

KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION REZONING REPORT

► **FILE #:** 9-A-18-RZ

AGENDA ITEM #: 37

AGENDA DATE: 9/13/2018

► **APPLICANT:** SCOTT MCPHERSON

OWNER(S): Scott McPherson

TAX ID NUMBER: 131 085

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 10308 Starkey Ln

► **LOCATION:** Southeast side Starkey Ln., northeast of Cogdill Rd.

► **APPX. SIZE OF TRACT:** 0.6 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Starkey Ln., a local street with 18' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Turkey Creek

► **PRESENT ZONING:** OB (Office, Medical, and Related Services) / TO (Technology Overlay)

► **ZONING REQUESTED:** CB (Business and Manufacturing) / TO (Technology Overlay)

► **EXISTING LAND USE:** Office

► **PROPOSED USE:** Office warehouse

EXTENSION OF ZONE: No

HISTORY OF ZONING: Property was rezoned from RA/TO to OB/TO in 1999 (5-I-99-RZ)

SURROUNDING LAND USE AND ZONING: North: Starkey Ln., office - OB (Office, Medical & Related Services) / TO (Technology Overlay)

South: Vacant gravel lot - I (Industrial) / TO with conditions

East: Office/house - RA (Low Density Residential) / TO

West: Office, parking - OB (Office, Medical & Related Services) / TO

NEIGHBORHOOD CONTEXT: This area is developed with a mix of uses under PC, OB, CB, I and RA zoning, all within the TO (Technology Overlay).

STAFF RECOMMENDATION:

► **RECOMMEND that County Commission APPROVE CB (Business and Manufacturing) / TO (Technology Overlay) zoning.**

The requested CB zoning is consistent with the sector plan proposal for the property. With the mix of uses and zoning in the area, the requested CB zoning will allow uses that are compatible with the scale and intensity of the surrounding development and zoning pattern.

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. The requested CB zoning is consistent with the sector plan proposal for the property.
2. The site is surrounded by a mix of more intense and less intense zoning districts, including I, OB, CB, PC and RA.
3. With the mix of uses and zoning in the area, the requested CB zoning will allow uses that are compatible with the scale and intensity of the surrounding development and zoning pattern.

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

1. The requested CB zoning provides for a wide range of business and manufacturing uses. The nature of such businesses is to attract large volumes of automobile and truck traffic and have adverse effects on surrounding properties. Hence, they are not properly associated with, nor compatible with residential or institutional uses, or with other uses that require an environment free of noise, odors and congestion.
2. Based on the above description and intent of CB zoning, the subject property is appropriate to be rezoned to CB.
3. The TO (Technology Overlay) will be maintained, regardless of a change in the base zoning. The Tennessee Technology Corridor Development Authority (TTCDA) will be required to approve a Certificate of Appropriateness for the development plan prior to issuance of permits.

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. CB zoning is appropriate for this site and will not adversely affect any adjacent properties or other parts of the County.
2. CB zoning is compatible with the zoning and development in the area.
3. The required development plan review required by TTCDA will serve to minimize any adverse impacts to surrounding properties. This review is required because the property is located within the TO (Technology Overlay).

