



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION  
PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 5-F-18-RZ  
5-B-18-SP

**AGENDA ITEM #:** 38  
**AGENDA DATE:** 5/10/2018

▶ **APPLICANT:** FRESENIUS USD MANUFACTURING, INC.  
OWNER(S): Fresenius USD Manufacturing, Inc.

TAX ID NUMBER: 72 047, 04701, 059 PART OF 057 NORTH OF CREEK [View map on KGIS](#)

JURISDICTION: Commission District 8

STREET ADDRESS: 5304 E Governor John Sevier Hwy

▶ **LOCATION:** East side E. Governor John Sevier Hwy., north of Hammer Rd.

▶ **TRACT INFORMATION:** 57.04 acres.

SECTOR PLAN: East County

GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)

ACCESSIBILITY: Access is via E. Governor John Sevier Hwy., a minor arterial street with two travel lanes and a center turning lane with 36' of pavement width within 155' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board  
Sewer Source: Knoxville Utilities Board

WATERSHED: Holston and French Broad

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / A (Agricultural) and CA (General Business)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial) / PC (Planned Commercial)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Logistics center

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING  
North: Vacant land and I-40 right-of-way / RB (General Residential) and OS-1 (Open Space)  
South: Houses and vacant land / A (Agricultural)  
East: Houses and vacant land / A (Agricultural)  
West: E. Gov. John Sevier Hwy., Holston River / F-1 (Floodway)

NEIGHBORHOOD CONTEXT: This area is comprised of agricultural and rural to low density residential uses under A, RA and RB zoning. The nearest commercial uses, other than the three billboards in the CA and Agricultural zones on the subject property, are located a little less than a mile to the north, at the intersection of Asheville Hwy. and E. Gov. John Sevier Hwy.

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**STAFF RECOMMENDATION:**

- ▶ **ADOPT RESOLUTION # 5-B-18-SP, amending the East County Sector Plan to GC (General Commercial) and recommend that County Commission also adopt the sector plan amendment. (See attached resolution, Exhibit A.)**

The recommendation is driven by changing conditions in the County, primarily the increasing demand for lands suitable for light industrial uses. The property has the characteristics desired of lands to be designated for light industrial uses: good topography, access to good roadway systems, and access to utilities. The site is accessed by E. Gov. John Sevier Hwy. and is within 2 miles of an interstate interchange. Amendment of the sector plan designation will provide opportunities for the continued growth of Knox County's economy.

- ▶ **RECOMMEND that County Commission APPROVE PC (Planned Commercial) zoning, consistent with the sector plan recommendation.**

The development of the property as permitted by the recommended PC zoning is appropriate. The topography of the property is level and it has access to a good roadway system, making development possible with few adverse impacts. Review of development plans as required by the recommended PC zoning will allow the opportunity to mitigate any potential impacts on adjacent properties and land uses.

**COMMENTS:**

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

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

The demand for properties suitable for development for light industrial uses has increased significantly since the preparation of the East County Sector Plan in 2010. As Knox County's economy continues to expand with companies searching for areas suitable for location of light industrial uses, the need to reassess plans and identify appropriate locations for these uses results in the need to make reasonable amendments to adopted plans.

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

Staff is not aware of any significant road or utility improvements in the area, but the existing E. Gov. John Sevier Hwy. is adequate to handle additional traffic. Adequate utilities will need to be provided as part of the development plan. A traffic impact study will also be required as part of the development plan review, which may recommend needed road improvements.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The plan currently designates the site for low density residential uses, consistent with the current Agricultural zoning on most of the property.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

There has been no obvious change in government policy to warrant this amendment to the sector plan. However, if these applications are granted final approval by Knox County Commission, as recommended, it would be a change in government policy for this area.

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

Most non-residential development in this immediate area is located to the north, around the intersection of E. Gov. John Sevier Hwy. and Asheville Hwy. But, this site is within a mile of that area and has access via a minor arterial street (E. Gov. John Sevier Hwy.).

