



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 9-A-19-RZ
9-A-19-SP

AGENDA ITEM #: 20
AGENDA DATE: 9/12/2019

► **APPLICANT:** RICHARD AND KATHLEEN COX
OWNER(S): Richard and Kathleen Cox

TAX ID NUMBER: 151 005 (PART OF) [View map on KGIS](#)

JURISDICTION: Commission District 5

STREET ADDRESS: 501 N. Watt Road

► **LOCATION:** At the boundary lines of Knox County, Loudon County, and Farragut, approximately 1/2 mile south of I-40/I-75. The property straddles the boundary between Knox County and Farragut.

► **TRACT INFORMATION:** 1.32 acres.

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Watt Road is a major arterial with a 33-foot pavement width and a right-of-way width that ranges from 120 feet to 160 feet.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Hickory Creek

► **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) in the Knox County portion of the property / A (Agricultural) in Knox County and NCC (Neighborhood Convenience Commercial) in Farragut

► **PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial) / CA (General Business) - Knox County portion

► **EXISTING LAND USE:** RR (Rural Residential)

► **PROPOSED USE:** General Commercial purposes

DENSITY PROPOSED: n/a

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, GC is to the north

HISTORY OF ZONING REQUESTS: None noted for this property.

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

North:	O (Office) - GC (General Commercial)
South:	AgForVac (Agricultural, Forestry, Vacant) - n/a (Town of Farragut)
East:	AgForVac (Agricultural, Forestry, Vacant) - n/a (Town of Farragut)
West:	Single Family Residential - n/a (Loudon County)

NEIGHBORHOOD CONTEXT: Rural setting with commercial uses north towards the interstate and vacant/agricultural land interspersed with single family residential uses.

STAFF RECOMMENDATION:

- ▶ **Adopt resolution #9-A-19-SP amending the Southwest County Sector Plan to GC (General Commercial) for the portion of the parcel in Knox County per attached resolution, Exhibit A, subject to one condition, since it is compatible with the area's development**

Adopt resolution #9-A-19-SP amending the Southwest County Sector Plan to GC (General Commercial) land use for the portion of the parcel in Knox County per attached resolution, Exhibit A, subject to the condition that a Type A landscaping screen, as shown in the Landscaping and Screening Design Guidelines, be installed to buffer residential uses, given that the parcel to the north is General Commercial and the plan amendment would allow this parcel to be rezoned to a commercial zone and thereby bridge the commercial zones to the north and south.

- ▶ **Approve the CA zoning for the portion of the parcel in Knox County, subject to one condition.**

Staff recommends approval of the requested CA (General Business) zoning of the portion of the parcel in Knox County, subject to the condition that a "Type A" landscaping screen, as found in the Landscaping Screening Design Guidelines, be installed along any shared boundaries with residential zoning, regardless of jurisdiction.

COMMENTS:

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

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. The portion of this parcel that is in Farragut was rezoned to NCC (Neighborhood Convenience Commercial) in March, 2019. The existing Agricultural zoning is now just a sliver of land positioned between commercial zoning in Knox County and Farragut. The plan amendment would allow this parcel to be rezoned to a commercial zone and thereby bridge the commercial zones to the north and south.

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. No new roads or additional utilities have been introduced in this area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There have been no errors or omissions in the plan. Since this parcel consisted of similar zoning in two municipalities, the plan supported that existing zoning. That zoning has now changed on the Farragut side, requiring a sector plan amendment to rezone the Knox County portion to be compatible.

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

1. This property is approximately ½ mile south of I-40 / I-75, and the area immediately to the south of the interstate has developed as commercial uses. It is reasonable to expect this commercial development to continue and extend further south.

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:

- 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.
- 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 portion of this parcel that is in Farragut was rezoned to NCC (Neighborhood Convenience Commercial)

in March, 2019. The existing Agricultural zoning is now just a sliver of land positioned between commercial zoning in Knox County and Farragut.

2. The applicant's proposal is in character with the surrounding area since it is situated between two commercially zoned properties.

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

1. The proposed amendment to CA (General Business) zoning is to provide general retail business and services but not for manufacturing or for processing materials other than farm products, except that portable sawmills are allowed.

2. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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. This parcel is situated between two properties zoned commercial – CB (Business and Manufacturing) in Knox County and C-1 (Neighborhood Commercial) in Farragut, making a commercial zone appropriate for this property.

2. CA (General Business) does not allow the manufacturing uses allowed in CB, making this zone an appropriate transition between the neighboring zones mentioned above.

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:

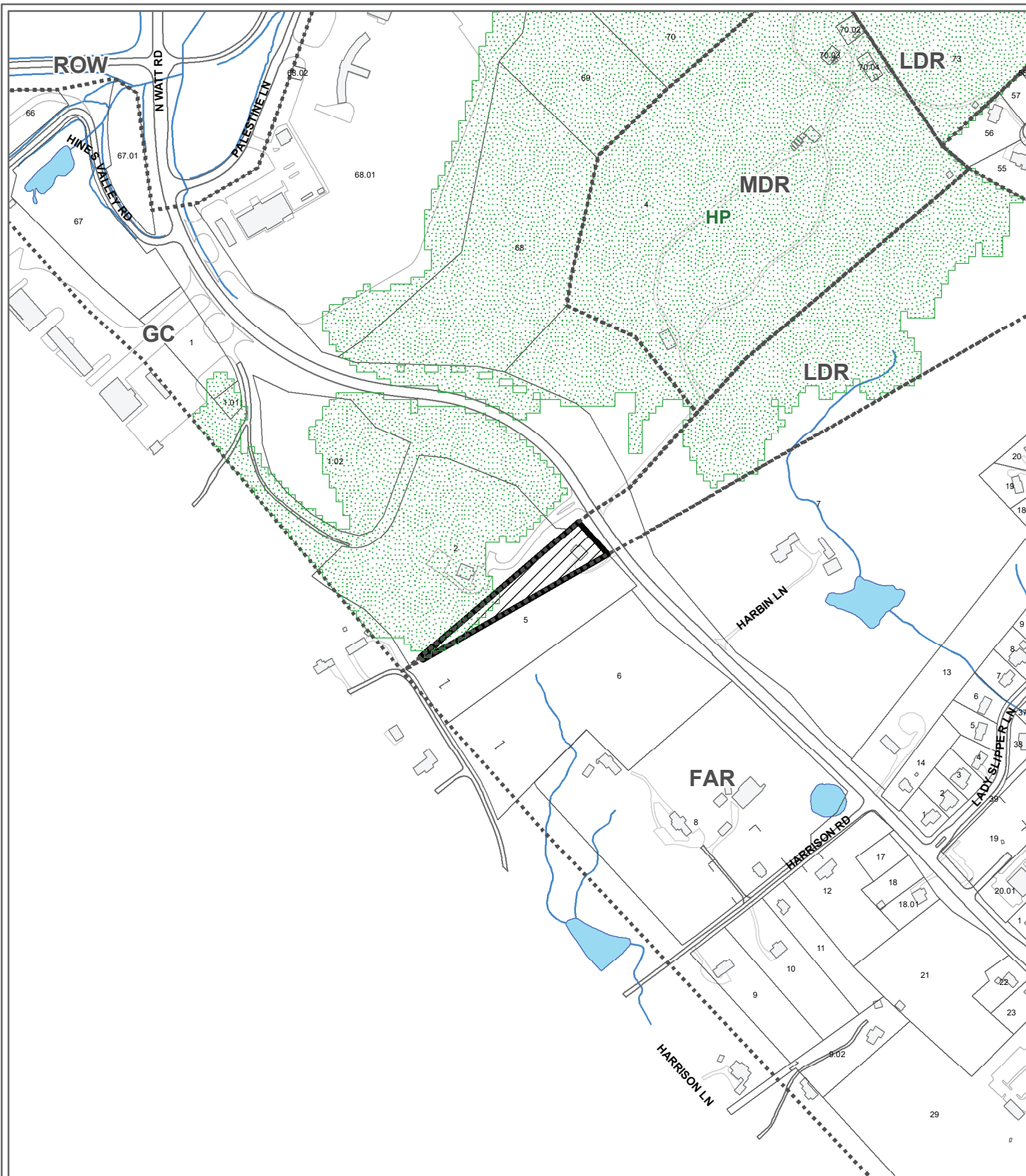
1. The property is located in the Planned Growth Area of the Growth Policy Plan.

2. The sector plan would require an amendment, but the amendment would extend the GC designation to the County boundary line and eliminate the small sliver of LDR present.

ESTIMATED TRAFFIC IMPACT: Not required.

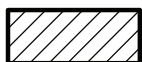
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 10/28/2019. If denied, Knoxville-Knox County Planning Commission'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 a Planning Commission decision in the City.



9-A-19-SP / 9-A-19-RZ
SOUTHWEST COUNTY SECTOR PLAN AMENDMENT

From: LDR (Low Density Residential)



To: GC (General Commercial)- only the Knox County portion of the property is included in the sector plan amendment request

Petitioner: Cox, Richard and Kathleen

Map No: 151

Jurisdiction: City

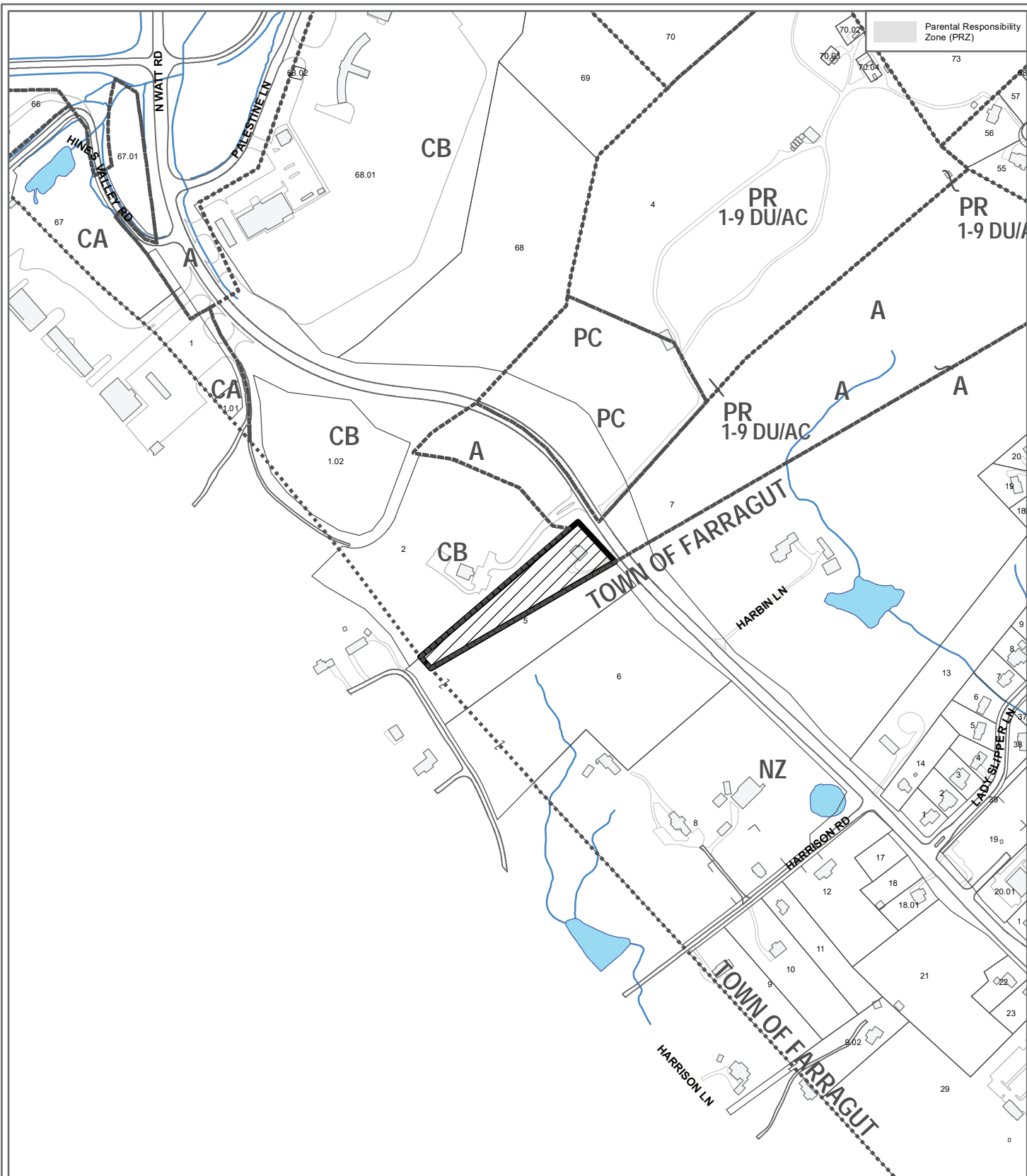
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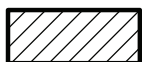
Original Print Date: 8/19/2019

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



9-A-19-RZ REZONING



From: A (Agricultural) (property straddles Knox County and Farragut boundary lines and is zoned Agricultural in both jurisdictions)
To: CA (General Business) - only the Knox County portion of the property is requested to be rezoned by this Commission

Original Print Date: 8/19/2019 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Cox, Richard and Kathleen

Map No: 151

Jurisdiction: City

0 500
Feet



**KNOXVILLE-KNOX COUNTY PLANNING COMMISSION
A RESOLUTION AMENDING THE SOUTHWEST 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 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, Richard and Kathleen Cox have submitted an application to amend the Sector Plan from Low Density Residential to General Commercial, for property described in the application; and

WHEREAS, the 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 Planning Commission, at its regularly scheduled public hearing on September 12, 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 Southwest County Sector Plan, with its accompanying staff report and map, file #9-A-19-SP.

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

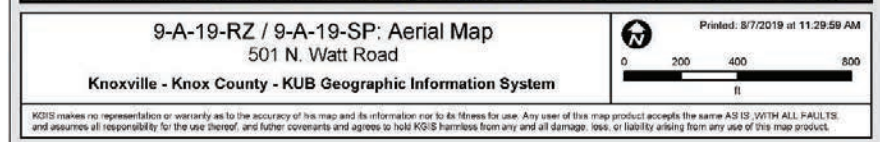
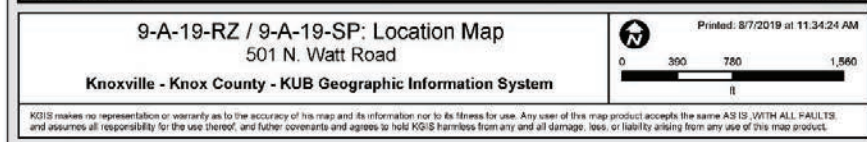
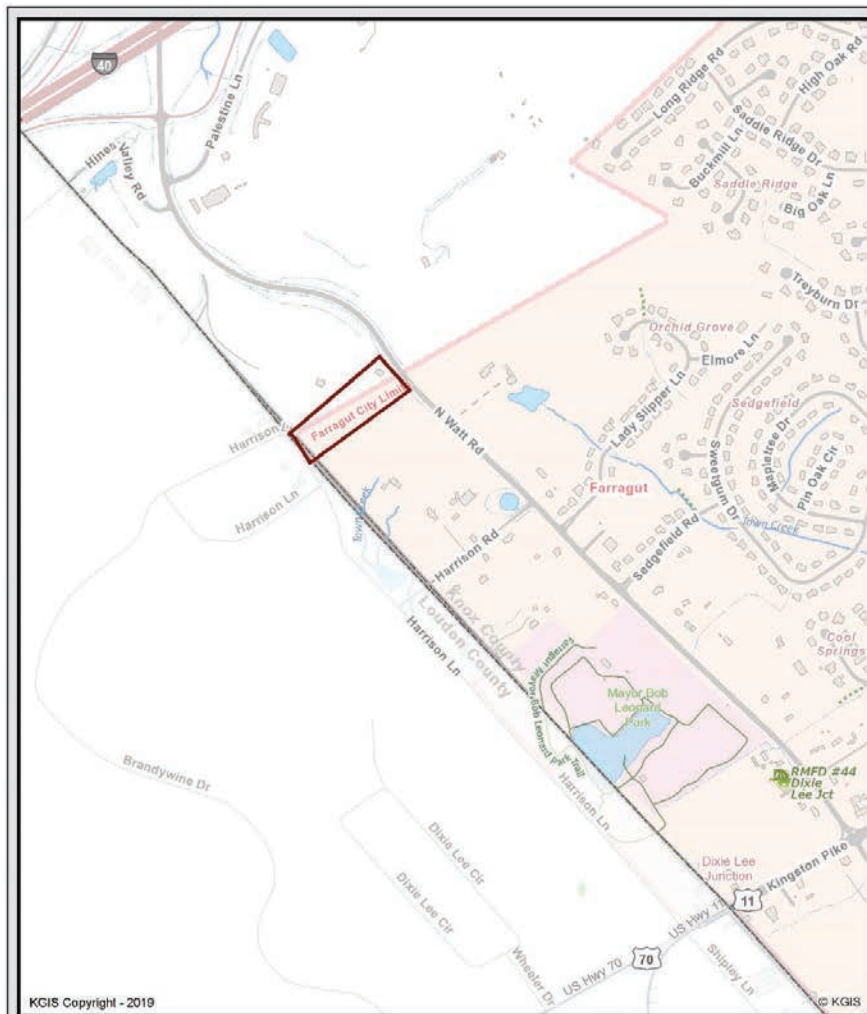
SECTION 3: The Planning Commission further recommends that Knox County Commission likewise consider this revised amendment to the General Plan 2033.

