



# PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 3-G-19-RZ  
3-B-19-SP

**AGENDA ITEM #:** 31  
**AGENDA DATE:** 3/14/2019

▶ **APPLICANT:** PRIMOS LAND COMPANY / ESTES EXPRESS  
**OWNER(S):** Josh Sanderson / Primos Land Company

**TAX ID NUMBER:** 84 PART OF 043 [View map on KGIS](#)

**JURISDICTION:** Council District 4

**STREET ADDRESS:** 7040 Strawberry Plains Pike

▶ **LOCATION:** Southeast side of Strawberry Plains Pike, Southeast end of Neals Commerce Lane

▶ **TRACT INFORMATION:** 36.56 acres.

**SECTOR PLAN:** East County

**GROWTH POLICY PLAN:** Urban Growth Area

**ACCESSIBILITY:** Access is via Strawberry Plains Pike, a major arterial, with pavement width of 25', within a right-of-way width of 76' feet.

**UTILITIES:** Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

**WATERSHED:** Swan Pond Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** GC (General Commercial) and ST (Stream Protection Area) / C-6 (General Commercial Park) and F-1 (Floodway)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** MU-SD (Mixed Use Special District) and ST (Stream Protection Area) / I-3 (General Industrial) and F-1 (Floodway)

▶ **EXISTING LAND USE:** Agriculture / Forestry / Vacant

▶ **PROPOSED USE:** Truck Terminal

**EXTENSION OF PLAN DESIGNATION/ZONING:** Extension of existing I-3 zone

**HISTORY OF ZONING REQUESTS:** None noted.

**SURROUNDING LAND USE, PLAN DESIGNATION, ZONING**

North: Agricultural/Forestry/Vacant and Office - GC (General Commercial)  
South: Agricultural/Forestry/Vacant - A (Agricultural)  
East: Agricultural/Forestry/Vacant - GC (General Commercial)  
West: Rural residential - GC (General Commercial)

**NEIGHBORHOOD CONTEXT:** The parcel is near the commercial node at the interchange with Strawberry Plains Pike and I-40. It is across from the Tennessee Bureau of Investigation offices at Neals Commerce Park.

## STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION # 3-B-19-SP, amending the East County Sector Plan to MU-SD (Mixed Use Special District) ECO-7 and recommend that City Council also adopt the sector plan amendment. (See attached resolution, Exhibit A.)**

The requested MU-SD (Mixed Use Special District) ECO-7 (Strawberry Plains Pike / I-40 interchange), allowing GC and LI land use classifications for the sector plan designation is recommended to bring the area in conformity with the One Year Plan recommendation of MU (GC, LI) for this site.

▶ **APPROVE I-3 (General Industrial) district zoning, subject to one condition.**

This is an extension of the I-3 district is for the 6+ acres currently zoned C-6 along Strawberry Plains Pike. The proposed sector plan recommendation for MU-SD ECO-7 allows consideration of GC (General Commercial) and LI (Light Industrial) uses. Staff recommends approval of I-3 as an extension of the existing I-3 zoning on the majority of the site, subject to one condition.

1. A landscape screen along the frontage of Strawberry Plains Pike and the side lot line adjacent to parcel 084 044, consisting of the following:  
A perimeter screening area at least ten (10) feet wide, measured from the edge of the property line inward shall be provided planted with a minimum of four (4) evergreen trees, three (3) deciduous trees, and fourteen (14) shrubs for every one hundred (100) linear feet. A minimum of fifty (50) percent of the shrubs shall be evergreen.

**COMMENTS:**

SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

There have been no major changes of conditions in this area.

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 East County Sector Plan was last updated.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The One Year Plan designates this site for MU (LI, GC) and the existing sector plan designation of GC only, limits the development potential for light industrial uses of the site, which are recommended as part of the One Year Plan. This amendment to the East County Sector Plan incorporates the policies of the One Year Plan land use designation for this site.

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

The updated One Year Plan designation represents a change in government policy for this area since the East County Sector Plan was adopted in 2011.

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

No major changes in trends of development, population or traffic are noted for this area.

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 within the City of Knoxville on the Growth Policy Plan and is proposed for MU (GC, LI) on the One Year Plan.
2. The proposed recommendation for MU-SD ECO-7 recommends GC and LI uses as well, bringing the land use designation in conformity with the One Year Plan.

