

Requested Plan Category: GC (General Commercial)

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: Samiul Haque

Staff Recomm. (Abbr.): Approve the CA (General Business) zone because it is compatible with surrounding development, subject to 2 conditions. Deny the request to remove the HZ (Historic) overlay as recommended by the Historic Zoning Commission.

Staff Recomm. (Full):
1. Prior to any vegetation removal and/or grading work, a wetland determination should be conducted to identify the boundaries of the wetlands within the subject parcel unless otherwise instructed by the Knox County Engineering and Public Works department. Any disturbance on this site should comply with the Knox County Stormwater Ordinance Sec. 26-223-(2) (c).
2. Provide a 50-ft landscape buffer consistent with the commercial considerations within the Governor John Sevier Highway Corridor Study.

Comments: In October 2023, the applicant requested the Historic Zoning Commission (HZC) for removal of the HZ (Historic) overlay from the entirety of the property and the HZC denied the request (10-B-23-HZ, see Exhibits B through E for extracts from the HZC case file). For this rezoning application, the applicant has revised the boundary so that the request now includes only 2.5 acres of the 5.77-acre parcel.

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6.30.01, THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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 COUNTY GENERALLY:

1. In 2014, the Historic Ramsey House board subdivided approximately 9.11 acres on the west side of the property into one 5.77-acre lot (subject parcel) and one 3.34-acre lot (the adjacent parcel to the south). At that time, the HZC recommended the HZ overlay be removed on the 3.34-acre southern parcel and it was approved for a commercial rezoning in the same year (5-G-14-RZ).

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

- 1. The CA zone is intended to provide for general retail business and services but not for manufacturing or for processing materials other than farm products, except that portable sawmills are allowed.
- 2. The proposed rezoning will be consistent with the zone's intent and the surrounding area that includes a mix of commercial, light industrial, office, and residential uses.
- 3. The HZ overlay designates areas and structures of sufficient historical and cultural significance to warrant public protection. It is not intended that the use of these structures shall be regulated by this overlay. Therefore, any use permitted by the CA zone would not be in conflict with the HZ overlay.

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. The proposed rezoning will be compatible with the Dollar General to the south and the Industrial zoned properties to the west across the highway.
- 2. The rezoning is not expected to significantly affect the adjacent rural residential use on the north because a landscape screen will be required along the northern boundary per section 4.10.11 of the zoning ordinance.
- 3. The 5.77-acre parcel includes wetlands and vegetations along the eastern side. The wetlands were not delineated during the plating process. The boundary of the wetlands should be determined and remain undisturbed as mentioned in the condition of this rezoning approval.
- 4. Retaining the HZ overlay will ensure any new development on the property would be subject to HZC approval, so it would not adversely affect the historic Ramsey House.

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 proposed CA zone is consistent with the recommended GC land use classification amendment to the East County Sector Plan.
2. The proposed rezoning is compatible with the subject property's location in the Planned Growth Area of the Growth Policy Plan.
3. This rezoning request excludes the vegetated portion on the eastern side of the parcel. This is consistent with the General Plan's development policy 9.2 that encourages development practices to respect the natural landscape, minimizing the loss of trees, woodlands, and wildlife habitat.
4. Governor John Sevier Highway is identified as a Development Corridor in the East County Community Plan and the proposed rezoning to the CA zone, which would allow commercial development, is consistent with the plan.
5. The incorporation of landscape screening as a condition of this rezoning is consistent with the Governor John Sevier Highway Corridor Study recommendation for a 50-ft tree protection and landscape buffer. The buffer should be consistent with the illustration provided in the plan to protect the rural, scenic character of the John Sevier Highway Corridor.

Action: Approved with Conditions **Meeting Date:** 12/14/2023

Details of Action: Approve the CA (General Business) zone because it is compatible with surrounding development, subject to 2 conditions. The HZ (Historic) Overlay will be removed.

Summary of Action: Approve the CA (General Business) zone because it is compatible with surrounding development, subject to 2 conditions. The HZ (Historic) Overlay will be removed.

Date of Approval: 12/14/2023 **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: 1/26/2024

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: