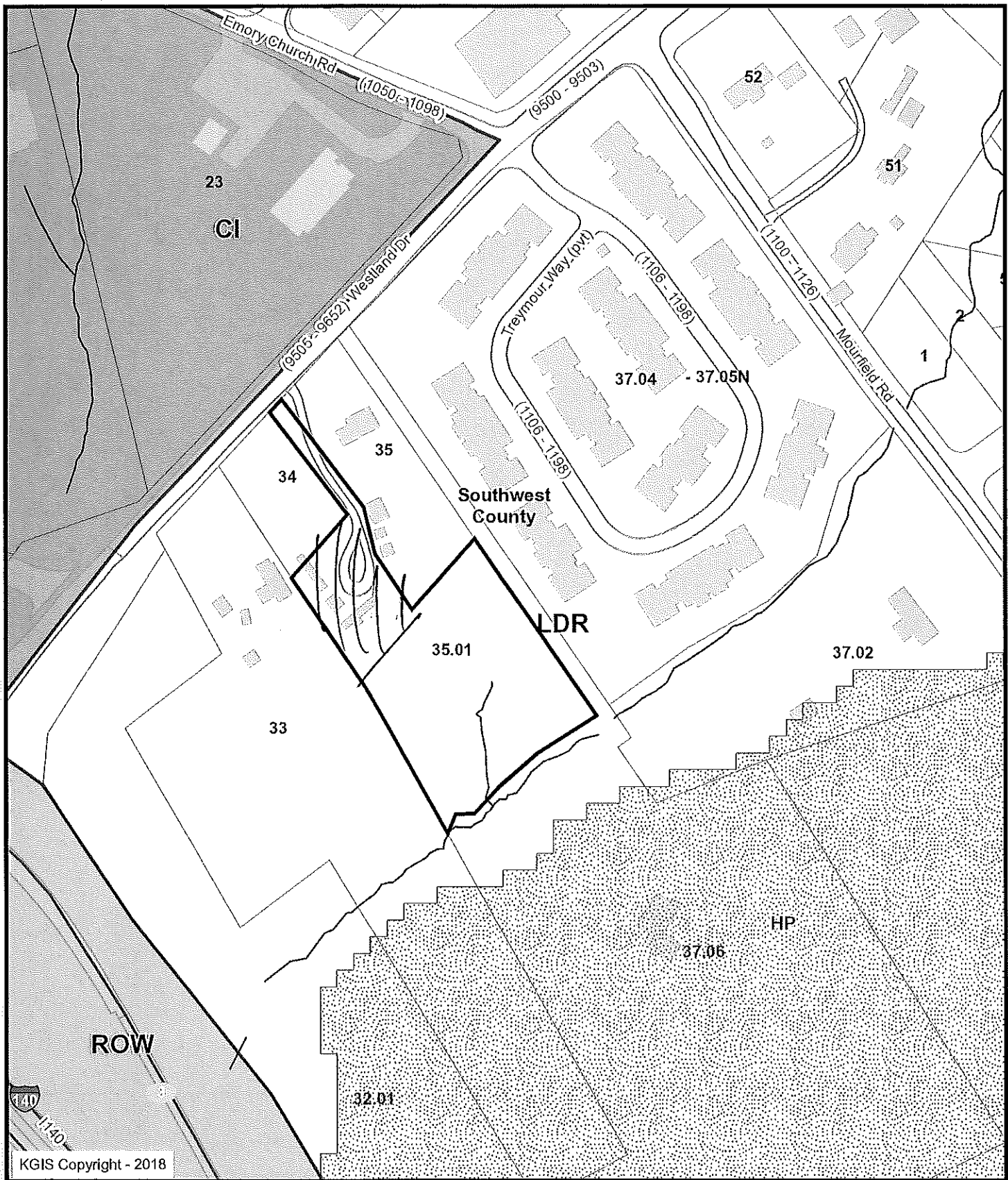
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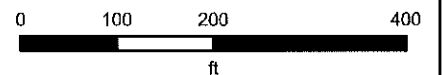