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

1. The proposed amendment to I-3 is to provide an extension of an area in which the principal use of land is for manufacturing, assembling, fabricating and for warehousing. These uses do not depend primarily on frequent personal visits of customers or clients, but usually require good accessibility to major rail, air, or street transportation routes.

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. I-3 zoning is compatible with the existing I-3 zoning on the southern portion of the site.
2. The site is located within the Knoxville City Limits on the Knoxville-Knox County-Farragut Growth Policy Plan map.

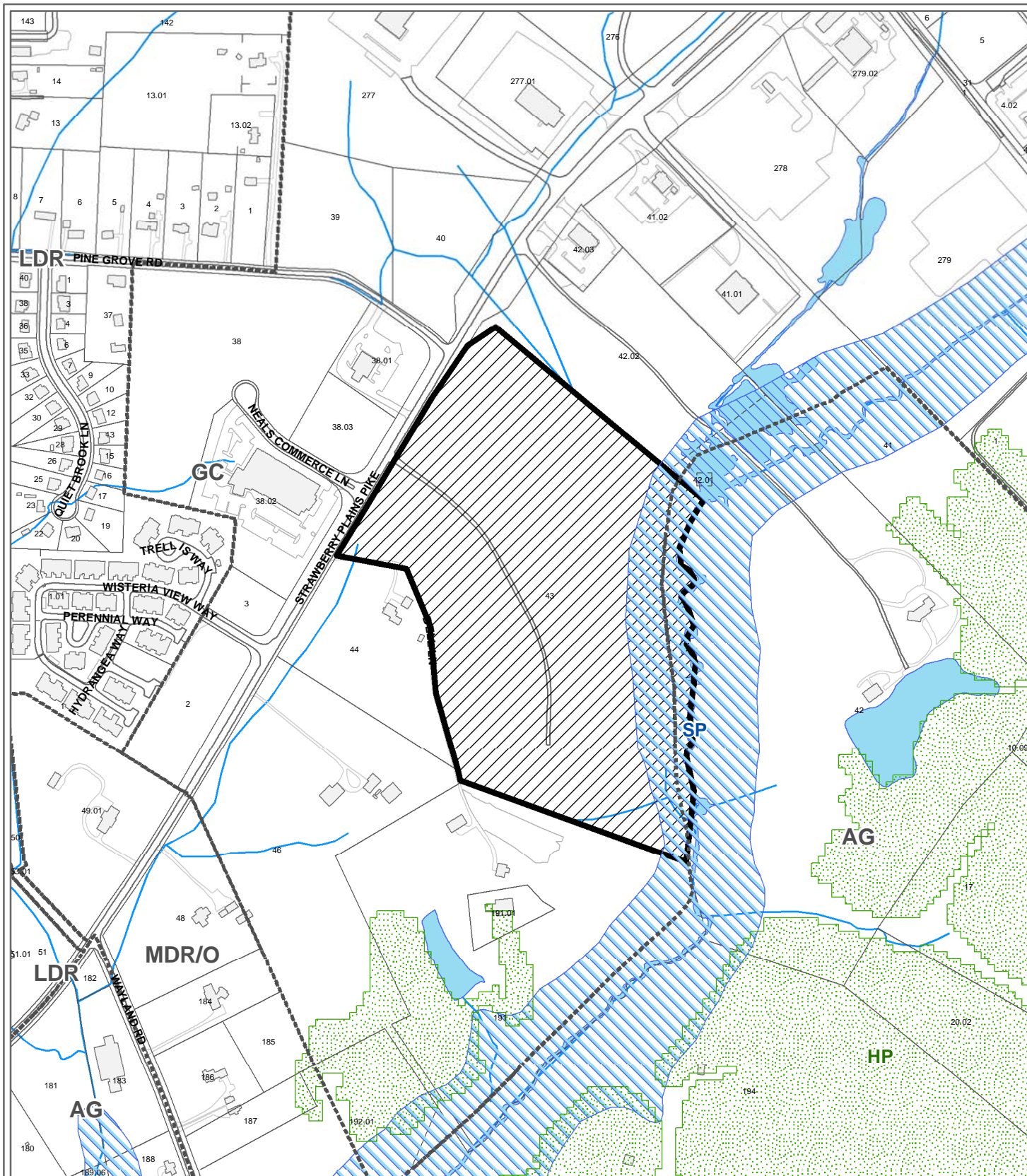
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The recommended East County Sector Plan amendment for MU-SD ECO-7 allows consideration of GC and LI uses and is not in conflict with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 4/9/2019 and 4/23/2019. If denied, Knoxville-Knox County Planning Commission'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 a Planning Commission decision in the City.