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 recommendation is driven by changing conditions in the County, primarily the increasing demand for lands suitable for light industrial uses.
2. The property has the characteristics desired of lands to be designated for light industrial uses: good topography, access to good roadway systems, and access to utilities.

3. The site is accessed by E. Gov. John Sevier Hwy. and is within 2 miles of an interstate interchange.

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

1. The requested PC zoning 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. Based on the above description, the best zoning for non-residential development of the site is the requested PC 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. With the recommended sector plan amendment to GC, the recommended PC zoning and density are consistent with the sector plan.
2. The PC zoning district requires use on review approval of a development plan prior to issuance of any permits for the project. As part of this review, MPC and Engineering staffs will have the opportunity to review a plan and address issues such as traffic circulation, landscaping, buffering and screening, stormwater, utilities and other development issues. It will also provide an opportunity for public comment.
3. With the potential size of the proposed development, a Traffic Impact Study (TIS) will likely be required to be submitted along with development plans. Any road improvements recommended by the TIS will need to be incorporated into the development plans.

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 of the East County Sector Plan to GC, the proposed PC zoning will be consistent with the plan.
2. The site is located within the Urban Growth Area of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This proposal 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 provides for two methods to amend the plan at TCA 13-3-304:

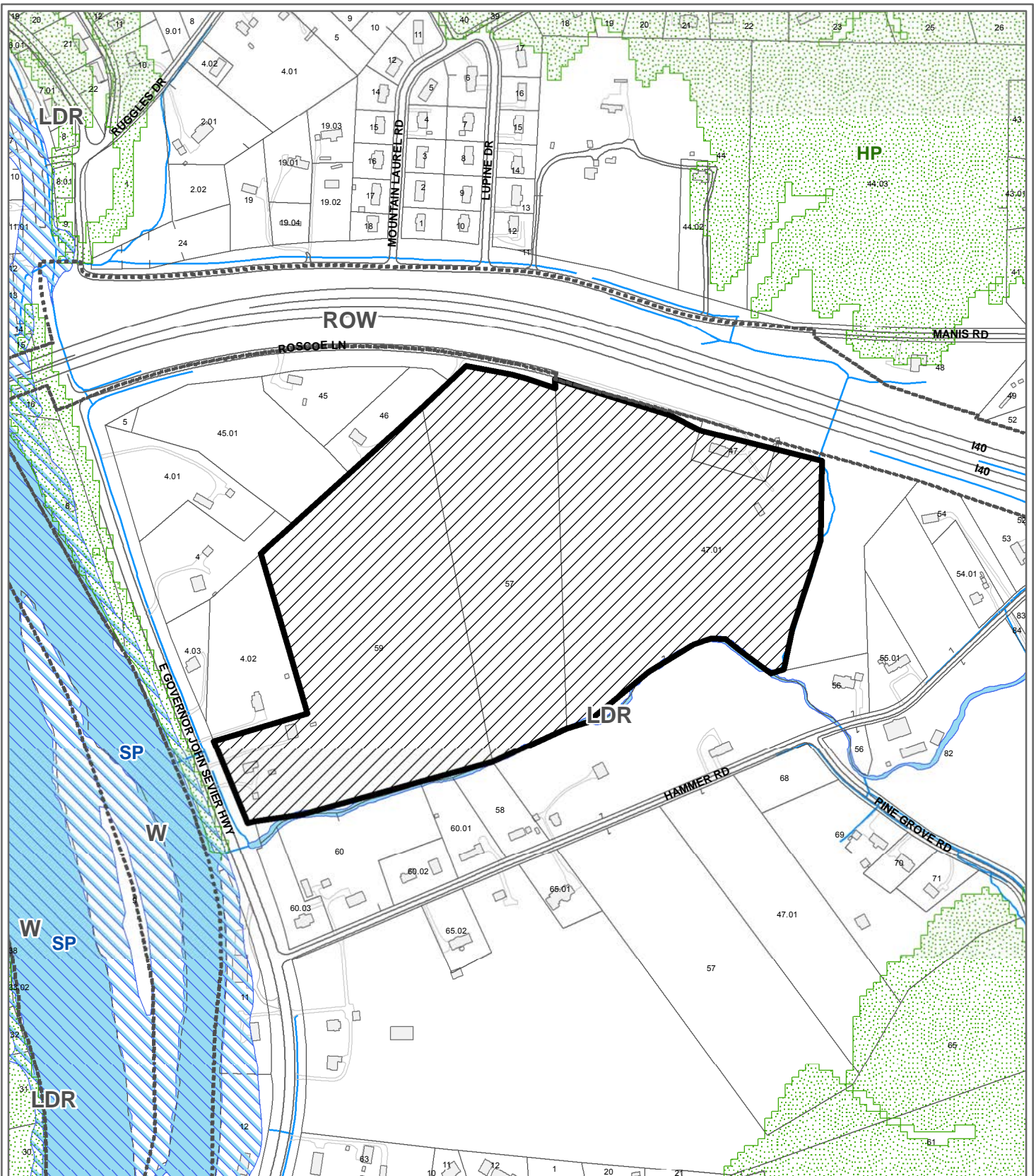
1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to 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.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 6/25/2018. 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.