Letter Portrait



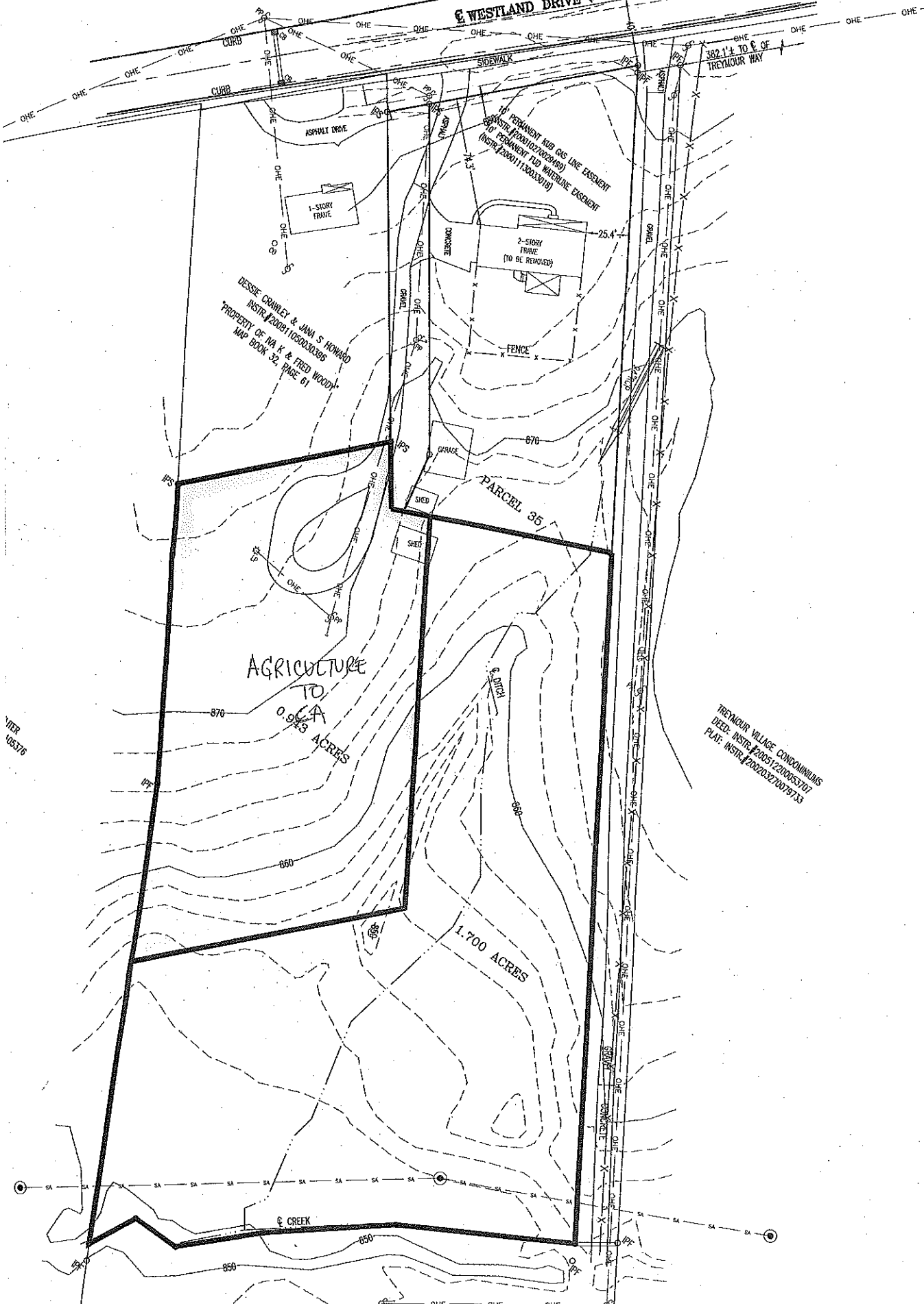
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WESTLAND DRIVE (PAYEMENT)



DESSIE CRAWLEY & JANA S HOWARD  
INSTR #2008110500303896  
PROPERTY OF WA V & FRED WOODY  
MAP BOOK 32, PAGE 61

PERMANENT NUB GAS LINE EASEMENT  
INSTR #20011270028389  
PERMANENT FLD WATERLINE EASEMENT  
INSTR #20011130033070

TREMAUR VILLAGE CONDOMINIUMS  
DEED: INSTR #200512200053707  
PLAT: INSTR #200203270079733

1/8" = 100'

AGRICULTURE TO CA  
0.943 ACRES

PARCEL 35

1.700 ACRES

CREEK

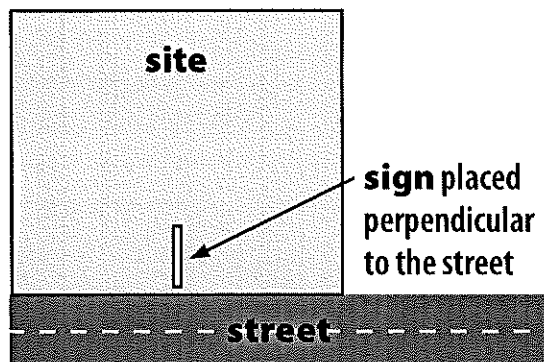
## REQUIRED SIGN POSTING AGREEMENT

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.

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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:

9/26/18 and 10/12/18  
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: Kaitly Patterson

Printed Name: Kaitly Patterson

Phone: 865-588-6472 Email: kpatterson@bhn-p.com

Date: 8/27/18

MPC File Number: 10-F-18-RZ 10-E-18-SP