Date

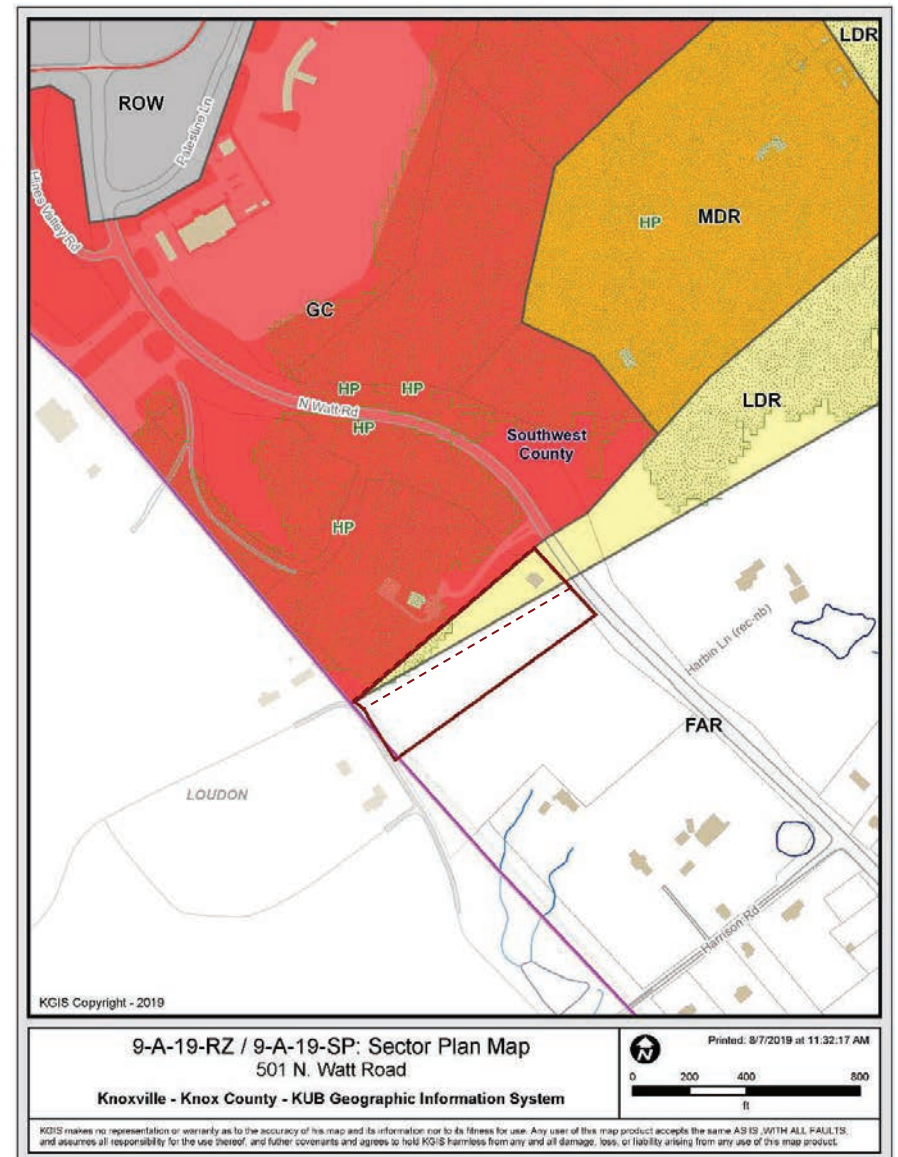
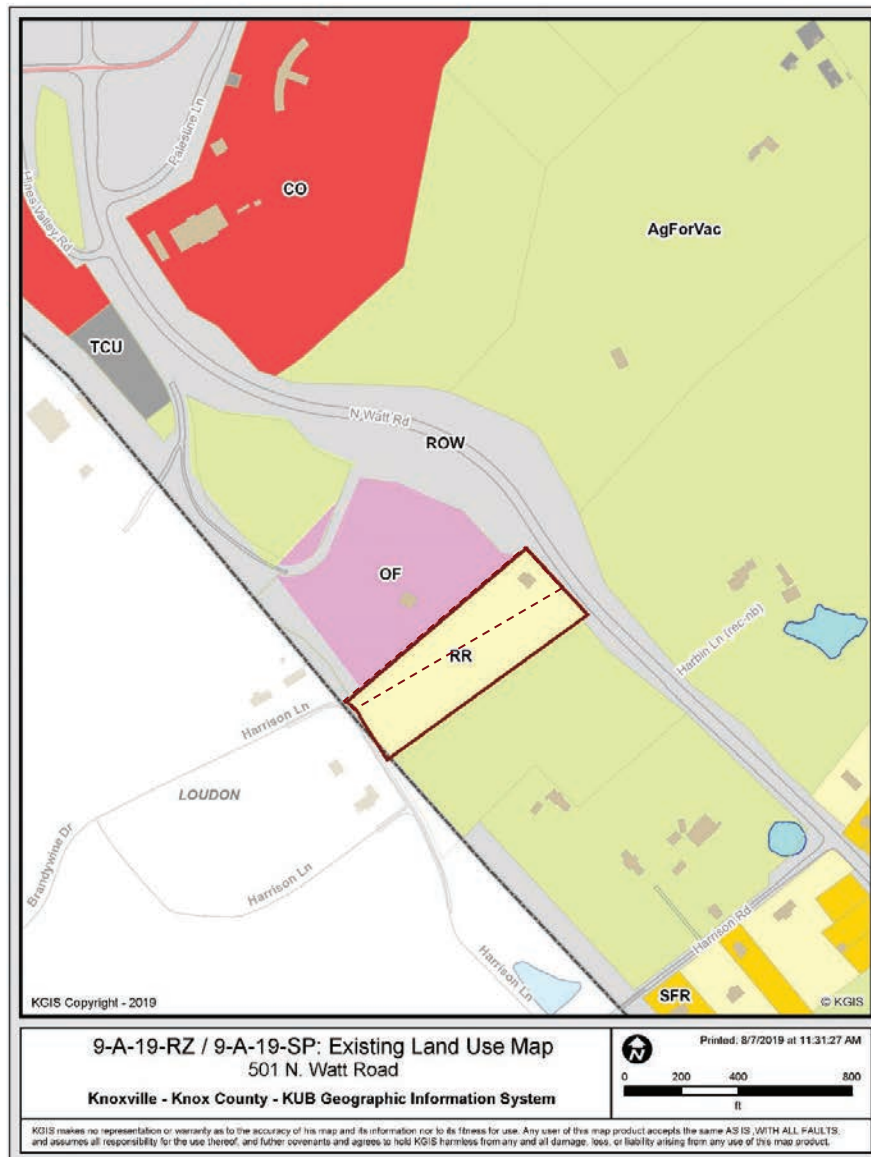
Chairman

