

CASE SUMMARY

APPLICATION TYPE: REZONING

NORTHWEST 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: 6-B-11-RZ **Related File Number:** 6-A-11-SP
Application Filed: 4/21/2011 **Date of Revision:**
Applicant: PSC METALS, INC.

PROPERTY INFORMATION

General Location: Northeast side Cogdill Rd., southeast of Starkey Ln.
Other Parcel Info.:
Tax ID Number: 131 088 **Jurisdiction:** County
Size of Tract: 11.56 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Existing industrial use
Surrounding Land Use:
Proposed Use: Automobile and metals salvage yard **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** Light Industrial
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

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

Street: 10319 Cogdill Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RA (Low Density Residential)/TO (Technology Overlay) and CB (Business and Manufacturing)/TO (Technology Overlay)
Former Zoning:
Requested Zoning: I (Industrial) /TO (Technology Overlay)
Previous Requests: None noted
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: LI (Light Industrial)
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 I (Industrial) / TO (Technology Overlay) zoning, subject to one condition.

Staff Recomm. (Full):

1. Uses listed under Industrial zoning shall be allowed, except those listed under Sections D. (Mining Related Uses) and F. (Waste Handling Uses) of Uses Permitted (5.61.02).

Limited industrial zoning is appropriate for this site, given the area's mixed zoning pattern, and will bring the site's current and proposed use as a salvage yard into compliance. The proposal is an extension of zoning from the north and is compatible with surrounding land uses. The permitted uses identified as "mining related uses" and "waste handling uses", however, would not be appropriate at this location due to their potential negative impacts on the surrounding area, which includes some planned commercial, office and institutional development.

Comments:

REZONING REQUIREMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. The applicant proposes to improve the site for continued use as a salvage yard, but by a different operator. The proposed I zoning would bring the current and proposed use into compliance with zoning.
2. The proposal is an extension of zoning from the north and is compatible with surrounding land uses. Several of the surrounding land uses may be more compliant with zoning if zoned Industrial.
3. A salvage yard type business is already in operation at the site, so the impact of this zoning change should be minimal.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. Industrial zoning provides areas in which the principal use of land is for manufacturing, assembling, fabrication and for warehousing and other uses which have heavy impacts and adverse effects on surrounding property. 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. Such uses are not properly associated with, nor compatible with residential, institutional and retail commercial uses. In this case, however, the list of permitted uses should be limited because of the negative impact that mining related and waste handling uses could have on the area's mixed development pattern.
2. Based on the above description of the requested zoning, the subject property is appropriate for the requested Industrial zoning.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to the site.
2. The proposal would have no impact on schools and a minimal impact on streets. The proposed zoning is appropriate for the current and proposed use of the property.
3. There will be a minimal impact on surrounding properties, as the basic use will not change.
4. The applicant will be required to submit a development plan for use on review approval by MPC prior to making site improvements. During this review, issues such as traffic circulation, landscaping, access and other development concerns may be addressed. This will also provide the opportunity for public comments at MPC's public meeting.
5. All new development is subject to review and approval of a development plan by MPC, as well as the Tennessee Technology Corridor Development Authority (TTCDA), since it is located in the TO overlay.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the recommended plan amendment to HI (Heavy Industrial), Industrial zoning as conditioned, is consistent with the Northwest County Sector Plan.
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth

Policy Plan map.

3. Approval of Industrial zoning for this site could lead to future similar requests in the area, which would also require sector plan amendments.

4. During the next update of the Northeast County Sector Plan, this area should be evaluated to determine if the current LI (Light Industrial) plan designation is still appropriate, or if certain areas should be redesignated for heavy industrial uses.

5. Because of the property's location within the TO (Technology Overlay), the TTCDA will need to approve a Certificate of Appropriateness for this rezoning from the TTCDA. This was approved, as requested by the applicant by TTCDA on Mon., June 6, 2011 (6-A-11-TOR)..

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. New law 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:** 7/14/2011

Details of Action: RECOMMEND that County Commission APPROVE I (Industrial) / TO (Technology Overlay) zoning, subject to two conditions.
1. Area to be rezoned is limited to 4.76 acres, current lease area for Metal Solutions, future lease area for PSC Metals.
2. Industrial zoning will be limited to one use, namely "Automobile wrecking, junk and salvage yards" under Article 5, Section 5.61.03 (D) of the Knox County Zoning Ordinance and the uses permitted in the CB zone of the Ordinance.

Summary of Action: RECOMMEND the Knox County Commission APPROVE I (k) (Industrial) / TO (Technology Overlay) zoning, subject to two conditions.
1. Area to be rezoned is limited to 4.76 acres, current lease area for Metal Solutions, future lease area for PSC Metals.
2. Industrial zoning will be limited to one use, namely "Automobile wrecking, junk and salvage yards" under Article 5, Section 5.61.03 (D) of the Knox County Zoning Ordinance and the uses permitted in the CB zone of the Ordinance.

Date of Approval: 7/14/2011 **Date of Denial:** **Postponements:** 6/9/11

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 8/22/2011

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: