

**METROPOLITAN PLANNING COMMISSION
REPORT OF RECOMMENDATION**

7/22/2013 10:28 AM

FILE NUMBER: 7-D-13-RZ

APPLICANT: ROLLING ACRES FARM

APPLICANT'S REQUEST: REZONING

FROM: OS (Open Space)

TO: A (Agricultural)

MPC RECOMMENDATION: **RECOMMEND the Knox County Commission APPROVE A (Agricultural) zoning.**

MPC VOTE COUNT: 11-0

LOCATION: South side Thorn Grove Pike, west side Smith School Rd.

ACREAGE: 99.67 acres

DISTRICT: Commission District 8

MPC HEARING ON: 7/11/2013

PUBLISHED IN: News-Sentinel

DATE PUBLISHED: 6/7/2013

LEGISLATIVE HEARING ON: 8/26/2013

PUBLISHED IN: News-Sentinel

DATE PUBLISHED: 7/25/2013

APPLICANT'S ADDRESS: Todd Claiborne

P.O. Box 118

Blaine, TN 37709

LEGISLATIVE BODY: Knox County Commission

Consistent with Sector Plan? Yes

Consistent with Growth Plan? Yes

► **FILE #:** 7-D-13-RZ

AGENDA ITEM #: 26

AGENDA DATE: 7/11/2013

► **APPLICANT:** **ROLLING ACRES FARM**

OWNER(S): Rolling Acres Farm

TAX ID NUMBER: 74 148

JURISDICTION: County Commission District 8

► **LOCATION:** **South side Thorn Grove Pike, west side Smith School Rd.**

► **APPX. SIZE OF TRACT:** **99.67 acres**

SECTOR PLAN: East County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Thorn Grove Pike, a major collector street with 18' of pavement width within 40' of right of way, or Smith School Rd., a local street with 18' of pavement width within 40' of right of way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: N/A

WATERSHED: Tuckahoe Creek

► **PRESENT ZONING:** **OS (Open Space)**

► **ZONING REQUESTED:** **A (Agricultural)**

► **EXISTING LAND USE:** **Vacant, farming**

► **PROPOSED USE:** **Unmanaged woodland**

EXTENSION OF ZONE: Yes, extension of A zoning from all sides

HISTORY OF ZONING: Property was rezoned from A to OS in 2008 (11-G-08-RZ).

SURROUNDING LAND USE AND ZONING: North: Thorn Grove Pike - Vacant land / A (Agricultural)

South: I-40 right of way / A (Agricultural)

East: Smith School Rd. - Vacant land / A (Agricultural)

West: Residence and vacant land / A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is relatively undeveloped with a limited number of residences, under A zoning, and vacant land.

STAFF RECOMMENDATION:

► **RECOMMEND that County Commission APPROVE A (Agricultural) zoning.**

Agricultural is an extension of zoning from all sides and is consistent with the sector plan. Agricultural zoning is similar in intensity to the current OS zoning. Approval of the proposal will bring the entire parcel under one zoning district. A sizable portion of the 99.67-acre parcel is already zoned A.

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 requested A zoning is appropriate for this site, based on the surrounding zoning and on the sector plan

proposal for agricultural and rural residential uses for the site.

2. The proposal is an extension of Agricultural zoning from all sides of the property.
3. A portion of the subject parcel is already zoned Agricultural, and approval of this request will bring the entire parcel under one zoning district.

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

1. Agricultural zoning allows for agricultural uses and residential uses on lots of at least one acre in size.
2. The subject property is appropriate for the requested Agricultural 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 the site. Sewer utilities would have to be extended to serve this site, if needed.
2. The proposal would have a minimal impact on schools or streets.
3. There will be no impact on surrounding properties, as all adjacent properties in the area are already zoned Agricultural.