Secretary

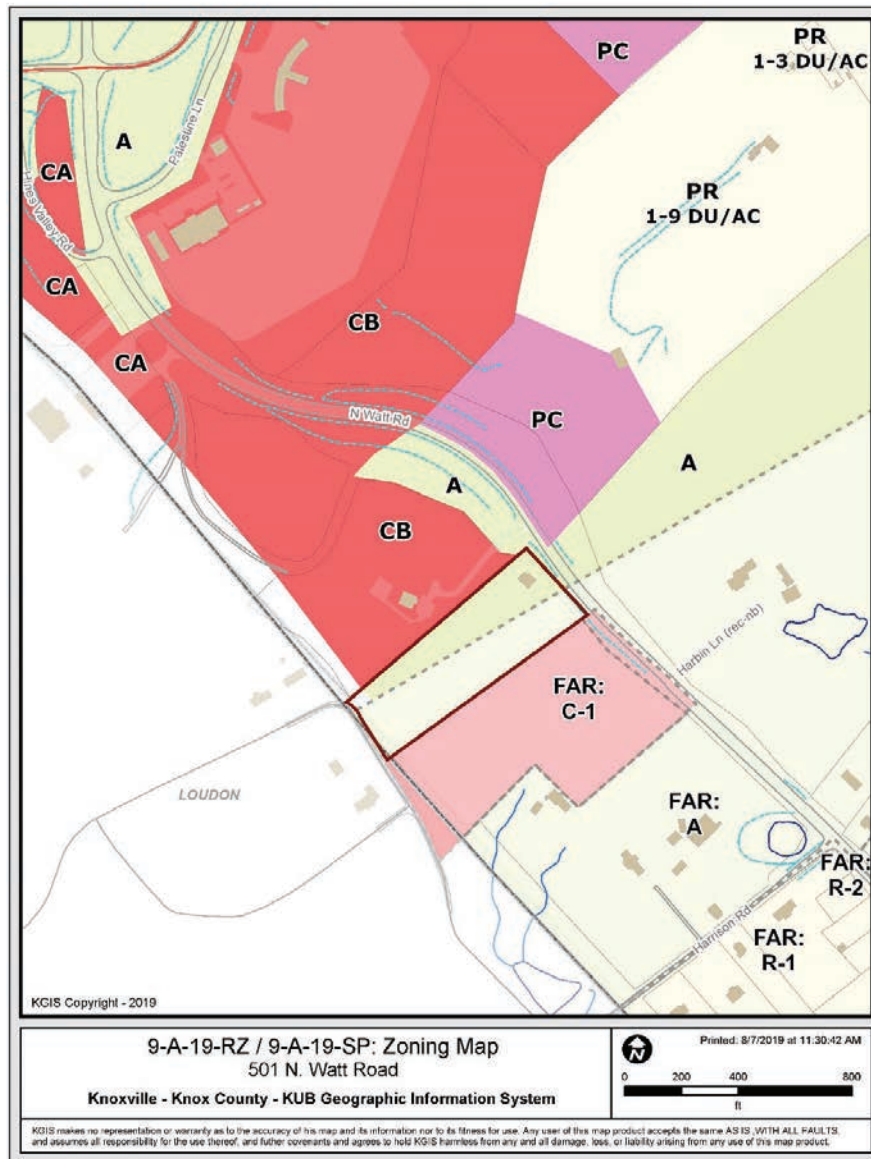
9-A-19-RZ_9-A-19-SP
EXHIBIT B. Contextual Images