If approved, this item will be forwarded to Knox County Commission for action on 6/25/2018. 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.



**5-B-18-SP / 5-F-18-RZ  
EAST CITY SECTOR PLAN AMENDMENT**

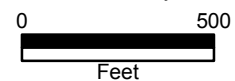
From: LDR (Low Density Residential)  
To: GC (General Commercial)



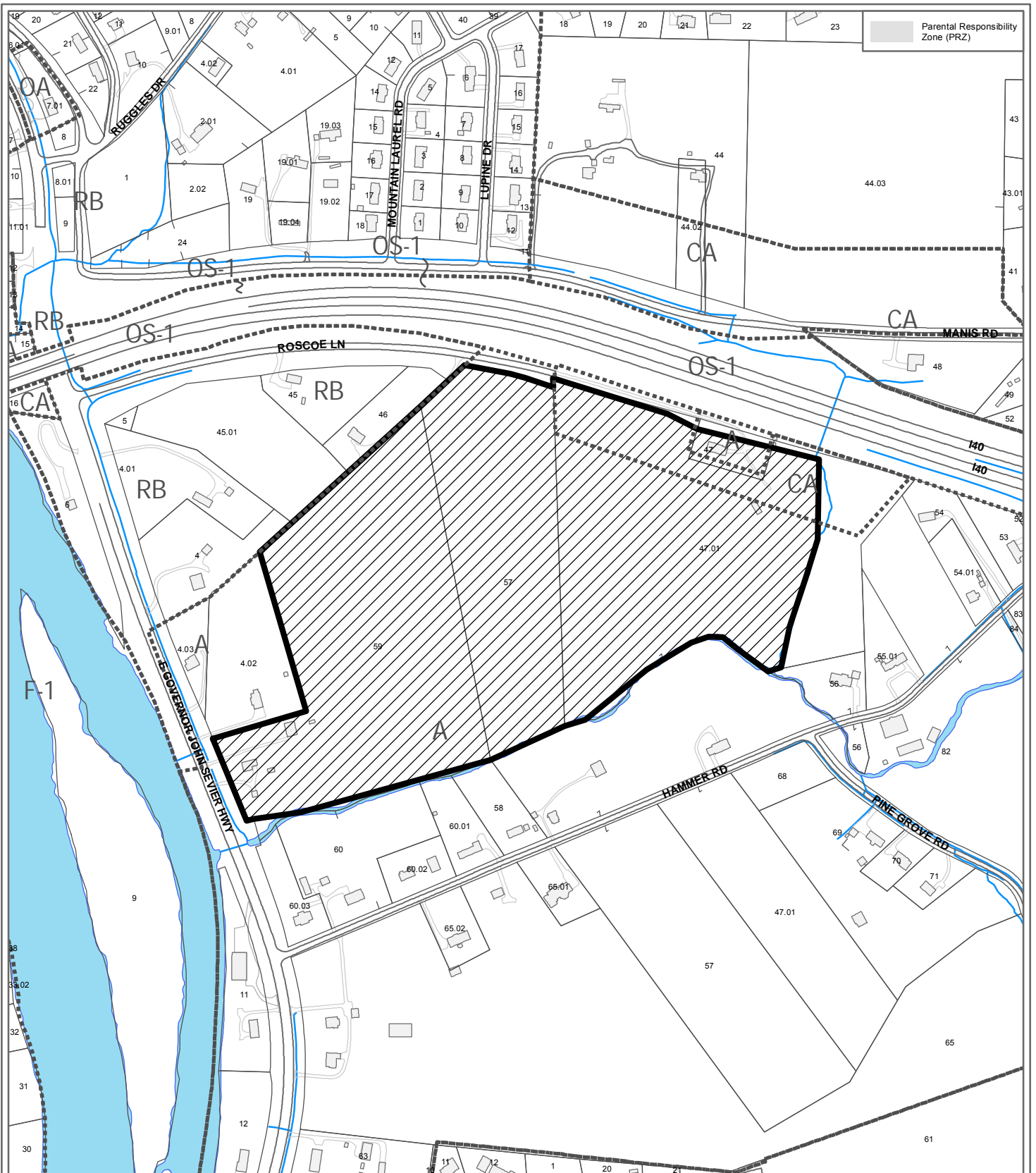
Petitioner: Fresenius USD Manufacturing, Inc.