**3-B-19-SP / 3-G-19-RZ  
EAST COUNTY SECTOR PLAN AMENDMENT**

From: GC (General Commercial)

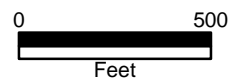


To: MU (Mixed Use)

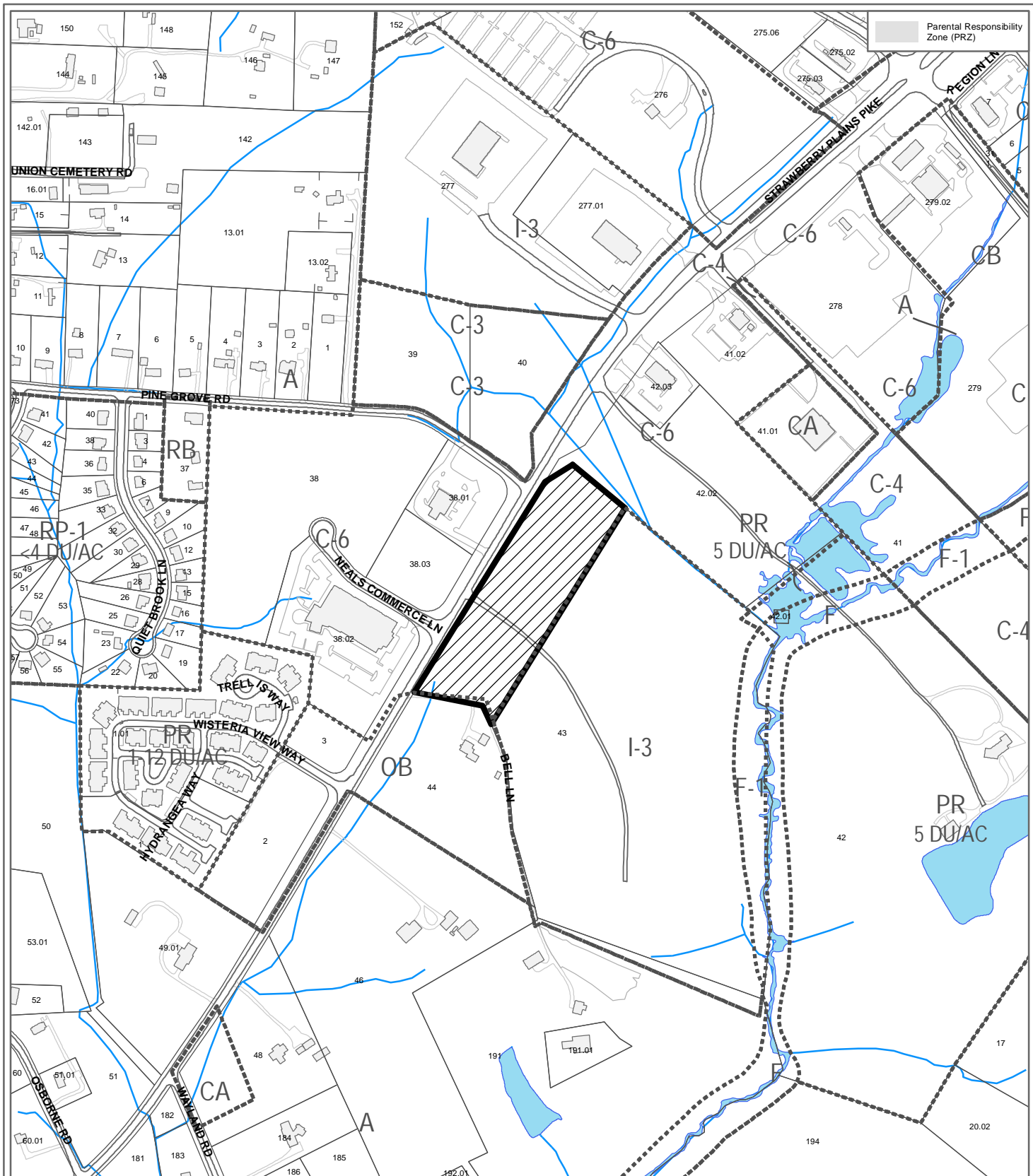
Petitioner: Primos Land Company / Estes Express