9-A-19-RZ_9-A-19-SP EXHIBIT B. Contextual Images



9-A-19-RZ_9-A-19-SP
EXHIBIT B. Contextual Images





Michelle Portier <michelle.portier@knoxplanning.org>

Rezoning of property

Mark Shipley <mshipley@townoffarragut.org>
To: Michelle Portier <michelle.portier@knoxplanning.org>

Mon, Aug 19, 2019 at 3:55 PM

Thanks for the heads up. Below is the staff report for second reading of the property rezoning. The rezoning was unanimously approved on second reading. Please let me know if you have any questions. Thanks

AGENDA NUMBER _____ **MEETING DATE** **March 14, 2019**

REPORT TO THE BOARD OF MAYOR AND ALDERMEN
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PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 19-04, an ordinance on second reading to amend the Town of Farragut Zoning Map to change the zoning on a portion of Parcel 005, Tax Map 151, 501 N. Watt Road, from Agricultural (A) to Neighborhood/Convenience Commercial (NCC), 5.2 Acres (over three-fourths in the Town and the remainder in Knox County) (Richard Cox and Kathleen Cox, Applicant)

INTRODUCTION AND BACKGROUND: This item involves a request to rezone the last tract in the Town limits on the west side of N. Watt Road as one travels north on N. Watt Road. The property currently includes one dwelling unit that is situated on the Knox County portion of the property. Historically, the property has been used for agriculture related activity and as a single-family residence.

DISCUSSION: As part of the CLUP Steering Committee's efforts to focus more intensely on planning for remaining vacant (or under-developed) properties, the Committee decided to identify and focus on some priority areas. The first area selected was the Watt Road Corridor since it is a gateway to the Town, contains a large regional park, and has some sizable undeveloped land. After gathering community and Planning Commission input, amendments were made to the future land use map for the Watt Road Corridor.

The future land use for the property in question was changed from Open Space and Medium Density Residential to Mixed Use Neighborhood. Also, resulting from the CLUP Steering Committee's efforts along with input provided by the Planning Commission, a new zoning district was created and named Neighborhood/Convenience Commercial (NCC). This district would be a scaled down commercial district where an opportunity to include residential within a development as a transitional element would be possible. This new zoning district would be most similar to the Mixed-Use Neighborhood land use category on the future land use map.

RECOMMENDATION: As noted during discussions with the Planning Commission, since the future land use map was recently updated, and the proposed zoning district (NCC) is consistent with the updated future land use map, staff would support this rezoning. At their meeting on January 17, 2019, the Planning Commission unanimously recommended approval of Ordinance 19-04. At the Board of Mayor and Aldermen meeting on February 28, 2019, Ordinance 19-04 was unanimously approved on first reading. Community Development Director, Mark Shipley, recommends approval of Ordinance 19-04 on second reading.

PROPOSED MOTION: To approve Ordinance 19-04 on second reading.

BOARD ACTION:

MOTION BY: _____ **SECONDED BY:** _____

<u>VOTE/TOTAL</u>	<u>WILLIAMS</u>	<u>MEYER</u>	<u>PINCHOK</u>	<u>POVLIN</u>	<u>BURNETTE</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

-

From: Michelle Portier <michelle.portier@knoxplanning.org>
Sent: Monday, August 19, 2019 1:55 PM
To: Mark Shipley <mshipley@townoffarragut.org>
Subject: Rezoning of property

Mark,

I am a planner with Knoxville-Knox County Planning, and I've got a rezoning/future land use amendment request for a property that straddles Knox County and the Town of Farragut. I wanted to give you a heads up, but I also wanted to see if they are rezoning the part of the parcel that exists in Farragut, and if so, if there are/were any issues with the request. I'd like to include that information in my staff report. I've attached the file for more information, but the address is 501 N. Watt Road and the parcel number is 151 005.

Thank you!

8/20/2019

Knoxville - Knox County Planning Mail - Rezoning of property

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Michelle Portier, AICP

Planner

865.215.3821

[Redacted content]

[Quoted text hidden]



REQUEST TYPE

DEVELOPMENT

- ☐ Development Plan
☐ Use on Review / Special Use

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☒ Rezoning
Sector Plan

RECEIVED

JUL 03 2019

Knoxville-Knox County
Planning

7/3/19
Date Filed

9/12/19
Meeting Date

9-A-19-RZ
File Number(s)
9-A-19-SP

APPLICATION CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- ☒ Owner ☐ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

Richard L. Cox and Kathleen J. Cox

Name _____ Company _____

11420 Old Colony Parkway *Knoxville, TN* *37934-2647*
Address _____ City _____ State _____ Zip _____

(865) 966-8314 *cell (865) 300-6000* *katcox@tds.net*
Phone _____ Email _____

CURRENT PROPERTY INFO

Same as above

Owner Name (if different) _____ Owner Address _____ Owner Phone _____

501 North Watt Road, approximately one-fourth of property with Tax ID: 151-005
Property Address _____ Parcel ID _____

extreme west Knox County, less than 1/2 mile south of I40-75 *1.32 acres*
General Location _____ Tract Size _____

