

# CASE SUMMARY

**APPLICATION TYPE: REZONING**

**EAST COUNTY SECTOR PLAN AMENDMENT**



**File Number:** 10-J-18-RZ                      **Related File Number:** 10-F-18-SP  
**Application Filed:** 9/5/2018                      **Date of Revision:**  
**Applicant:** KNOXVILLE UTILITIES BOARD

## **PROPERTY INFORMATION**

**General Location:** North side Thorn Grove Pike, west of Midway Road.  
**Other Parcel Info.:**  
**Tax ID Number:** 74 PART OF 95.02                      **Jurisdiction:** County  
**Size of Tract:** 6.72 acres  
**Accessibility:**

## **GENERAL LAND USE INFORMATION**

**Existing Land Use:** Transportation/Communications/Utilities (TCU)  
**Surrounding Land Use:**  
**Proposed Use:** Data Center (NAICS 514)                      **Density:**  
**Sector Plan:** East County                      **Sector Plan Designation:** Low Density Residential (LDR)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:**

## **ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)**

**Street:** 0 Thorn Grove Pike  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## **ZONING INFORMATION (where applicable)**

**Current Zoning:** A (Agricultural)  
**Former Zoning:**  
**Requested Zoning:** EC (Employment Center)  
**Previous Requests:** 7-S-06-RZ; A (Agricultural) to I (Industrial); see court records  
**Extension of Zone:**  
**History of Zoning:**

## **PLAN INFORMATION (where applicable)**

**Current Plan Category:** LDR (Low Density Residential)  
**Requested Plan Category:** BP (Business Park)

**SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

**OTHER INFORMATION (where applicable)**

Other Bus./Ord. Amend.:

**PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge:

Liz Albertson

Staff Recomm. (Abbr.):

APPROVE EC (Employment Center) zoning.

Staff Recomm. (Full):

EC zoning at this location is compatible with the adjacent EC zoning and low density residential uses. The EC zone requires public review of a development plan prior to construction so that any issues may be addressed through the design process.

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 property is located adjacent to the EC (Employment Center) zone for the Midway Business Park, rezoned in 2015.
2. The area and surrounding zone districts have changed substantially since the adoption of the 2010 East County Sector Plan. The land use designation has changed for the adjacent area to BP-1 and the adjacent zoning has also changed to EC to allow for development of the Midway Business Park.
3. The site is located in the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan map.

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

1. The EC zoning district, as stated in the Knox County Zoning Ordinance, is intended to encourage development of business parks and other employment centers that will contribute to the future economic well-being of Knox County. It provides standards and procedures that will minimize any conflicts or adverse impacts of these developments with other properties, public roads or facilities. It provides a zoning district for use in areas meeting the locational standards for industrial parks and technology-based development contained in the Knoxville-Knox County General Plan.
2. The EC zoning district is for business and technology park development that requires site plan review and complies with the requirements of the Knoxville-Knox County-Farragut Growth Policy Plan.

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. EC zoning is compatible with the surrounding land uses and proposed development of the Midway Business Park.
2. The EC zoning requires use on review approval of a development plan by MPC prior to construction. This will provide the opportunity for staff to review the plan and address issues related to the design. It will also give the opportunity for public comment at the MPC meeting.
3. A letter addressing traffic impacts of the proposed data center on the existing traffic impact study that has been conducted for the Midway Business Park may be required as part of the use on review process.

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 East County Sector Plan proposes low density residential and office uses for this property, however, the site has been used as part of the KUB/TVA electrical substation site and it's existing land use is shown as transportation/communications/utilities.
2. The request will not have any impact on the school system.
3. The impact to the streets will be addressed via a letter noting the existing traffic impact study for the Midway Business Park that may be required as part of the concept subdivision and use on review approval process. Access points and traffic patterns will be assessed in accordance with the required

traffic impact study as part of the development plan review for the business park.

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.

**Action:** Approved **Meeting Date:** 10/11/2018

**Details of Action:**

**Summary of Action:** APPROVE EC (Employment Center) zoning.

**Date of Approval:** 10/11/2018 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

### **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knox County Commission

**Date of Legislative Action:** 11/19/2018

**Date of Legislative Action, Second Reading:**

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:** Approved

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**