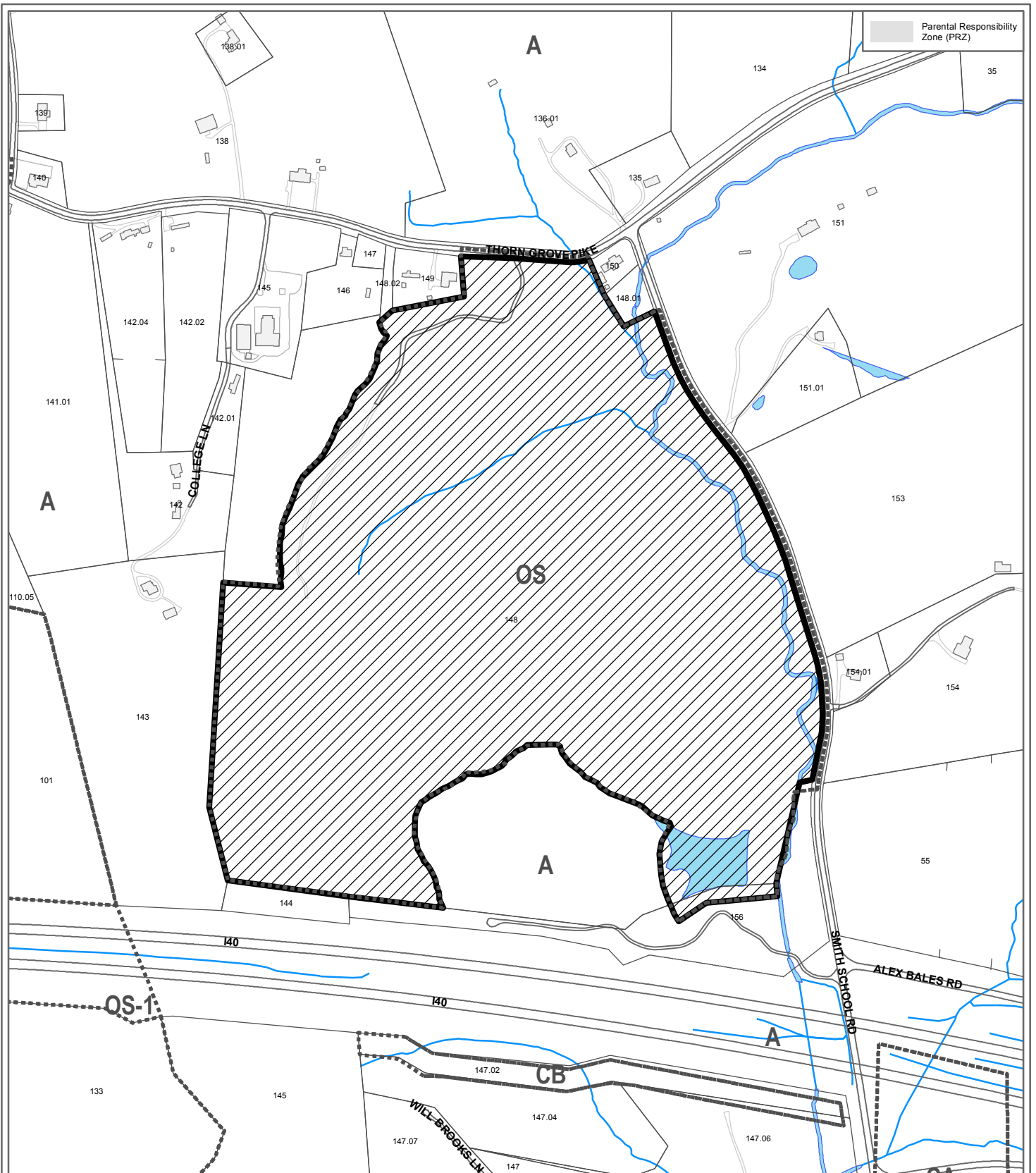
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The East County Sector Plan proposes agricultural and rural residential (Ag/RR) uses for the site. The requested Agricultural zone is the most appropriate zone to be considered within the Ag/RR plan designation.
2. This site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map. Agricultural zoning is appropriate within the Rural Area.
3. The proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 8/26/2013. If denied, MPC'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 an MPC decision in the County.