Map No: 84

Jurisdiction: City



Original Print Date: 2/19/2019      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



**3-G-19-RZ  
REZONING**

From: C-6 (General Commercial Park)  
To: I-3 (General Industrial)



Original Print Date: 2/19/2019  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Revised:

Petitioner: Primos Land Company / Estes Express

Map No: 84  
Jurisdiction: City



*KNOXVILLE-KNOX COUNTY PLANNING COMMISSION  
A RESOLUTION AMENDING THE EAST COUNTY SECTOR PLAN*

*WHEREAS, the Knoxville-Knox County 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 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 Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the East 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, Primos Land Company / Estes Express, has submitted an application to amend the Sector Plan from General Commercial to Mixed Use-Special District ECO-7 Strawberry Plains Pike Interchange, which would allow zones associated with the General Commercial and Light Industrial land use classifications from the East County Sector Plan, for property described in the application; and*

*WHEREAS, the Planning Commission staff recommends approval of a revised amendment to the East 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 March 14, 2019, 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 PLANNING COMMISSION:*

*SECTION 1: The Planning Commission hereby adopts the revised amendment to the East County Sector Plan, with its accompanying staff report and map, file #3-B-19-SP.*

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

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

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Chairman*

\_\_\_\_\_  
*Secretary*

**REZONING**       **PLAN AMENDMENT**

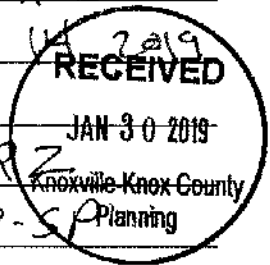
Name of Applicant: PRIMOS LAND Company / ESTES EXPRESS

Date Filed: 1-30-2019 Meeting Date: March 14, 2019

Application Accepted by: Thomas Beckler  
4070

Fee Amount: \$2315.60 File Number: Rezoning 3-G-19-RZ

Fee Amount: \$1120.00 File Number: Plan Amendment 3-B-19-SP



**PROPERTY INFORMATION**

Address: 7040 Strawberry Plains  
 General Location: SE side of Strawberry Plains Pike, SE end of Neals Commerce Ln.  
 Parcel ID Number(s): 084 43  
 Tract Size: 36.56 (61.54 Acres ±)  
 Existing Land Use: OPEN be ReZoned  
 Planning Sector: East County  
 Growth Policy Plan: Urban  
 Census Tract: 54.02  
 Traffic Zone: 127  
 Jurisdiction:  City Council 4 District  
 County Commission \_\_\_\_\_ District

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

PLEASE PRINT  
 Name: Josh Sanderson  
 Company: Primos Land Company  
 Address: 4909 Ball Road  
 City: Knoxville State: TN Zip: 37931  
 Telephone: 865-680-2521  
 Fax: \_\_\_\_\_  
 E-mail: josh@rhscsco.com

**Requested Change**

**REZONING**

FROM: C-6  
 TO: I-3

**PLAN AMENDMENT**

One Year Plan     East Sector Plan

FROM: GC  
 TO: MU (GC, LI)

**APPLICATION CORRESPONDENCE**

All correspondence relating to this application should be sent to:

PLEASE PRINT  
 Name: Josh Sanderson  
 Company: Primos Land Co  
 Address: 4909 Ball Road  
 City: Knoxville State: TN Zip: 37931  
 Telephone: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 E-mail: josh@rhscsco.com