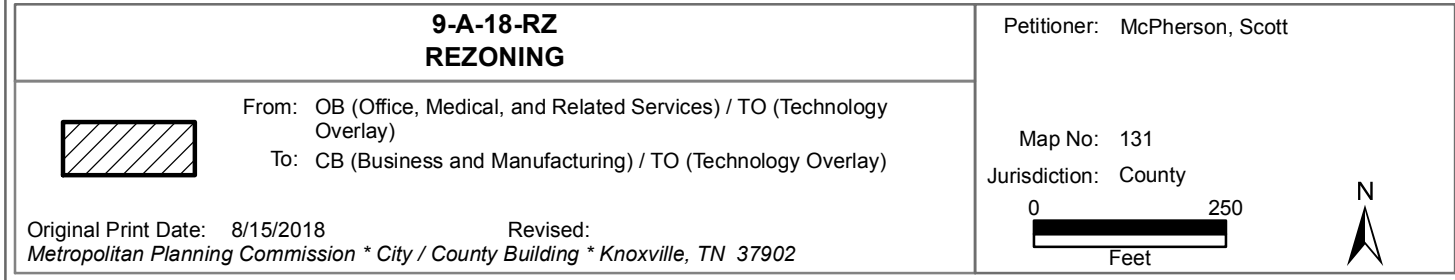
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Northwest County Sector Plan proposes LI (Light Industrial) uses for the site. The requested CB zoning is consistent with the LI designation.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Staff has not identified any conflicts with other adopted plans.
4. Since the subject property is located within the TO (Technology Overlay), a Certificate of Appropriateness for Rezoning will need to be approved by TTCDA. This rezoning consideration is scheduled to be heard by TTCDA on September 10, 2018 (9-A-18-TOR).

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 10/22/2018. 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 30 days to appeal an MPC decision in the County.



CB/TO

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: Scott McPhersonDate Filed: 7/16/18Meeting Date: 9/13/18Application Accepted by: Jamar ReedFee Amount: \$1,000 File Number: Rezoning 9-A-18-RZ

Fee Amount: _____ File Number: Plan Amendment _____



PROPERTY INFORMATION

Address: 10309 Starkey Ln
General Location: S/S of Starkey Ln,
N/E of Cogdill Rd

Parcel ID Number(s): 131 085Tract Size: ± 0.6 AcresExisting Land Use: OfficePlanning Sector: Northwest CountyGrowth Policy Plan: Planned GrowthCensus Tract: 59.04Traffic Zone: 219

Jurisdiction: ☒ City Council 6 District
☐ County Commission _____ District

Requested Change

REZONING

FROM: OB/TOTO: CB/TO

PLAN AMENDMENT

☐ One Year Plan ☐ _____ Sector Plan

FROM: _____

TO: _____

PROPOSED USE OF PROPERTY

Office & Warehouse

Density Proposed _____ Units/Acre

Previous Rezoning Requests: _____

☒ PROPERTY OWNER ☐ OPTION HOLDER

PLEASE PRINT

Name: Scott McPherson

Company: _____

Address: PO Box 32745City: Knoxville State: TN Zip: 37930Telephone: 865-806-9882Fax: 865-531-8495E-mail: mcphersoncompany@gmail.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: Scott McPherson

Company: _____

Address: PO Box 32745City: Knoxville State: TN Zip: 37930Telephone: 865-806-9882Fax: 865-531-8495E-mail: mcphersoncompany@gmail.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: Scott McPherson

PLEASE PRINT

Name: Scott McPherson

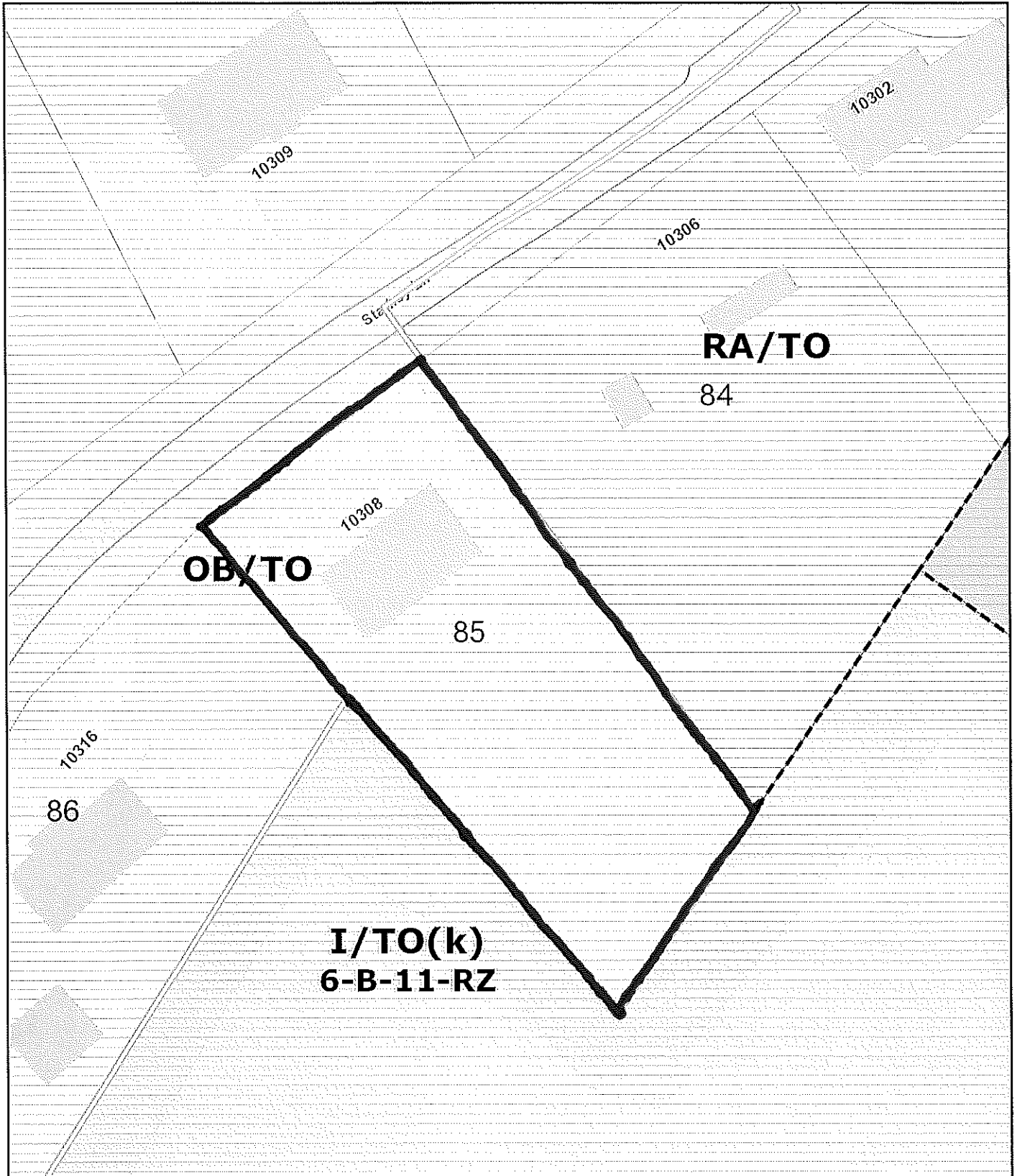
Company: _____

Address: PO Box 32745City: Knox State: TN Zip: 37930Telephone: 865-806-9882E-mail: Same as above

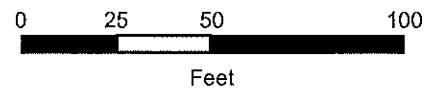
(If more space is required attach additional sheet.)

Option

Option _____



OB/TO



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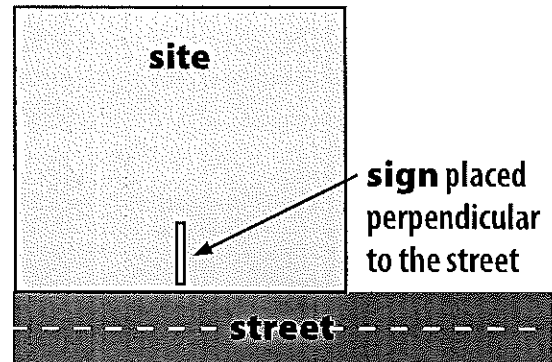
REQUIRED SIGN POSTING AGREEMENT

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:

8/27/18 and 9/14/18
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: Scott McPherson

Printed Name: Scott McPherson

Phone: 865-806-9882 Email: mcphersoncompany@gmail.com

Date: 7/16/18

MPC File Number: 9-A-18-RZ