**7-D-13-RZ
REZONING**

From: OS (Open Space)
To: A (Agricultural)



Petitioner: Rolling Acres Farm

Map No: 74

Jurisdiction: County



Original Print Date: 6/27/2013 Revised: 7/1/2013
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



Suite 403 • City County Building
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Knoxville, Tennessee 37902
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FAX • 215 • 206 E
www.knoxmpc.org

Minutes (Unapproved)

July 11, 2013

1:30 P.M. ◊ Main Assembly Room ◊ City County Building

The Metropolitan Planning Commission met in regular session on March 14, 2013 at 1:30 p.m. in the Main Assembly Room, City/County Building, and Knoxville, Tennessee. Members:

	Ms. Rebecca Longmire, Chair	A	Mr. Nate Kelly
A	Mr. Herb Anders		Mr. Charles F. Lomax, Jr
	Mr. Bart Carey, Vice Chair	A	Mr. Brian Pierce
	Ms. Laura Cole		Mr. Jeff Roth
	Mr. Art Clancy		Mr. Jack Sharp
	Mr. Len Johnson		Mr. Wes Stowers
	Mr. Michael Kane		Ms. Janice Tocher

* Arrived late to the meeting.

** Left early in the meeting.

A – Absent from the meeting

26. ROLLING ACRES FARM

7-D-13-RZ

South side Thorn Grove Pike, west side Smith School Rd., Commission District 8. Rezoning from OS (Open Space) to A (Agricultural).

STAFF RECOMMENDATION: Approve A (Agricultural)

Longmire: I reiterate this is a rezoning only. If anything is done on an agricultural piece of land there are certain things that have to come before us for use on review. Just be very aware of what is allowed in the agricultural zoning.

Tim Tatum, Pastor, Thorn Grove Baptist Church, 10200 Thorn Grove Pike. We respectfully ask that you deny this the rezoning for several reasons. First of all just the common thing of air pollution. Secondly just the noise pollution from blasting if they put a rock quarry in there. Third from road damage that would be from the trucks which is happening on the other side at Marbledale. Then the potential damage to structure to our church and also to the surrounding houses. We respectfully ask that you deny this rezoning.

Longmire: Your concern is not with the rezoning to Agricultural. It would be the use that was on the agricultural. Mr. Brusseau would like to speak to that please.

Mike Brusseau: The rumor is and I have no way to confirm or deny this, but the rumor is that the applicant intends to try to get a quarry approved here. We are not here to decide that today. The decision here today is is this property appropriate for agricultural zoning. It is surrounded by agricultural zoning. The plans call for ag/rural residential uses. This is located in the rural area of the county. In staff's opinion clearly it is suitable for agricultural zoning. Also it was originally zoned agricultural until 2008 when a specific request came in for the OS. The only reason was somebody had a plan to do some equestrian facilities and various other things that could not be accommodated in the Ag zone. In fact they left portions of the site zoned Ag to allow for the stables and areas for the horses. I guess I would just say if indeed a quarry is the plan here that would as you said require a development plan approval by MPC and that would be the forum in my opinion to discuss that matter.

Longmire: You understand sir that right now if it is agricultural that is all we are dealing with. If again he or whomever put a quarry there then you would get to come back and make your statements.

Tatum: Want to here then and there too. Thank you.

Laura Cole: I would like to give... I realize we are here to talk about the zoning and I support the zoning. It makes sense. I would like to ask the applicant if there are plans for a quarry.

Joe Davis: Representative for Rolling Acres Farms. At this time there is no plan for a quarry there.

Clancy: One quick question. Michael I know it has to come back for review of concept plan. Is a quarry a use by right in agricultural?

Brusseau: No it is not.

MOTION (CLANCY) AND SECOND (JOHNSON) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 11-0. APPROVED.

