



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 10-S-21-RZ
10-M-21-SP

AGENDA ITEM #: 25
AGENDA DATE: 10/14/2021

► **APPLICANT:** GRAHAM CORPORATION
OWNER(S): Speedywest, LLC

TAX ID NUMBER: 78 13602 (PART OF) & 137 (PART OF) [View map on KGIS](#)
JURISDICTION: Commission District 6
STREET ADDRESS: 7000 & 7038 Oak Ridge Hwy.
► **LOCATION:** North side of Oak Ridge Highway, west of Weaver Road
► **TRACT INFORMATION:** 29 acres.
SECTOR PLAN: Northwest County
GROWTH POLICY PLAN: Planned Growth Area
ACCESSIBILITY: Access is via Oak Ridge Highway, a major arterial with a pavement width of 40-ft. within a right-of-way width of 112-ft.
UTILITIES: Water Source: West Knox Utility District
Sewer Source: West Knox Utility District
WATERSHED: Grassy Creek

► **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) & SP (Stream Protection) / A (Agricultural), PC (Planned Commercial) & OB (Office, Medical and Related Services)
► **PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial) & SP (Stream Protection) / CA (General Business)
► **EXISTING LAND USE:** Agriculture/forestry/vacant, rural residential

► **EXTENSION OF PLAN DESIGNATION/ZONING:** No, GC plan designation is not adjacent, however CA zoning is across the highway
HISTORY OF ZONING REQUESTS: 11-I-85-RZ: A to CA and RB, approved for CA and A; 12-J-93-RZ: PC to OB
SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Agriculture/forestry/vacant / LDR (Low Density Residential), SP (Stream Protection) / F (Floodway)
South: Agriculture/forestry/vacant, Single family residential, commercial / LDR (Low Density Residential), HP (Hillside Protection) / A (Agriculture), CA (General Business)
East: Agriculture/forestry/vacant, Single family residential / LDR (Low Density Residential), SP (Stream Protection) / F (Floodway), A (Agriculture)
West: Agriculture/forestry/vacant / LDR (Low Density Residential) / A (Agriculture)

NEIGHBORHOOD CONTEXT: This area of Oak Ridge Highway is primarily large agricultural lots, single family homes with a large floodplain area.

STAFF RECOMMENDATION:

- ▶ **Approve a Northwest County Sector Plan amendment to MU-CC (Mixed Use Community Commercial) and SP (Stream Protection) because of an error in the plan.**

- ▶ **Approve PC (Planned Commercial) zoning because of the property's proximity to medium density residential and a new commercial node.**

COMMENTS:

A portion of this property was rezoned to PC (Planned Commercial) in 1986 and a subsequent portion was rezoned to OB (Office, Medical and Related Services) zone in 1994. The 2003 Northwest County Sector Plan Update recognized this area as Mixed Use, which recommended a mix of office, commercial and residential zones. Though the Northwest County Sector Plan was updated in 2016, the existing commercial and office and residential zoning pattern for this stretch of the highway was not recognized and was replaced with the LDR (Low Density Residential) land use designation.

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

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. This property is within 0.3 miles of the intersection of the commercial area at Oak Ridge Highway and Schaad Road. It was rezoned in 2017 to permit expansion of commercial at this node, in part because of the 2016 improvements on Oak Ridge Highway that begin at that intersection.
2. This area is also about 0.4 miles from MDR, MDR/O and HDR plan designations that can accommodate additional medium density residential growth in the future.

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

1. This property is within 0.3 miles of the Oak Ridge Highway/Western Avenue Project which was completed in 2016. The project widened the existing two lane roadway to a five-lane facility and includes a sidewalk between Schaad Road and I-640.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The previous sector plan in 2003 recognized the mix of residential and non-residential zoning types of the area by providing a Mixed Use designation for this area.
2. This plan amendment to MU-CC accommodates an anticipated mix of residential and non-residential uses for this area and is within 0.3 miles of the intersection of a commercial node with major improvements that have been recently completed.

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

1. The MU-CC district permits consideration of a variety of residential and non-residential zones and uses. The growing demand for housing and designation of this property for MU-CC would allow consideration of future residential rezonings to a greater density than the current low density residential, agricultural uses/designations.

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.

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6:30.01, THE FOLLOWING

CONDITIONS MUST BE MET FOR ALL REZONINGS (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. This property is within 0.3 miles of the intersection of the commercial area at Oak Ridge Highway and Schaad Road. It was rezoned in 2017 to permit expansion of commercial at this node, in part because of the 2016 improvements on Oak Ridge Highway that begin at that intersection.
2. This area is also about 0.4 miles from MDR, MDR/O and HDR plan designations that can accommodate additional medium density residential growth in the future.

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

1. The PC, Planned Commercial Zone, is intended for a unified grouping of commercial buildings which do not require or desire a central business district location. It is the objective of this zone to achieve the highest quality site design, building arrangement, landscaping and traffic circulation patterns possible.
2. A development plan for the planned commercial complex shall be submitted to the planning commission for approval as a use permitted on review.
3. Sites 20 acres or greater are the most ideal for the PC zone district and the 50-ft periphery boundary setback will allow space for various landscaping to buffer and soften the commercial uses from Oak Ridge Highway, more so than the CA or CB zone districts.

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. The proposed rezoning requires site plan review and approval by the Planning Commission to ensure a high quality of design and mitigate potential impacts to adjacent properties.
2. The site plan review process will also allow the Planning Commission to consider and address any potential impacts to the adjacent stream and floodplain area.
3. The greater peripheral setback required in this zone district will also help buffer any more intense land use at this location from Oak Ridge Highway and the lesser intense land uses on adjacent properties.

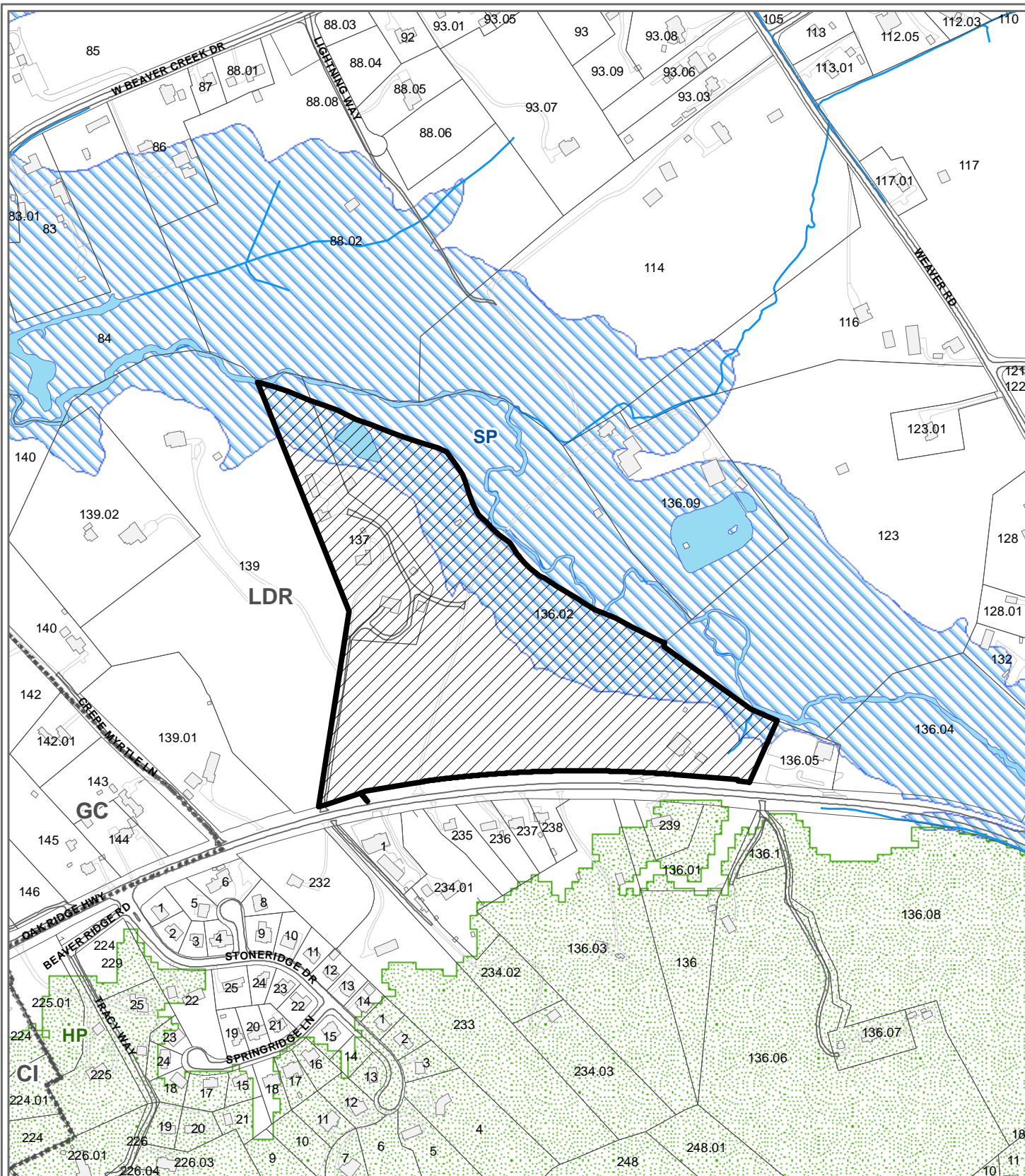
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The recommended PC zone district is in compliance with the recommended Northwest County Sector Plan amendment to MU-CC (Mixed Use Community Commercial), which recommends a mix of residential and non-residential zone districts.
2. The amendment is in compliance with all other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 11/15/2021. 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 County.