**PROPOSED USE OF PROPERTY**

Truck terminal

Density Proposed \_\_\_\_\_ Units/Acre  
 Previous Rezoning Requests: \_\_\_\_\_

**APPLICATION AUTHORIZATION**

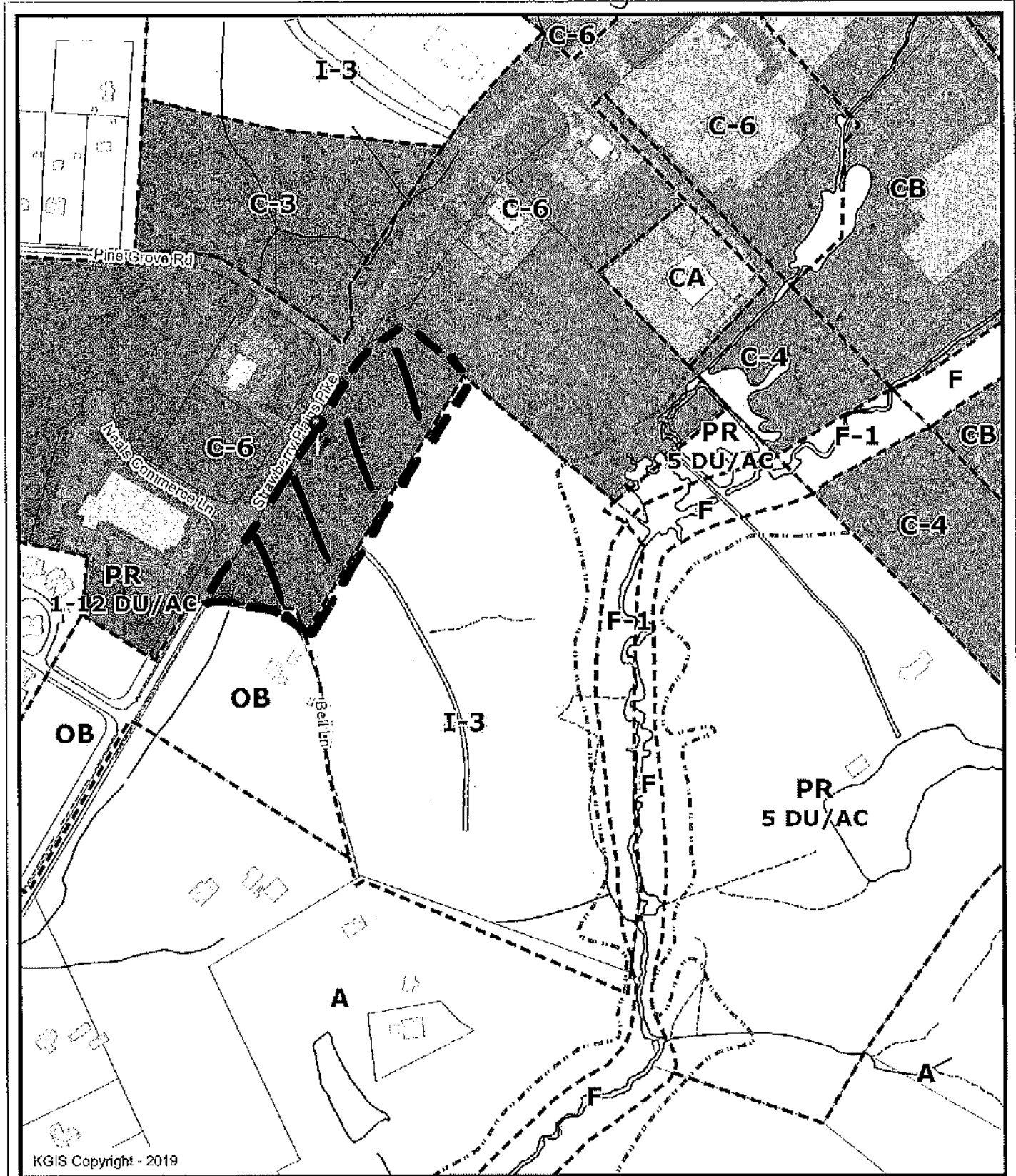
I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: [Signature]

PLEASE PRINT  
 Name: Josh Sanderson  
 Company: Primos Land Company  
 Address: 4909 Ball Road  
 City: Knoxville State: TN Zip: 37931  
 Telephone: \_\_\_\_\_  
 E-mail: josh@rhscsco.com