SP: AG/OYP: NA
/HP

NOXVILLE/KNOX COUNTY
M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N
NOXVILLE, TENNESSEE
Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
8 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
www.knoxmpc.org

REZONING **PLAN AMENDMENT**

Name of Applicant: Rolling Acres Farm
Date Filed: 5/21/2013 Meeting Date: 7/11/2013
Application Accepted by: M. Payne
Fee Amount: \$4000⁰⁰ File Number: Rezoning 7-0-13-RZ
Fee Amount: _____ File Number: Plan Amendment _____



PROPERTY INFORMATION

Address: Ø THORN GROVE PIKE
 General Location: NORTH OF I-40
SOUTH OF THORN GROVE PIKE
WEST OF SMITH SCHOOL ROAD
 Parcel ID Number(s): 074 148

Tract Size: 99.67 ACRES
 Existing Land Use: UN MANAGED WOODLAND
 Planning Sector: EAST COUNTY
 Growth Policy Plan: _____
 Census Tract: 53
 Traffic Zone: 132
 Jurisdiction: City Council _____ District
 County Commission 38 District

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT
 Name: Rolling Acres Farm
 Company: _____
 Address: 4714 Rutledge Pike
 City: Rutledge State: TN Zip: 37861
 Telephone: (865) 256-3894
 Fax: _____
 E-mail: Todd@RollingAcresFarm.us

Requested Change
REZONING
 FROM: 05 OPEN SPACE
 TO: A AGRICULTURAL

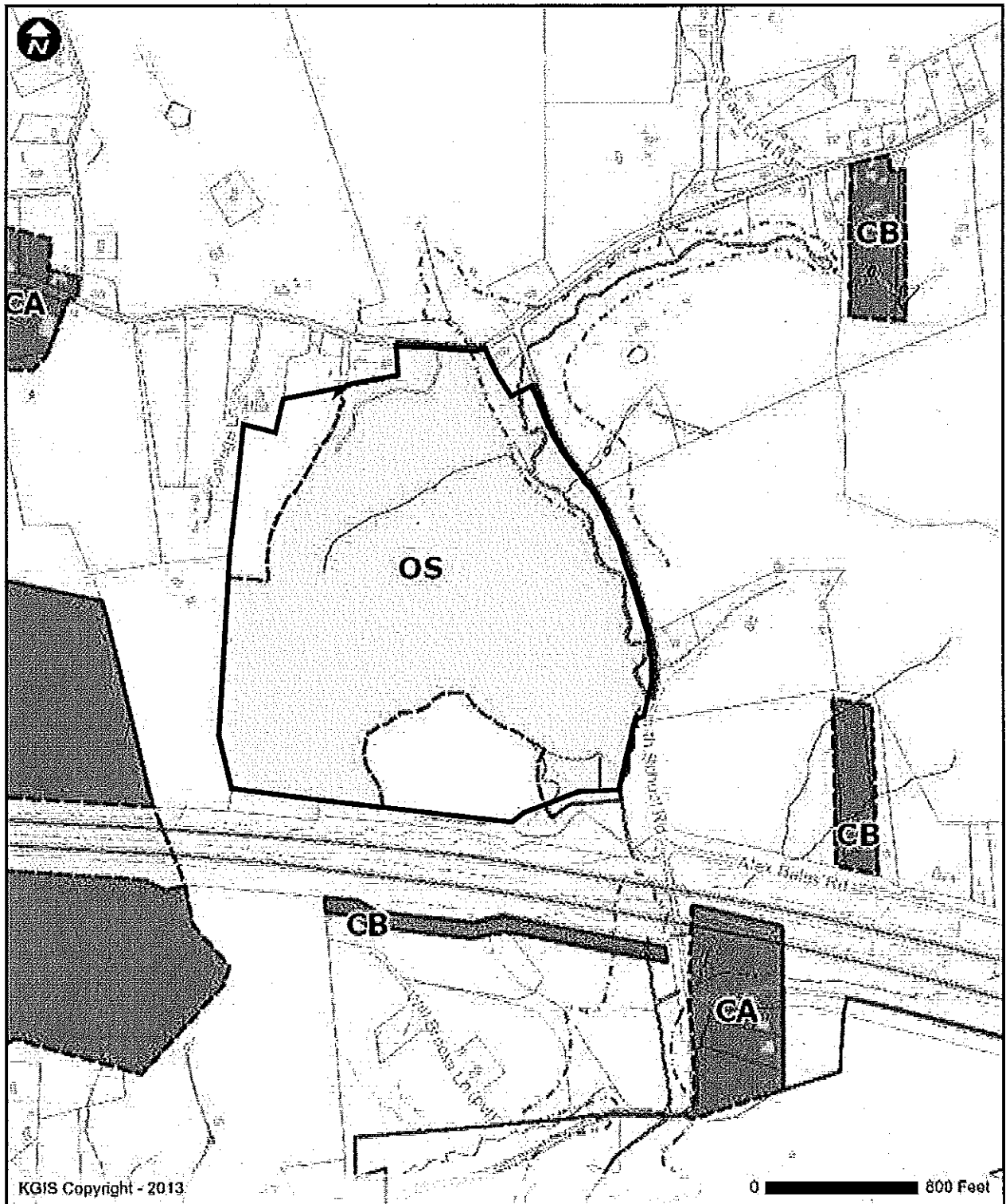
PLAN AMENDMENT
 One Year Plan Sector Plan
 FROM: AG
 TO: AG

APPLICATION CORRESPONDENCE
 All correspondence relating to this application should be sent to:
 PLEASE PRINT
 Name: Rolling Acres Farm
 Company: _____
 Address: PO Box 118
 City: Blaine State: TN Zip: 37709
 Telephone: 865-256-3894
 Fax: _____
 E-mail: Todd@RollingAcresFarm.us

PROPOSED USE OF PROPERTY
Vacant, Farming

Density Proposed N/A Units/Acre
 Previous Rezoning Requests: _____

APPLICATION AUTHORIZATION
 I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.
 Signature: Todd T. Claiborne
 PLEASE PRINT
 Name: Todd T. Claiborne
 Company: _____
 Address: PO Box 118
 City: Blaine State: TN Zip: 37709
 Telephone: _____
 E-mail: Todd@RollingAcresFarm.us



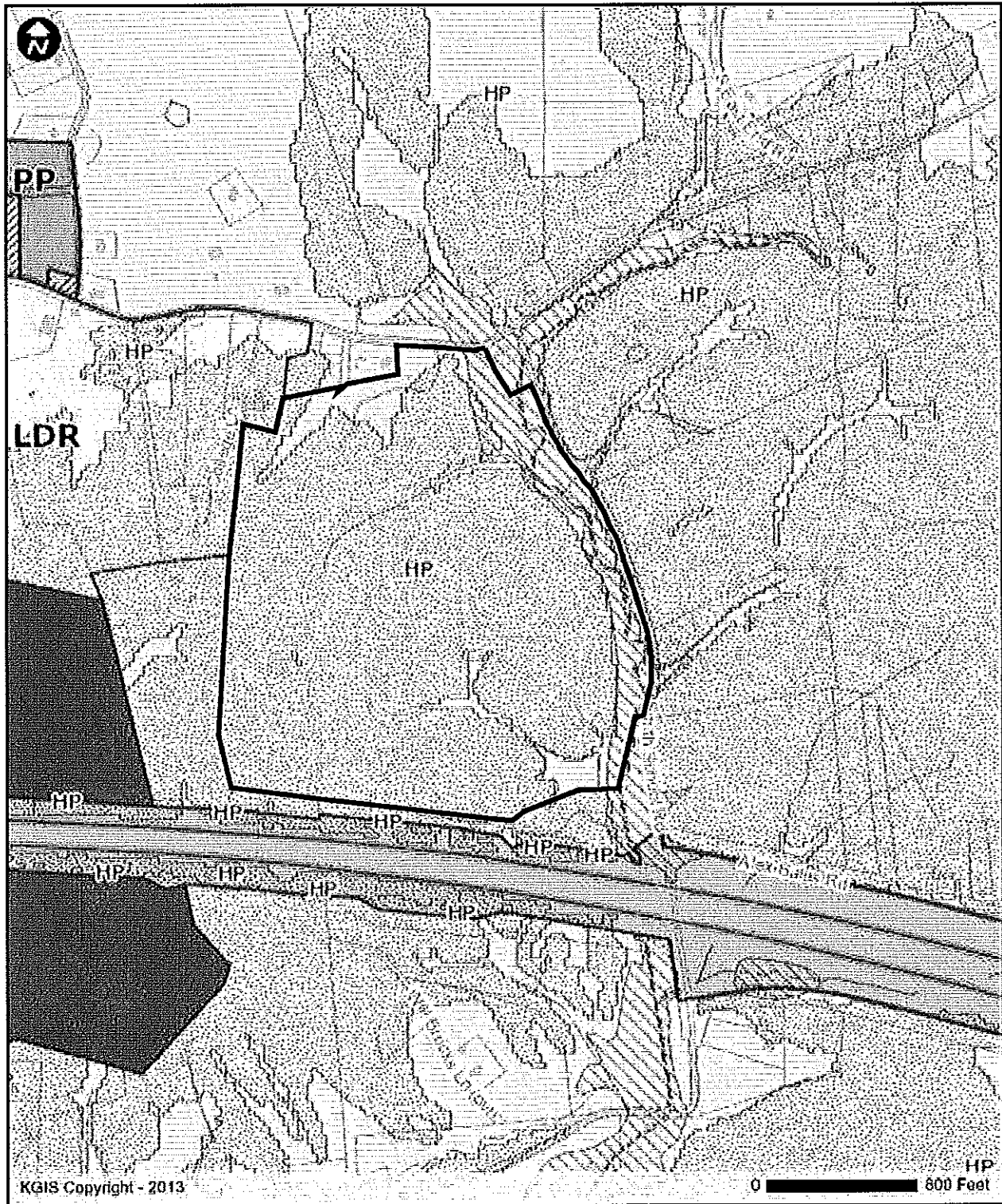
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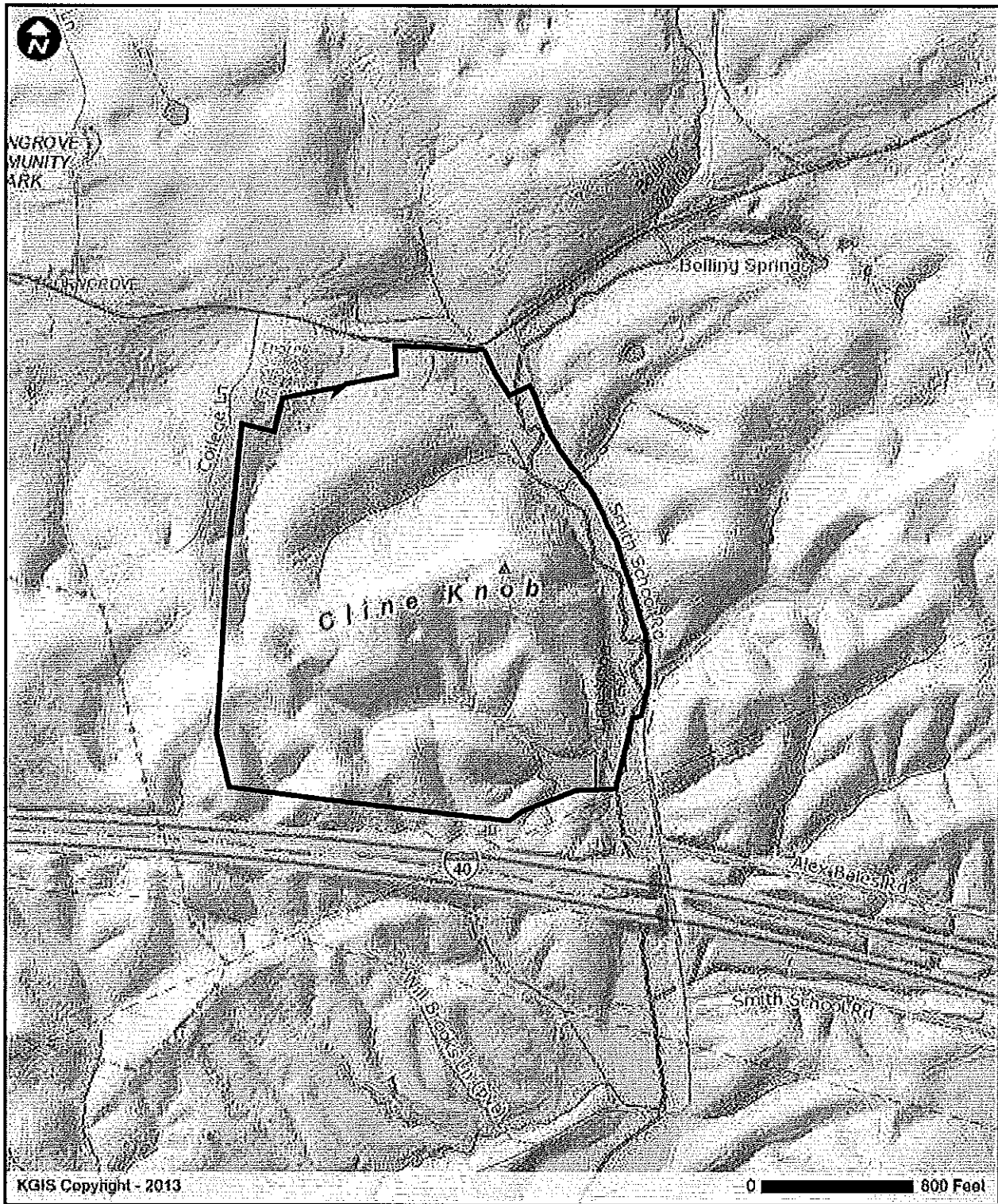
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**CORRECTED
PUBLIC NOTICE**