**10-M-21-SP / 10-S-21-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential) & SP (Stream Protection)

To: GC (General Commercial) & SP (Stream Protection)

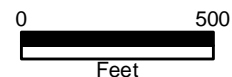


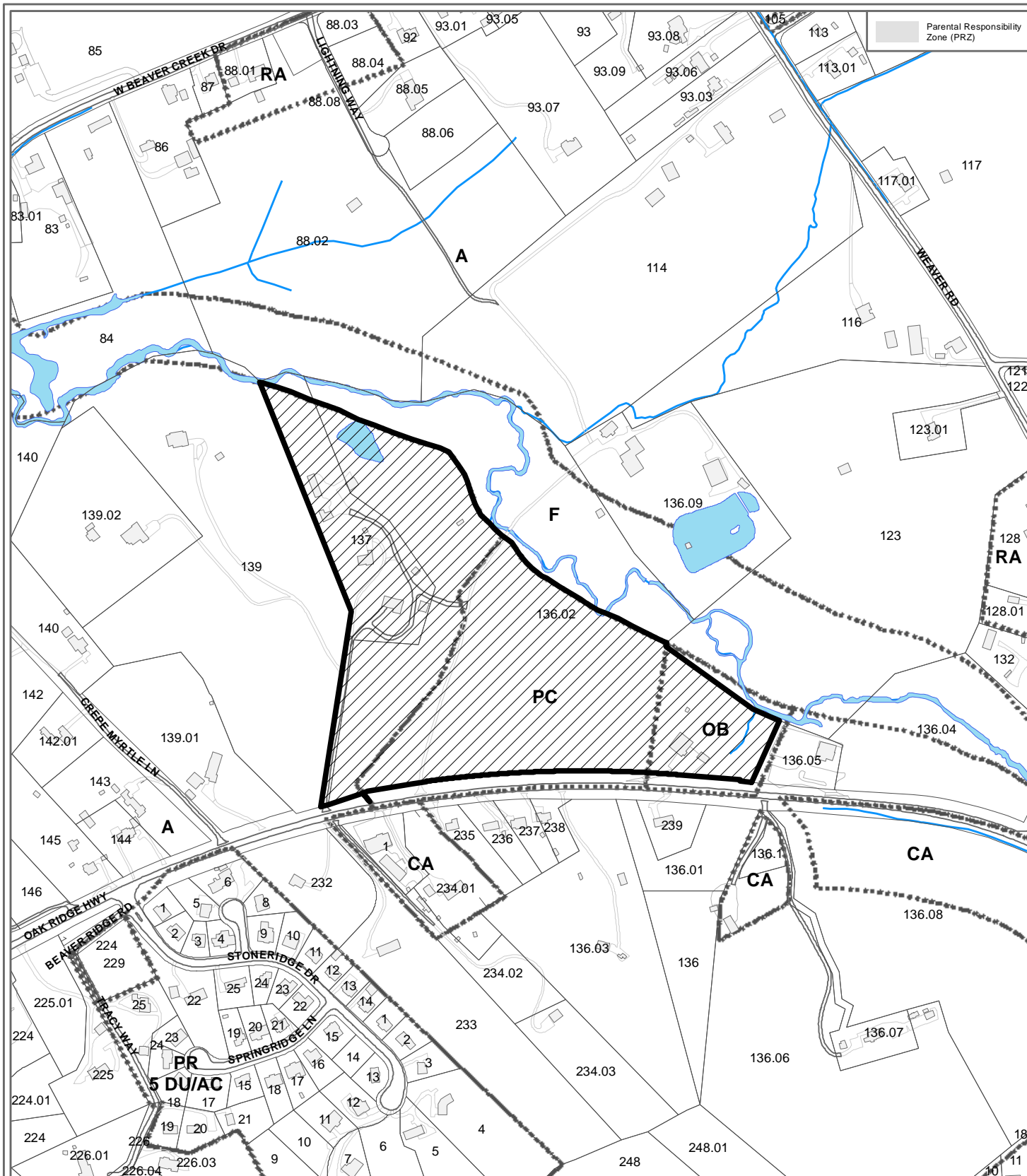
Original Print Date: 9/20/2021 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Graham Corporation

Map No: 78

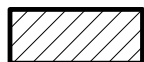
Jurisdiction: County





10-S-21-RZ REZONING

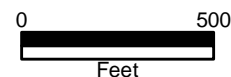
From: A (Agricultural), PC (Planned Commercial) & OB (Office, Medical and Related Services)
To: CA (General Business)



Original Print Date: 9/9/2021 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Graham Corporation

Map No: 78
Jurisdiction: County



**KNOXVILLE-KNOX COUNTY PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTHWEST 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 Northwest 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**, Graham Corporation has submitted an application for an amendment to the Northwest County Sector Plan for property described in the application; and*

***WHEREAS**, the Planning Commission recommends approval of an amendment to the Sector Plan from Low Density Residential & Stream Protection to Mixed Use Community Commercial & Stream Protection 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 October 14, 2021, 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 Northwest County Sector Plan, with its accompanying staff report and map, file #10-M-21-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.