Map No: 72

Jurisdiction: County



Original Print Date: 4/16/2018 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



**5-F-18-RZ  
REZONING**

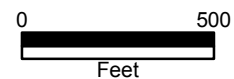
From: A (Agricultural) and CA (General Business)  
To: PC (Planned Commercial)



Petitioner: Fresenius USD Manufacturing, Inc.

Map No: 72

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Original Print Date: 4/16/2018      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

KNOXVILLE-KNOX COUNTY  
METROPOLITAN PLANNING COMMISSION  
A RESOLUTION AMENDING THE EAST COUNTY SECTOR PLAN

WHEREAS, the Knoxville-Knox County Metropolitan 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 Metropolitan 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 Metropolitan Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the East 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, Fresenius Manufacturing, Inc, has submitted an application to amend the Sector Plan from Low Density Residential to General Commercial, for property described in the application; and

WHEREAS, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the East County Sector Plan, 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 Metropolitan Planning Commission, at its regularly scheduled public hearing on May 10, 2018, 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 METROPOLITAN PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the East County Sector Plan, with its accompanying staff report and map, file #5-A-18-SP.

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that The Knox County Commission likewise consider this revised amendment to the General Plan 2033.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

REZONING  PLAN AMENDMENT

Name of Applicant: FRESENIUS MANUFACTURING, INC

Date Filed: 4-2-18 Meeting Date: 5-10-18

Application Accepted by: Sherry Michienzi

Fee Amount: 6940.00 File Number: Rezoning 5-F-18-RZ

Fee Amount: 160.00 File Number: Plan Amendment 5-B-18-SP



USD

**PROPERTY INFORMATION**

Address: 5304 E. JOHN SELWICK HWY  
 General Location: JOHN SELWICK HWY  
AD ROSCOE LA AND  
INTERSTATE 40

Parcel ID Number(s): 072059, PART OF  
072057, 072047 AND 072047

Tract Size: 57.9 ACRES

Existing Land Use: AGRICULTURE

Planning Sector: EAST COUNTY

Growth Policy Plan: \_\_\_\_\_

Census Tract: 54.01

Traffic Zone: \_\_\_\_\_

Jurisdiction:  City Council \_\_\_\_\_ District  
 County Commission 8TH District

PROPERTY OWNER  OPTION HOLDER

PLEASE PRINT

Name: \_\_\_\_\_

Company: FRESENIUS USA MANUFACTURING, INC

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

**Requested Change**

**REZONING**

FROM: CA, A

TO: PC

**PLAN AMENDMENT**

One Year Plan  Sector Plan

FROM: LD12

TO: GC

**APPLICATION CORRESPONDENCE**

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: ANTHONY G. SEXTON, JR

Company: FRANTZ, MCCORMICK - SEXTON

Address: P.O. BOX 39

City: KNOXVILLE State: TN Zip: 37901

Telephone: 865-546-9321

Fax: 865-637-5249

E-mail: ANTSEXTON@FRSLLP.COM

**PROPOSED USE OF PROPERTY**

LOGISTICS CENTER

Density Proposed \_\_\_\_\_ Units/Acre

Previous Rezoning Requests: N/A

**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: [Signature]

PLEASE PRINT

Name: SAME AS ABOVE

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-mail: \_\_\_\_\_



**Arthur G. Seymour, Jr.**

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**From:** Tom Hale <tomhale@kramer-rayson.com>  
**Sent:** Friday, March 30, 2018 5:31 PM  
**To:** Arthur G. Seymour, Jr.  
**Cc:** 'Rainer Schmiedt'; Bob Thornton; 'Fucile, Joe'; 'Cathern King'; 'patbell2@comcast.net'; 'evelyn820@yahoo.com'; 'roscoebelljr@allstate.com'; 'brendasherrod2013@gmail.com'  
**Subject:** FW: [EXTERNAL EMAIL] RE: Knoxville PSA

Arthur,

On behalf of the Bells and Sherrods, please be advised that you are authorized to file the rezoning application we have been discussing. I would like to see the application before it is filed in order to verify the details it contains such as the land included as there are a couple of parcels where only a portion of the land in the parcel is included in the sale. Feel free to call me if need be. Cell 659-8083 Thanks.

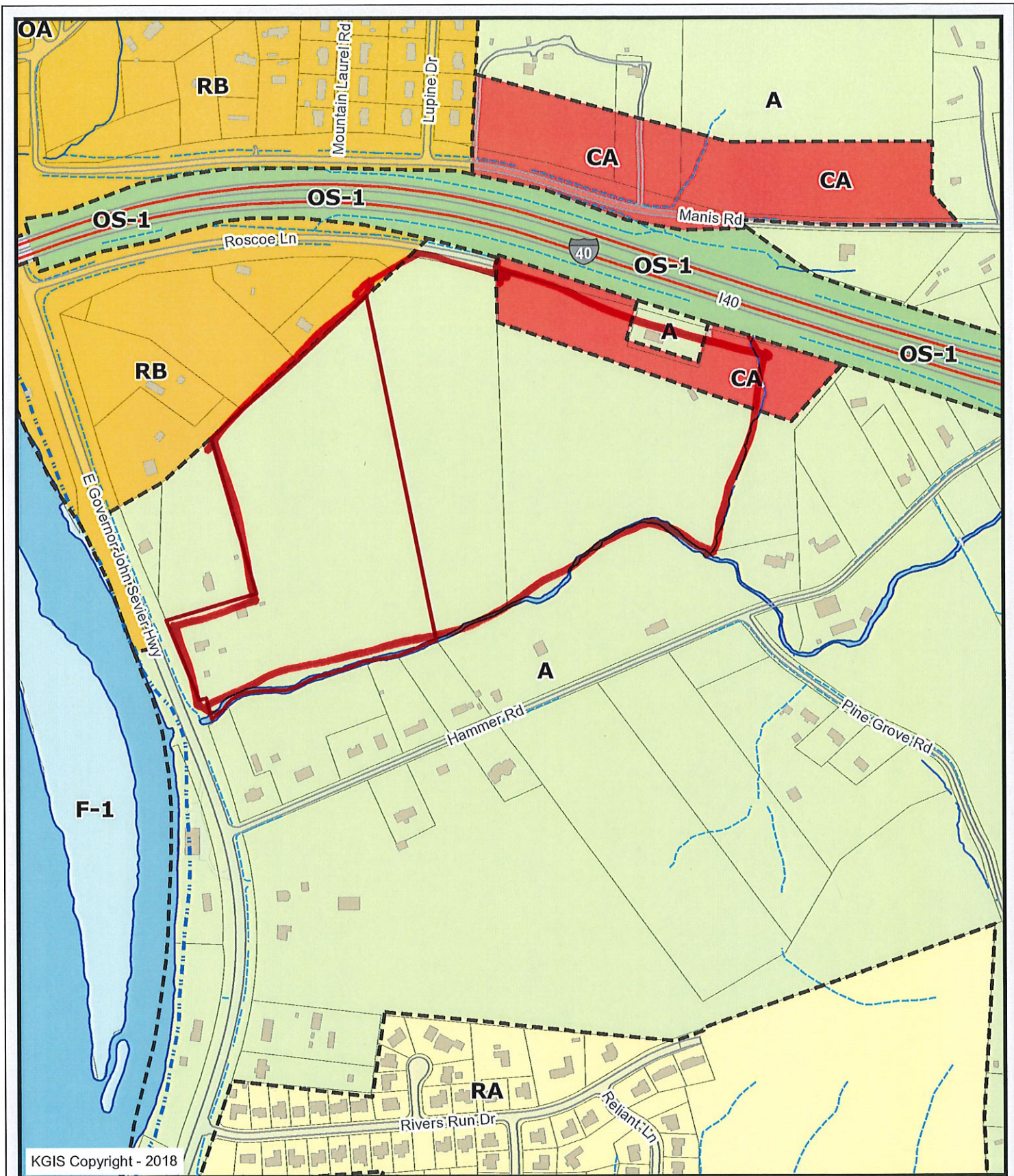
Tom

Thomas M. Hale, Esq.  
Kramer Rayson LLP  
P.O. Box 629  
Knoxville, TN 37901-0629  
865.525.5134 Telephone  
865.522.5723 Fax  
[tomhale@kramer-rayson.com](mailto:tomhale@kramer-rayson.com)

MAYKORUS R. BELL, JR  
JUST A BELL  
CATHERINE B. KING  
BUREYEN B. WOLITZKY  
DUKES H. SHERRON III



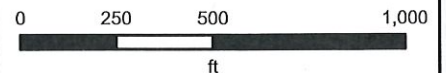
**From:** Rainer Schmiedt <Rainer.Schmiedt@fmc-na.com>  
**Sent:** Friday, March 30, 2018 5:14 PM  
**To:** Tom Hale <tomhale@kramer-rayson.com>  
**Cc:** Bob Thornton <bobthornton@bakerrealttycompany.com>; Cathern King <cathernk@yahoo.com>; brendasherrod2013@gmail.com; roscoebelljr@allstate.com; evelyn820@yahoo.com; patbell2@comcast.net; Fucile, Joe <Joe.Fucile@hartmansimons.com>; David Resnick <dresnick@13fi.com>; Geoff Higginbotham <Geoff.Higginbotham@fmc-na.com>; David Cariello <David.Cariello@fmc-na.com>  
**Subject:** Re: [EXTERNAL EMAIL] RE: Knoxville PSA



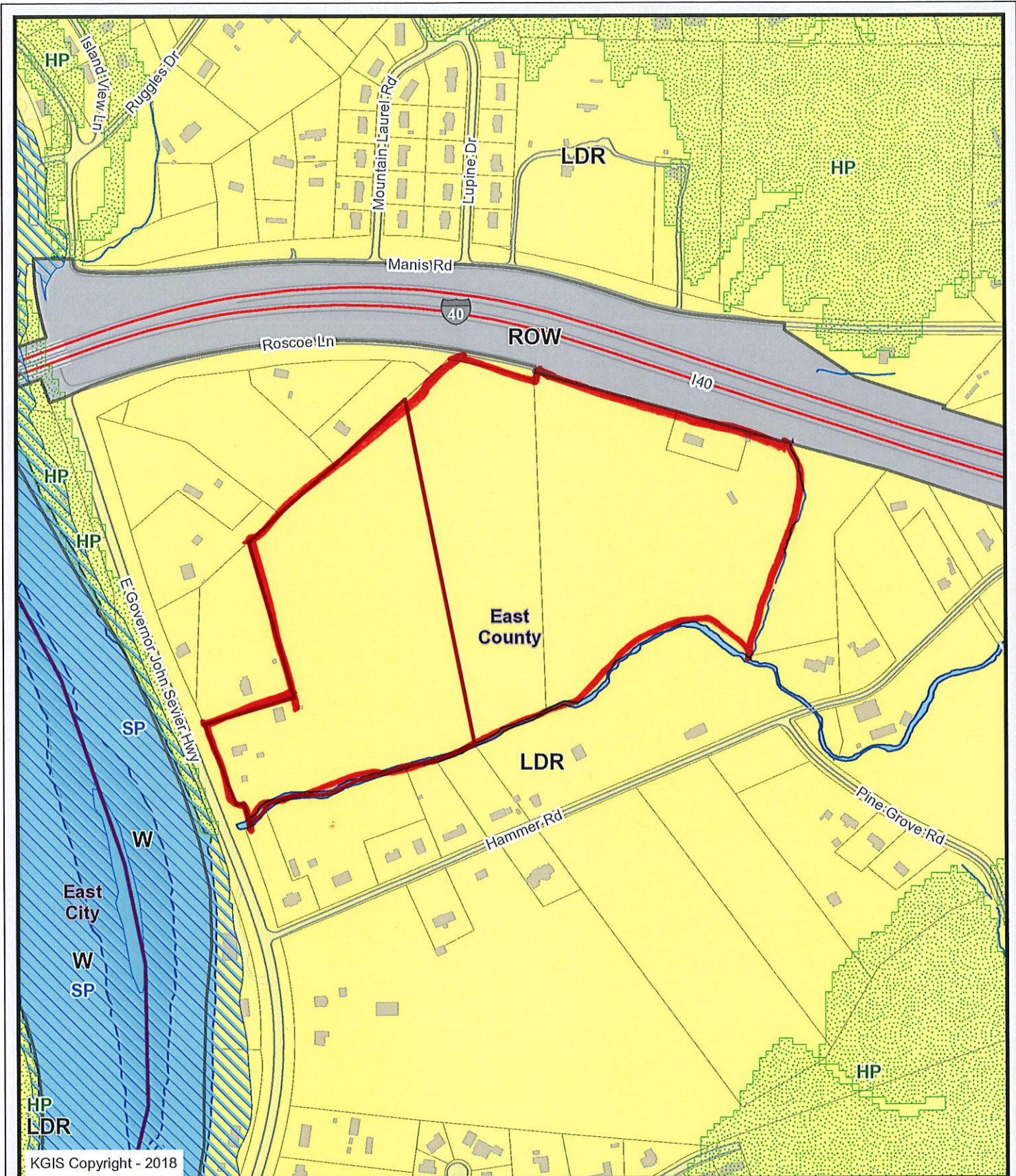
Letter Portrait

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Knoxville - Knox County - KUB Geographic Information System



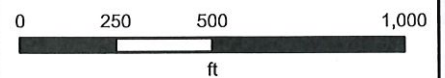
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Letter Portrait

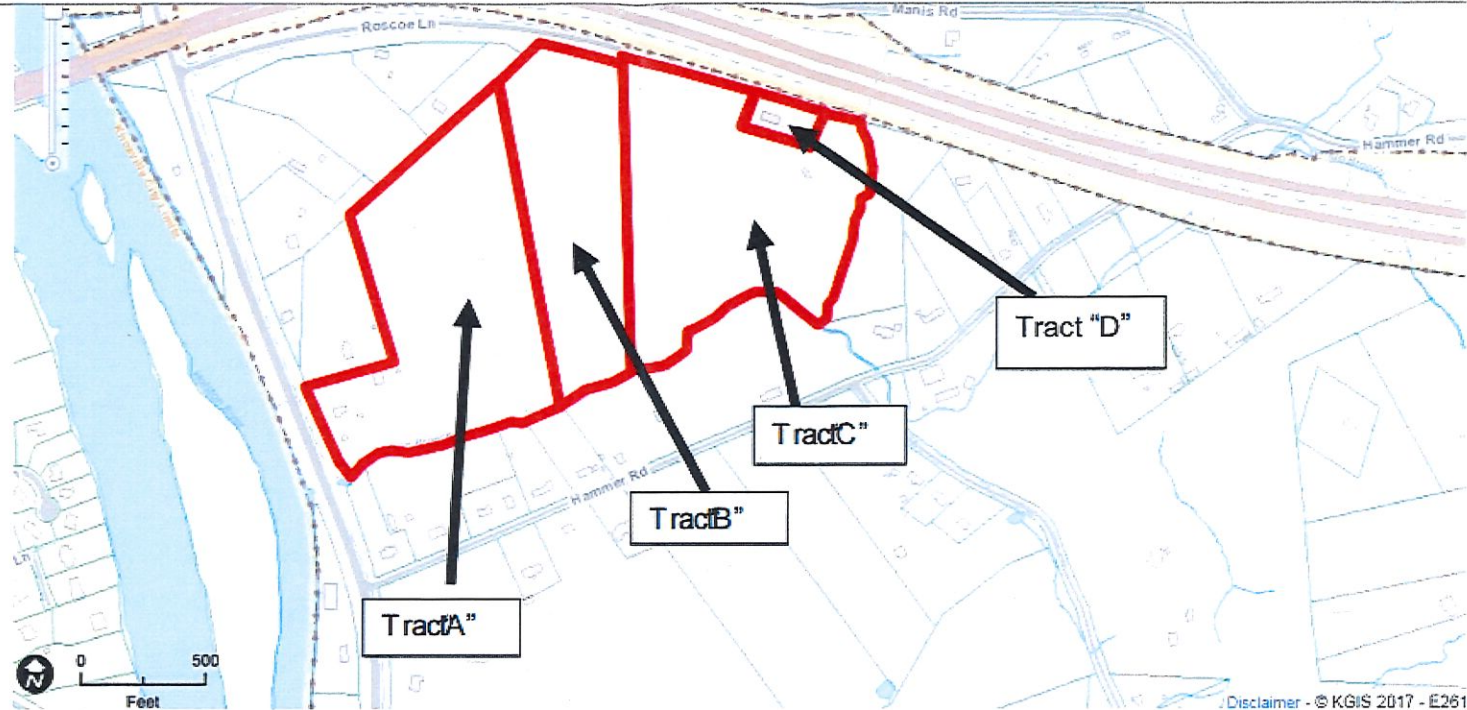
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Knoxville - Knox County - KUB Geographic Information System



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# < FMC John Sevier HW Lett...Intent 11.7.17 - Draft.docx



8

Tracts B and C are part of bigger parcels. We will need to replat and only need to rezone the 4 tracts identified in attached picture.

Best regards,

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