The following items will be considered by the Board of County Commissioners on Monday, August 26, 2013, at 5:00 p.m. in the Main Assembly Room, City County Bldg, 400 Main St., Knoxville, TN. Data pertinent to these items may be seen in the office of the Metropolitan Planning Commission, Fourth Fl. of the City County Bldg., Main St., Knoxville, TN. Knox County does not discriminate on the basis of disability in its provision of services, programs, activities or benefits. If you need assistance or accommodation for a disability, please contact the ADA office of 215-2952 & we will be glad to work with you in obliging any reasonable request.

**Ordinance
Amendment
KNOX COUNTY
COMMISSION**
Amendments to the Knox County Zoning Ordinance to remove distance regulations for the sale of beer.
MPC Recommendation: Approve.

**Plans/Rezoning
ROLLING ACRES
FARM** - South side Thorn Grove Pike, west side Smith School Rd., Commission District 8. Rezoning from OS (Open Space) to A (Agricultural). MPC Recommendation: Approve.

**E.C. BALDONADO
CORP.** - North side Hardin Valley Rd., east of Cherokeela Blvd., Commission District 6. Northwest County Sector Plan Amendment from TP (Technology Park) to GC (General Commercial) and Rezoning from BP (Business and Technology) / TO (Technology Overlay) to CA (General Business) / TO (Technology Overlay). MPC Recommendation: Approve.

**PRIMAS LAND
COMPANY, LLC** - Southeast side Gray Hendrix Rd., east end of Garrison Rd., Commission District 6. Rezoning from A (Agricultural) and I (Industrial) to PR (Planned Residential). MPC Recommendation: Approve PR of a density up to 4 du/ac.

SOUTHLAND ENGINEERING - Southeast side Ball Camp Pike, southwest side Andes Rd., Commission District 6. Northwest County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial) and Rezoning from PR (Planned Residential) to CA (General Business). MPC Recommendation: Approve.

**Deferred in July
MPC FOR JACK
WALKER** - Southeast side Tillet Ln., north of Corryton Rd. Northeast County Sector Plan Amendment from NC (Neighborhood Commercial) to RC (Rural Commercial) and Rezoning from RB (General Residential) to CR (Rural Commercial). Commission District 8. Northeast County Sector MPC Recommendation: Approve.