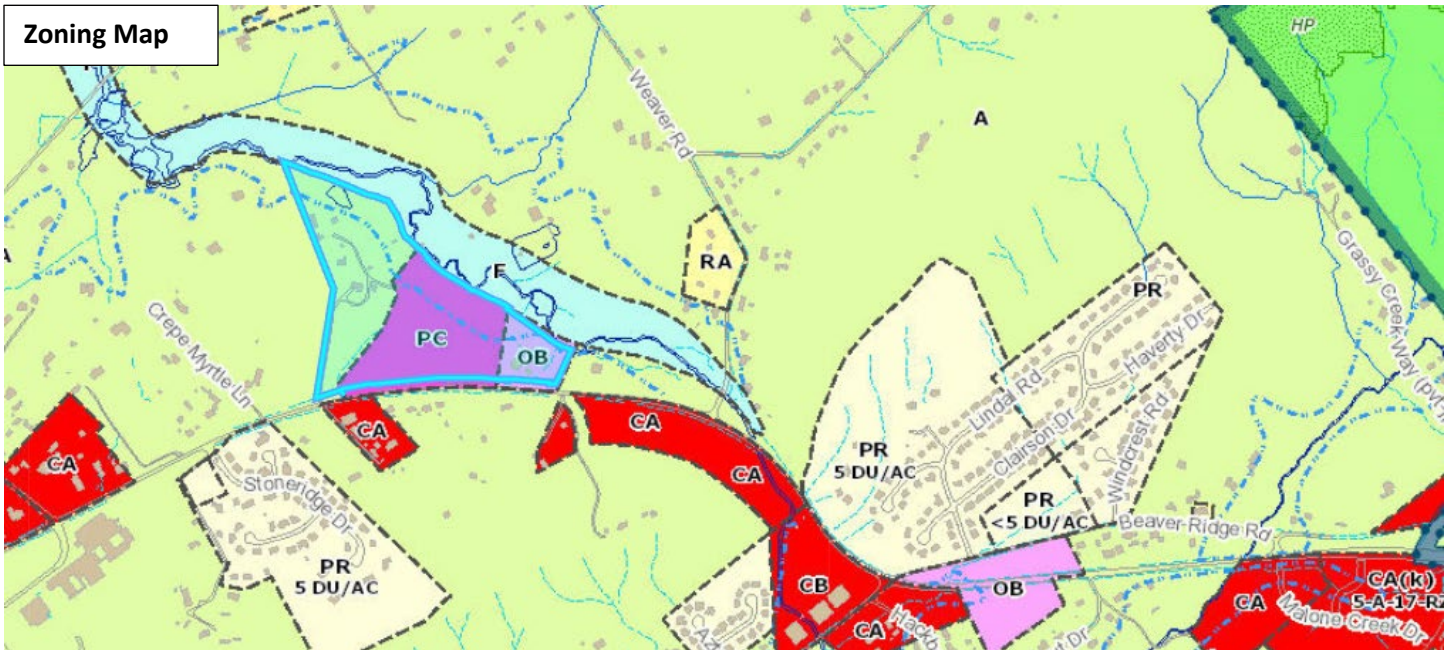
Date

Chairman

Secretary

Exhibit B. 10-S-21-RZ / 10-M-21-SP Contextual Images

Zoning Map



Sector Plan Map

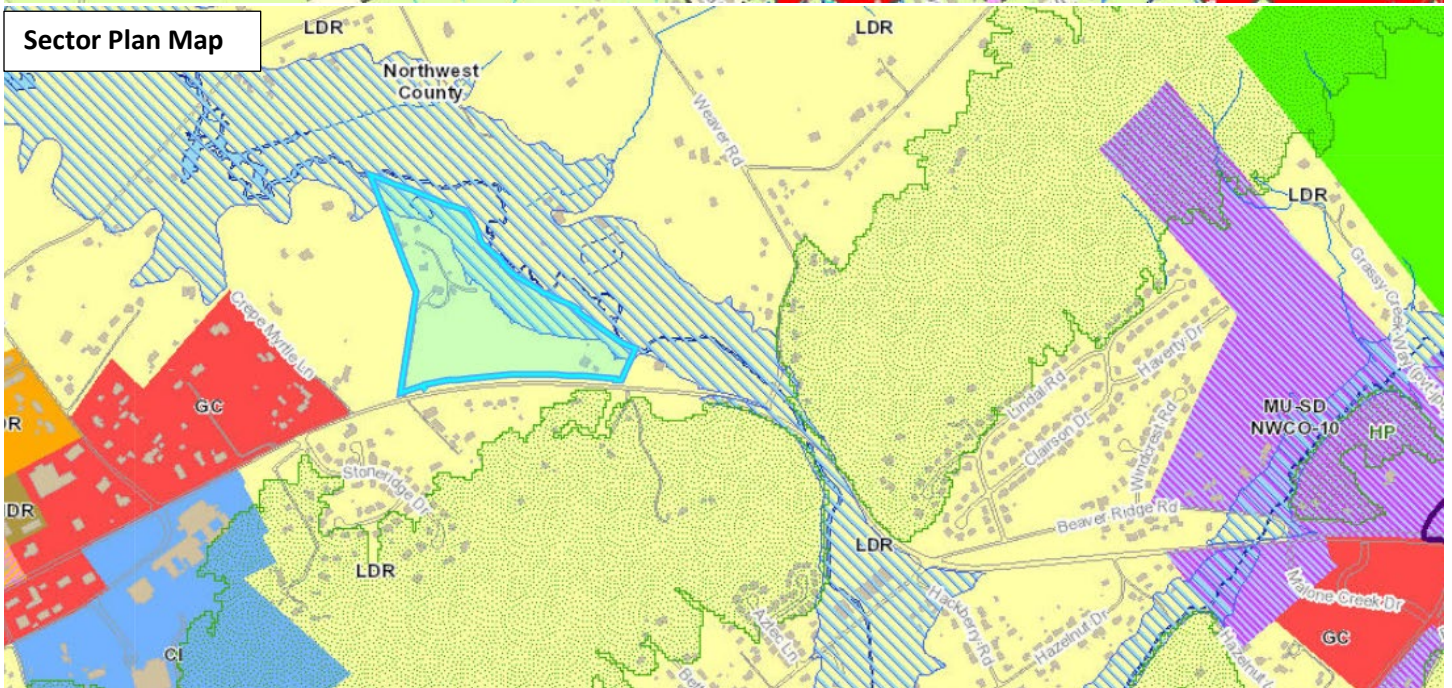
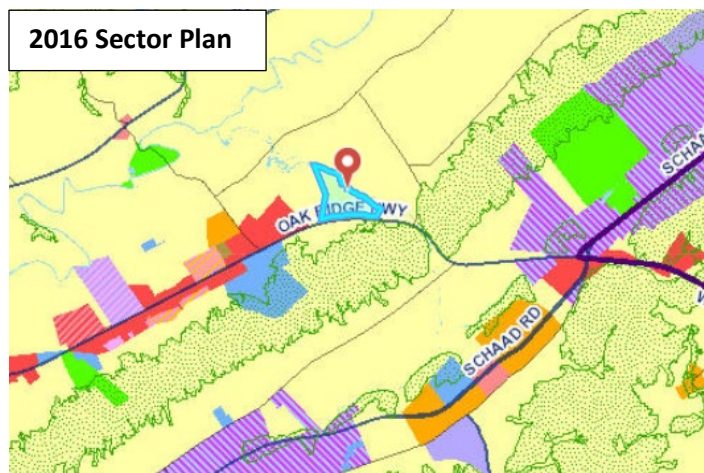
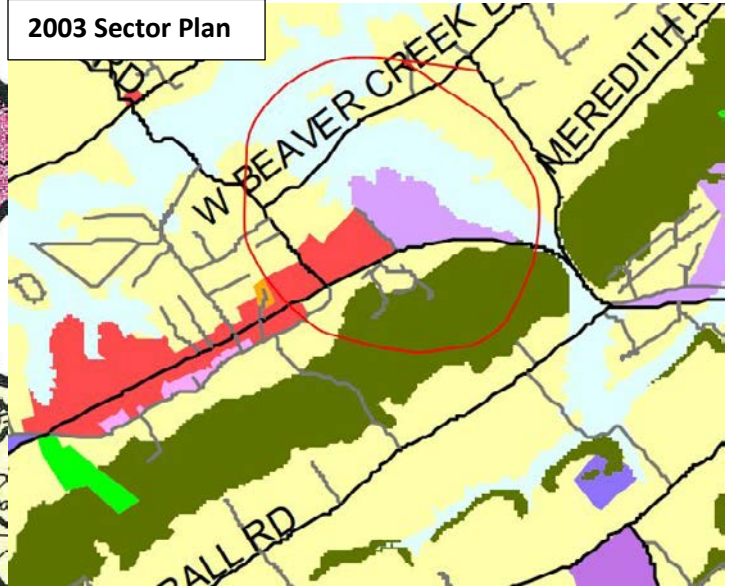
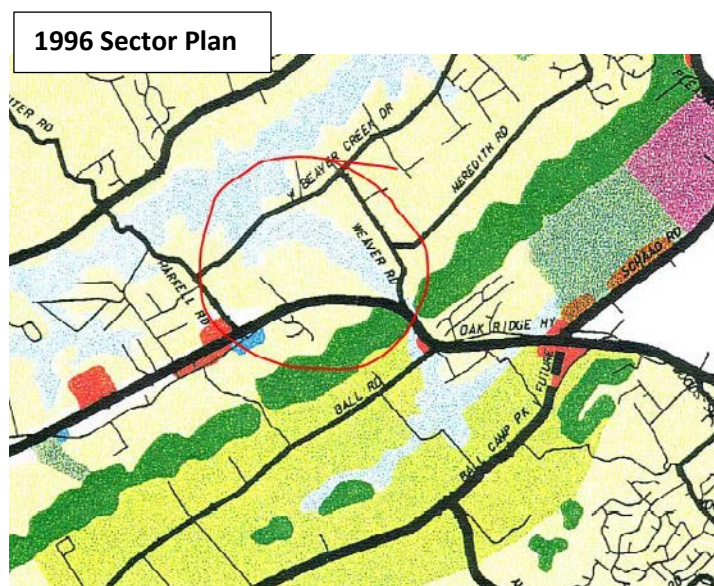


Exhibit B. 10-S-21-RZ / 10-M-21-SP Contextual Images





Development Request

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☒ Plan Amendment
☒ SP ☐ OYP
☒ Rezoning

Graham Corporation

Applicant Name

Affiliation

8-30-21

Date Filed

10-14-21

Meeting Date (if applicable)

File Number(s)

10-S-21-RZ

10-m-21-SP

CORRESPONDENCE

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

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

Graham Corporation

Name

Company

P.O. Box 12489

Address

Knoxville

City

TN

State

37912

ZIP

865-693-7000

Phone

tgc@grahamcorporation.com

Email

CURRENT PROPERTY INFO

Speedywest LLC

Owner Name (if different)

P.O. Box 12489, Knox, TN 37912

Owner Address

Owner Phone

7000 + 7038 Oak Ridge Hwy

Property Address

078-136.02 + 137

Parcel ID

(part of) (part of)

West Knox Utility

Sewer Provider

WKU

Water Provider

Septic (Y/N)

STAFF USE ONLY

North side of Oak Ridge Hwy, west of Weaver Rd. 29 acres

General Location

Tract Size

☐ City ☒ County

District

A, PC, OB

Zoning District

Rural residential and vacant land

Existing Land Use

Northwest County

Planning Sector

LDR and SP

Sector Plan Land Use Classification

Planned Growth

Growth Policy Plan Designation

DEVELOPMENT REQUEST
☐ Development Plan ☐ Use on Review / Special Use ☐ Hillside Protection COA

☐ Residential ☐ Non-Residential

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

☐ Combine Parcels ☐ Divide Parcel

Unit / Phase Number _____

Total Number of Lots Created _____

☐ Other (specify) _____☐ Attachments / Additional Requirements _____

Related Rezoning File Number

ZONING REQUEST☒ Zoning Change
PC + OB + A to CA (see map)
 Proposed Zoning
☒ Plan Amendment Change
GC ; SP &
 Proposed Plan Designation(s)

Pending Plat File Number

Proposed Density (units/acre) _____

Previous Rezoning Requests

11-I-85-RZ + 12-J-93-RZ☐ Other (specify) _____**STAFF USE ONLY****PLAT TYPE**
☐ Staff Review ☐ Planning Commission
ATTACHMENTS
☐ Property Owners / Option Holders ☐ Variance Request
ADDITIONAL REQUIREMENTS
☐ Design Plan Certification (Final Plat)
☐ Use on Review / Special Use (Concept Plan)
☐ Traffic Impact Study
☐ COA Checklist (Hillside Protection)

Fee 1

327 | \$3,900

Fee 2

527 | \$800

Fee 3

Total

\$4,700**AUTHORIZATION**

By signing below, I certify I am the property owner, applicant or the owners authorized representative.