A *Residential*
Zoning District _____ Existing Land Use _____

Southwest County *LDR* *Planned Growth*
Planning Sector _____ Sector Plan Land Use Classification _____ Growth Policy Plan Designation _____

County *5*
Jurisdiction (specify district above) _____ ☐ City Council ☒ County Commission

REQUEST

DEVELOPMENT	SUBDIVISION			ZONING
<input type="checkbox"/> Development Plan <input type="checkbox"/> Use on Review / Special Use <input type="checkbox"/> Residential <input type="checkbox"/> Non-Residential <input type="checkbox"/> Home Occupation (specify): _____ <input type="checkbox"/> Other (specify): _____	<input type="checkbox"/> Proposed Subdivision Name _____ Unit / Phase Number _____ <input type="checkbox"/> Concept Plans in Planned District or Zone <input type="checkbox"/> Parcel Change <input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel Total Number of Lots Created: _____ <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Attachments / Additional Requirements			
<u>Gen. Business</u>		<input checked="" type="checkbox"/> Proposed Property Use (specify)	Proposed Density (units/acre)	Previous Rezoning Requests
<input checked="" type="checkbox"/> Zoning Change <input checked="" type="checkbox"/> Plan Amendment Change		<div> <div>CA</div> <div>GC</div> </div> <div> <div>Proposed Zoning</div> <div>Proposed Plan Designation(s)</div> </div>		
<input type="checkbox"/> Other (specify): _____				

STAFF USE ONLY	ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	FEE 1: Rezone \$1,000	TOTAL: \$1,600
	ADDITIONAL REQUIREMENTS <input type="checkbox"/> Design Plan Certification (<i>Final Plat only</i>) <input type="checkbox"/> Use on Review / Special Use (<i>Concept Plan only</i>) <input type="checkbox"/> Traffic Impact Study	FEE 2: Sector Plan \$600	
	FEE 3:		

AUTHORIZATION

James Reed
Staff Signature

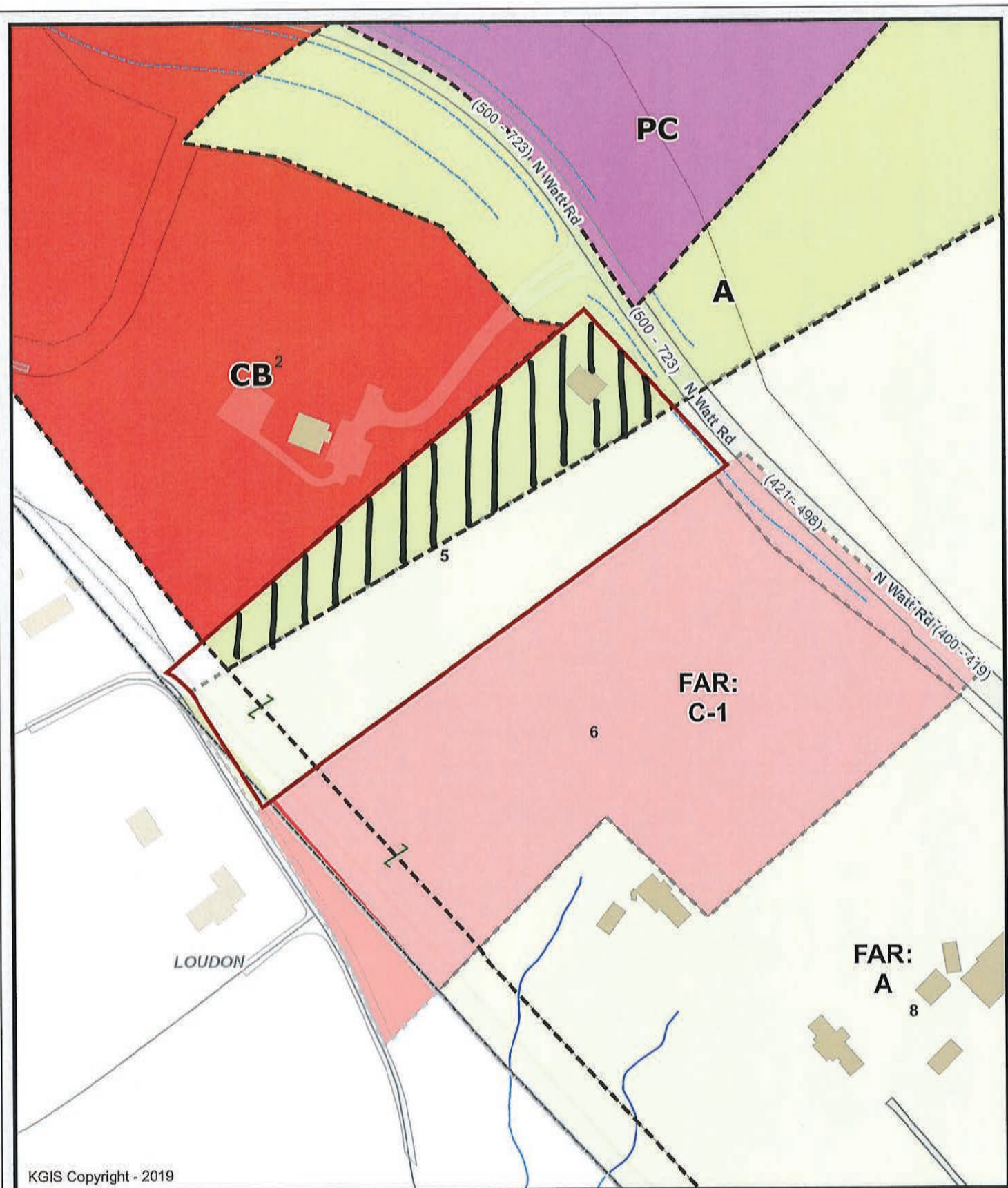
James Reed
Please Print

7/3/19
Date

Richard L. Cox
Applicant Signature

Richard L. Cox
Please Print

7/3/2019
Date

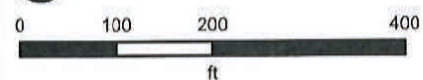


Letter Portrait

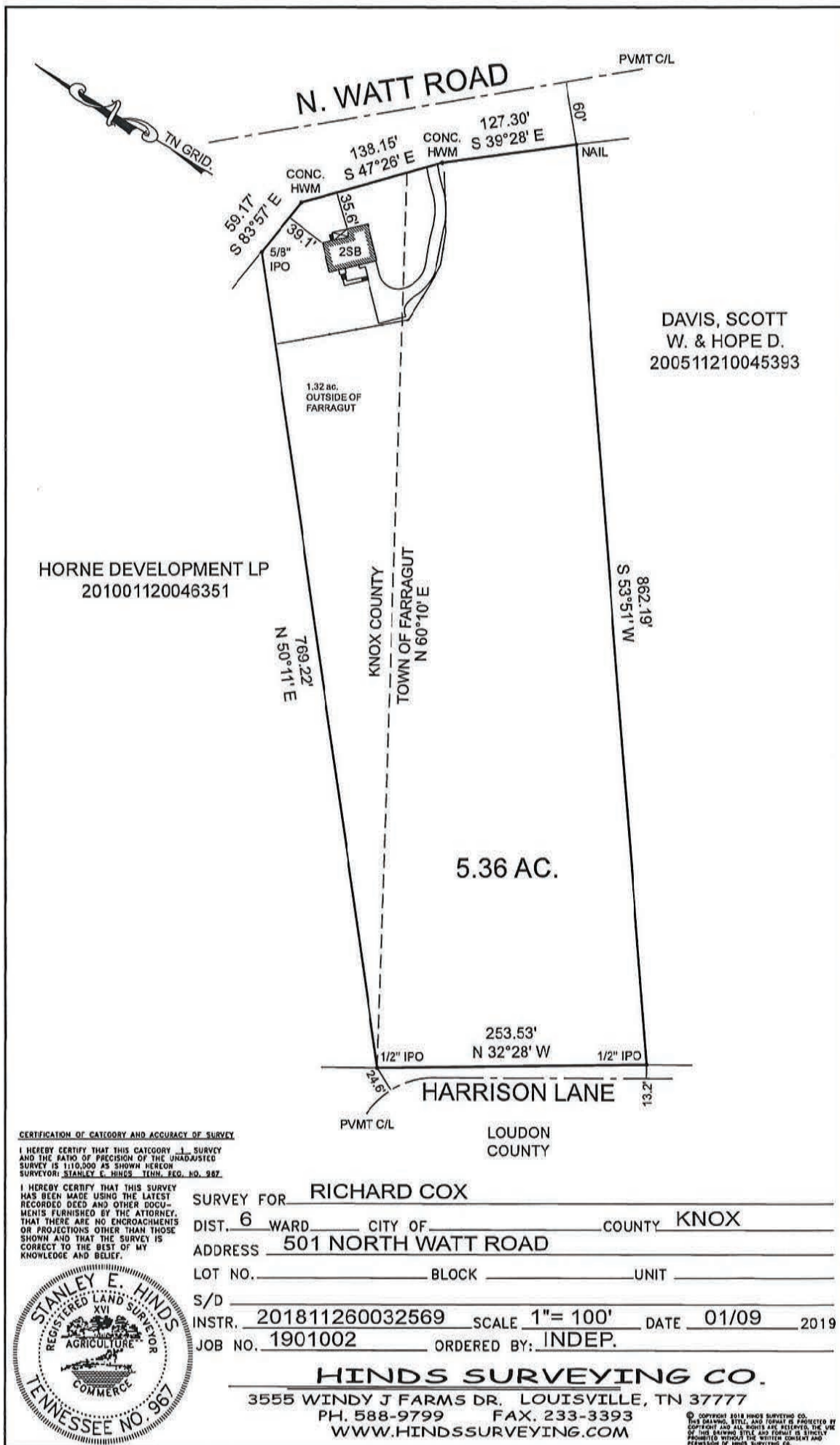
Knoxville - Knox County - KUB Geographic Information System



Printed: 7/3/2019 at 9:49:35 AM



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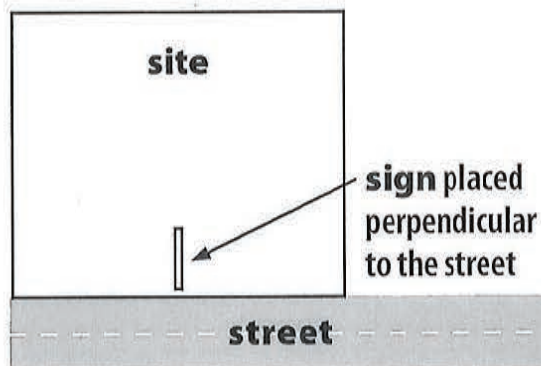
REQUIRED SIGN POSTING AGREEMENT

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:

8/28 and 9/13
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: Richard L. Cox

Printed Name: Richard L. Cox

Phone: (865) 966-8314 Email: Katcox @ tds.net

Date: 7/3/19

MPC File Number: 9-A-19-RZ / 9-A-19-SP