

# CASE SUMMARY

**APPLICATION TYPE: REZONING**

**SOUTH COUNTY SECTOR PLAN AMENDMENT**

KNOXVILLE • KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N

T E N N E S S E E

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**File Number:** 3-D-13-RZ                      **Related File Number:** 3-A-13-SP  
**Application Filed:** 1/24/2013              **Date of Revision:**  
**Applicant:** BROWDER METAL RECYCLING

## PROPERTY INFORMATION

**General Location:** East end of Valgro Rd., east of Sevierville Pike  
**Other Parcel Info.:**  
**Tax ID Number:** 138 27301 OTHER: PORTION OF 138-274 (MAP ON FILE)      **Jurisdiction:** County  
**Size of Tract:** 4.5 acres  
**Accessibility:**

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Manufacturing facility  
**Surrounding Land Use:**  
**Proposed Use:** Recycling facility    **Density:**  
**Sector Plan:** South County                      **Sector Plan Designation:** LI & Ag/RR  
**Growth Policy Plan:** Rural Area  
**Neighborhood Context:**

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

**Street:** 8905 Valgro Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** LI (Light Industrial) & A (Agricultural)  
**Former Zoning:**  
**Requested Zoning:** I (Industrial)  
**Previous Requests:** None noted  
**Extension of Zone:**  
**History of Zoning:**

## PLAN INFORMATION (where applicable)

**Current Plan Category:** LI (Light Industrial) & AG/RR (Agricultural/Rural Residential)  
**Requested Plan Category:** HI (Heavy Industrial)

## **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.:

## **MPC ACTION AND DISPOSITION**

Planner In Charge:

Michael Brusseau

Staff Recomm. (Abbr.):

RECOMMEND that County Commission APPROVE EC (Employment Center) zoning. (Applicant requested I.)

Staff Recomm. (Full):

The requested I (Industrial) zoning district may not be considered within an area designated as Rural Area on the Growth Policy Plan. The recommended alternative EC zoning district is intended to encourage development of business parks and other employment centers. This isolated area is already developed with numerous light industrial businesses. The proposed new development can be accommodated in the EC zone with approval of a similar use determination. The EC zone is the only zone available for use within the Rural Area of the Growth Policy Plan that could possibly accommodate the applicant's proposed uses.

Comments:

A similar use determination is on this agenda (4-A-13-OB) to determine whether the proposed uses can be considered in the EC (Employment Center) zoning district. The EC zone is the only zone that can be considered on property designated as Rural Area on the Growth Policy Plan that could possibly accommodate the uses proposed by the applicant.

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. EC is the only business zone that can be considered for this site, which is located within the Rural Area designation on the Growth Policy Plan, limiting eligible business zones. If the accompanying similar use determination (4-A-13-OB) is approved, then the applicant's proposed uses could be considered with development plan approval by MPC.
2. EC zoning will potentially allow the proposed development on the subject property, with approval of a similar use determination and a development plan by MPC.
3. EC zoning allows uses that are generally similar in nature to the uses that are already established in the area.
4. This 5-acre site meets the minimum size requirement for establishment of a new EC-zoned district.

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

1. The requested EC zoning district 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 General Plan. It provides a zoning district for business and technology park development that requires site plan review and complies with the requirements of the Growth Policy Plan.
2. Based on the above description, the subject property is appropriate for EC zoning.

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. Public water is available to serve the site. Sanitary sewer is not currently available in the area, but could be extended, if necessary, to serve this site.
2. The proposal will have no impact on schools, and the traffic impact will depend on the type of uses that are proposed. The traffic impact should be minimal, as numerous businesses are already established in the immediate area. With the development plan approval process, Valgro Rd. could be recommended for improvements, which should improve the existing situation.
3. Uses permitted under EC zoning would be compatible with existing development in the area.

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. With the recommended amendment to BP Type 1, EC zoning would be consistent with the South County Sector Plan.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map, which limits the types of commercial and other zones that can be proposed. EC is a zone that may be considered within the Rural Area. The EC zone was developed in 2003 to replace the LI and I zones for properties within the Rural Area on the Growth Policy Plan. The Employment Center zone is a Planned Business/Industrial Park zoning district.
3. The recommended zoning change does not present any apparent conflicts with any other adopted plans.

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:** 4/11/2013

**Details of Action:**

**Summary of Action:** RECOMMEND the Knox County Commission APPROVE EC (Employment Center) zoning.

**Date of Approval:** 4/11/2013 **Date of Denial:** **Postponements:** 3/14/13

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

### **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knox County Commission

**Date of Legislative Action:** 5/28/2013

**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:**