[Signature], Pres.
 Applicant Signature

Tom Graham
 Please Print

8-30-21
 Date

865-693-7000
 Phone Number

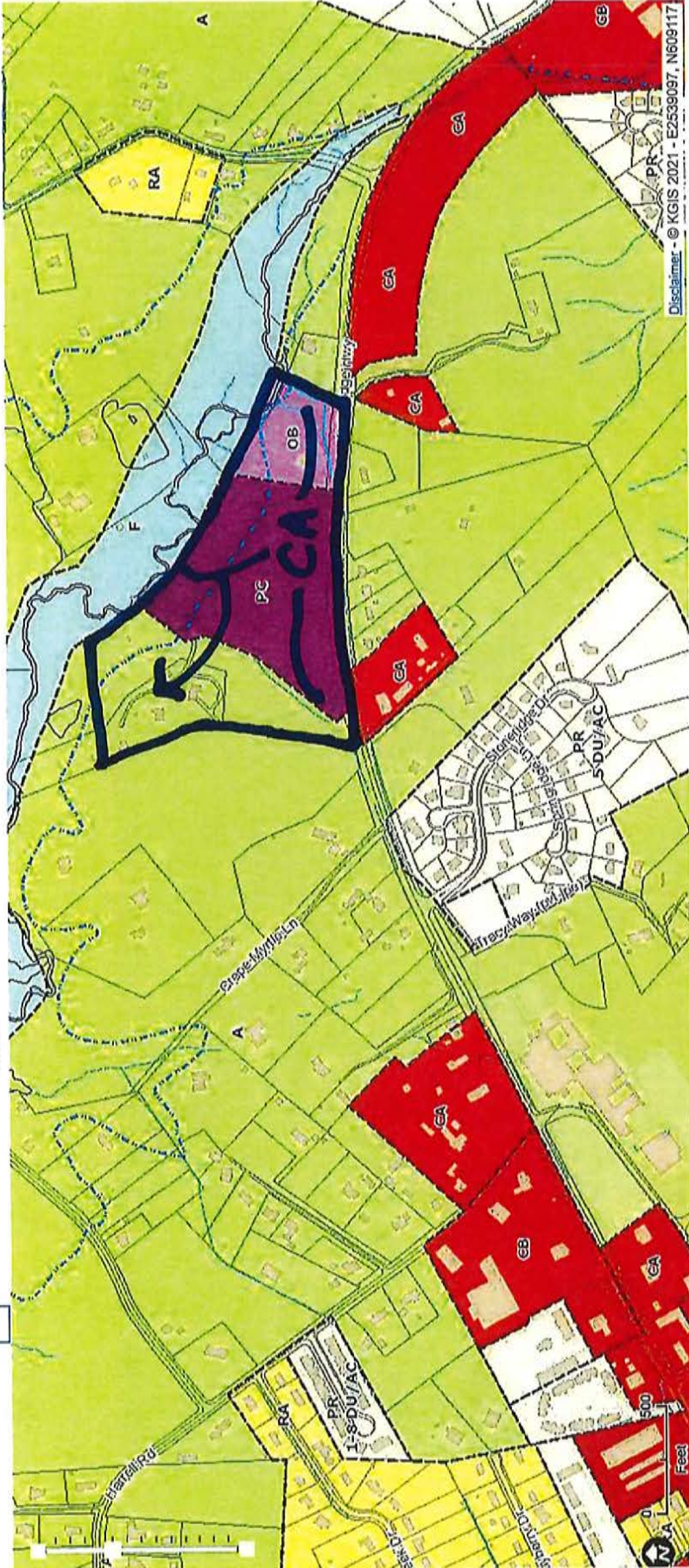
tgr@grahamcorporation.com
 Email

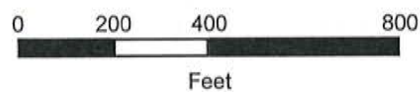
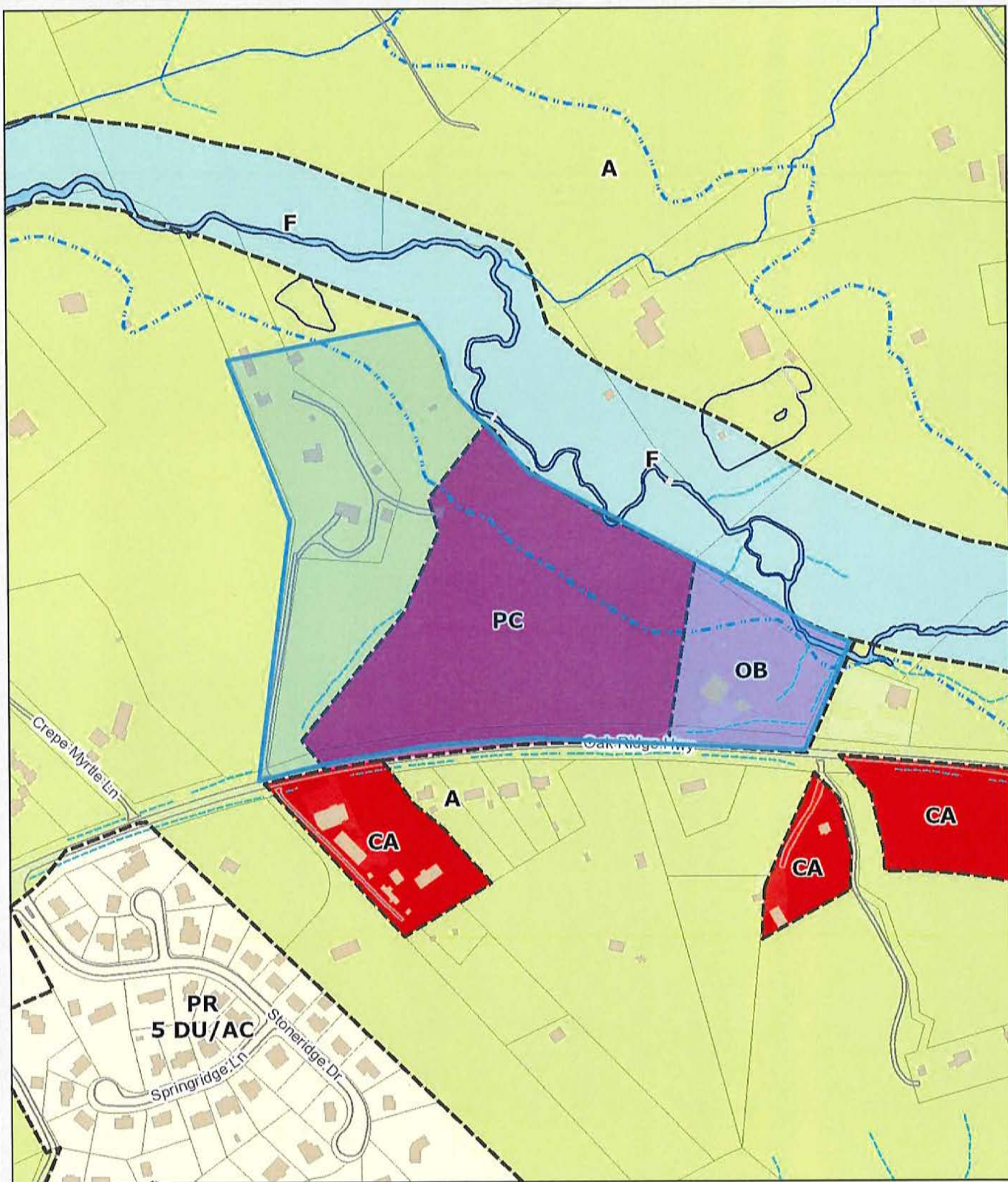
[Signature]
 Staff Signature

Michael Reynolds
 Please Print

9/1/2021 (sum)
 Date

Launch

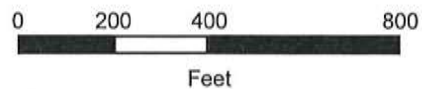
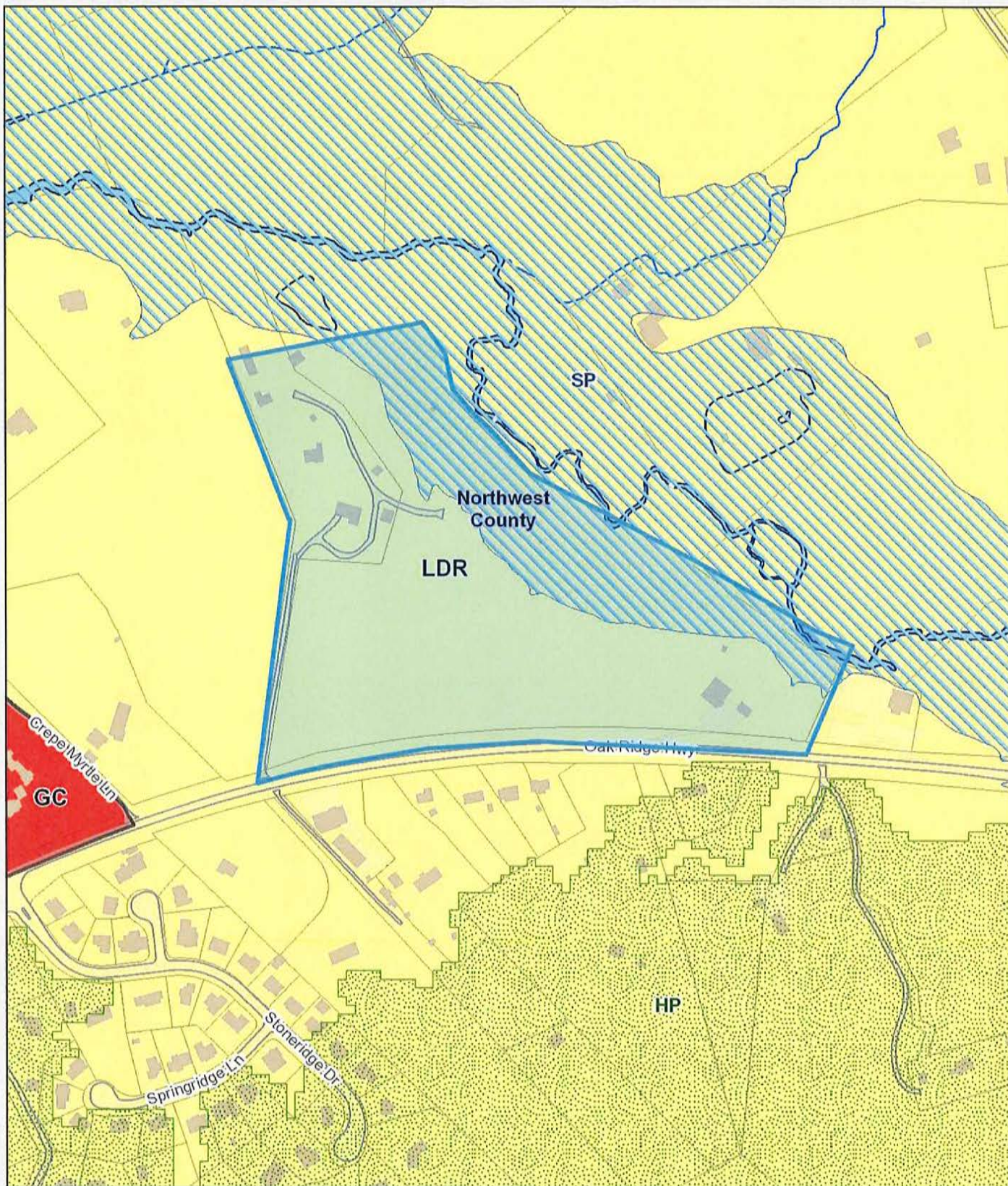




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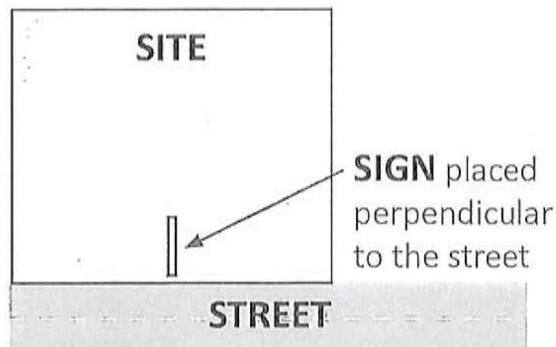


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The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission 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 not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

Sept 29 and Oct 15
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Braham Corporation

Date: 9/1/2021

File Number: 10-S-21-RZ/10-M-21-SP



Sign posted by Staff



Sign posted by Applicant