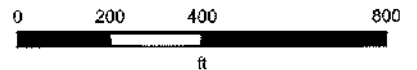


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### Letter Portrait

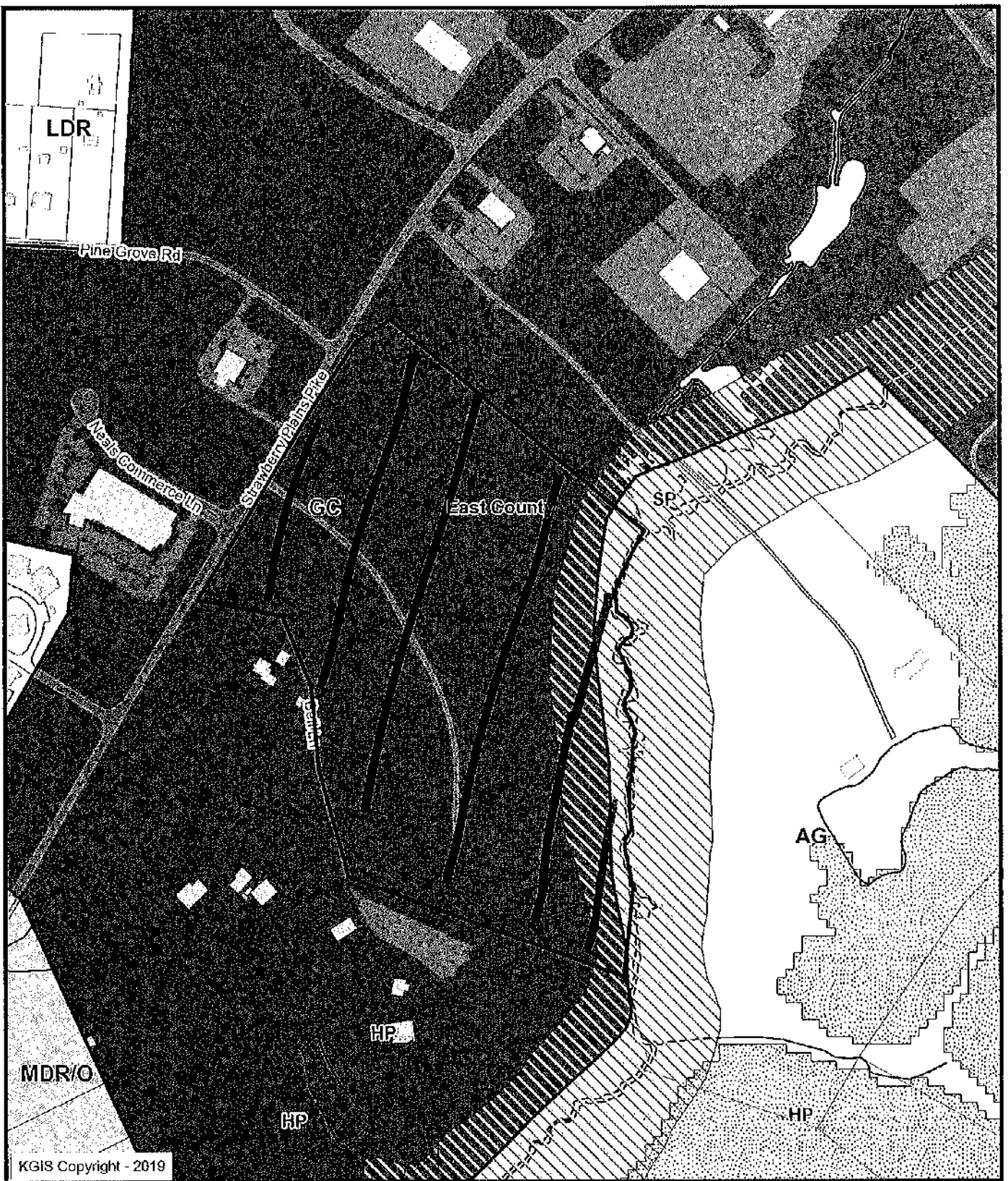


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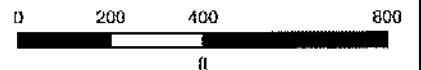
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Letter Portrait

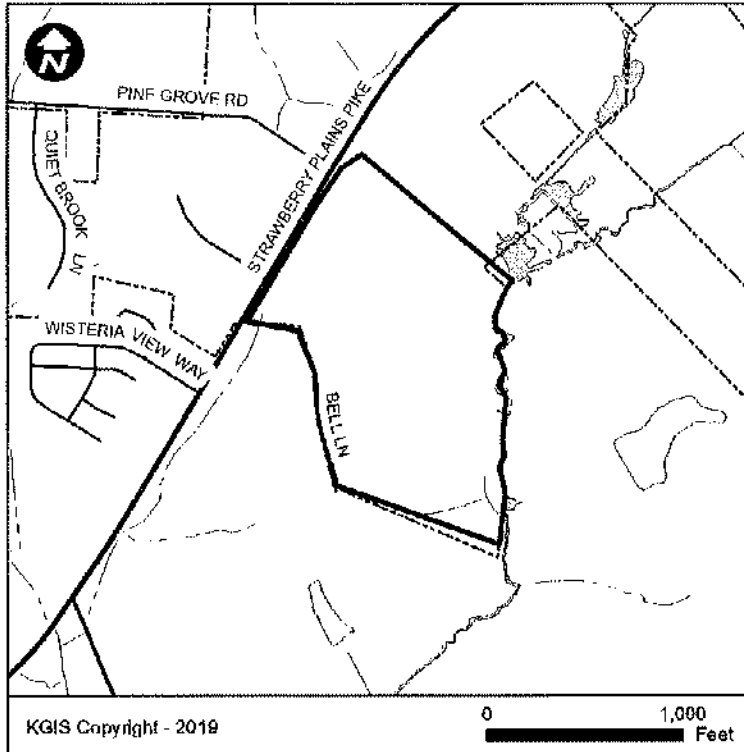
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**Parcel 084 043 - Property Map and Details Report**



**Property Information**

Parcel ID: 084 043  
 Location Address: 7040 STRAWBERRY PLAINS PIKE  
 CLT Map: 84  
 Insert:  
 Group:  
 Condo Letter:  
 Parcel: 43  
 Parcel Type:  
 District: 31  
 Ward:  
 City Block: 31016  
 Subdivision: ANX (95) 0-16-94  
 Rec. Acreage: 36.56  
 Calc. Acreage: 0  
 Recorded Plat: -  
 Recorded Deed: 20130219 - 0054258  
 Deed Type: Deed:Full Coven  
 Deed Date: 2/19/2013

**Address Information**

Site Address: 7040 STRAWBERRY PLAINS PIKE  
 KNOXVILLE - 37914  
 Address Type: UNUSED LAND  
 Site Name:

**Owner Information**

PRIMOS LAND COMPANY LLC  
 4909 BALL RD  
 KNOXVILLE, TN 37931  
 The owner information shown in this section does **not** necessarily reflect the person(s) responsible for Last Year's property taxes. Report any errors to the Knox County Property Assessor's office at (865) 215-2365.

**Jurisdiction Information**

County: KNOX COUNTY  
 City / Township: Knoxville

**MPC Information**

Census Tract: 54.02  
 Planning Sector: East County  
 Please contact Knox County Metropolitan Planning Commission (MPC) at (865) 215-2500 if you have questions.

**Political Districts**

Voting Precinct: 79  
 Voting Location: Mt. Harmony Baptist Life Center  
 6208 STRAWBERRY PLAINS PIKE  
 TN State House: 19 Harry Brooks  
 TN State Senate: 6 Becky Duncan Massey  
 County Commission: 8 Richie Beeler  
 City Council: 4 Lauren Rider  
 School Board: 8 Mike McMillan  
 Please contact Knox County Election Commission at (865) 215-2480 if you have questions.

**School Zones**

Elementary: SUNNYVIEW PRIMARY  
 Intermediate: CHILHOWEE INTERMEDIATE  
 Middle: CARTER MIDDLE  
 High: CARTER HIGH  
 Please contact Knox County Schools Transportation and Zoning Department at (865) 594-1550 if you have questions.

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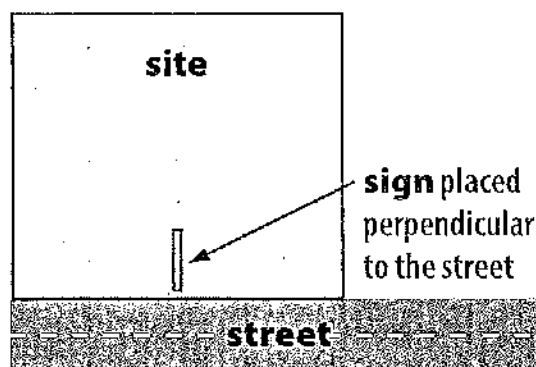
## REQUIRED SIGN POSTING AGREEMENT

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:

February 27, 2019 and March 15, 2019  
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: *Wanis A. Fghebi*

Printed Name: Wanis A. Fghebi

Phone: 765-694-7256 Email: Wfghebi@sengconsultants.com

Date: 1/30/2019

MPC File Number: 3-G-19-RZ / 3-B-19-SP