

CASE SUMMARY

APPLICATION TYPE: REZONING

EAST 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: 5-G-14-RZ **Related File Number:** 5-D-14-SP
Application Filed: 3/24/2014 **Date of Revision:**
Applicant: ASSOCIATION FOR THE PRESERVATION OF TENNESSEE ANTIQUITIES / RA

PROPERTY INFORMATION

General Location: North side Thorn Grove Pike, east side E. Governor John Sevier Hwy.
Other Parcel Info.:
Tax ID Number: 96 PART OF 11001 OTHER: MAP ON FILE AT MPC **Jurisdiction:** County
Size of Tract: 3.37 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Retail store **Density:**
Sector Plan: East County **Sector Plan Designation:** OS
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

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

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural) / HZ (Historic Overlay)
Former Zoning:
Requested Zoning: CA (General Business)
Previous Requests: None noted
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: OS (Other Open Space)
Requested Plan Category: C (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.:

MPC ACTION AND DISPOSITION

Planner In Charge: Michael Brusseau

Staff Recomm. (Abbr.): RECOMMEND that County Commission APPROVE PC (Planned Commercial) zoning. (Applicant requested CA (General Business) zoning.)

Staff Recomm. (Full): Commercial uses are appropriate at this location. Staff recommends PC zoning, rather than the requested CA, because of the site's proximity to the Ramsey House and grounds. The site is located at the intersection of the only access road to the Ramsey House along E. Gov. John Sevier Hwy. PC zoning will allow MPC to review a development plan for the site, at which time staff may recommend appropriate landscaping, lighting, access and signage in order to remain compatible and functional with the Ramsey House property. Staff also recommends removal of the HZ overlay on the property, consistent with the Historic Zoning Commission's decision on April 17, 2014.

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. There is a mix of uses in the surrounding area, all of which would be compatible with commercial uses. A large area to the north and west of the site is zoned Industrial, which allows heavy industrial uses as well as commercial uses.
2. The site is accessed from E. Gov. John Sevier Hwy., a minor arterial street, or Thorn Grove Pike, a minor collector street. Both streets have sufficient capacity to support commercial development.
3. Establishment of commercial nodes at major street intersections is appropriate.

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

1. The requested CA zoning is for general retail businesses and services but not for manufacturing or for processing materials. CA zoning would not require any further review by MPC before building permits could be issued.
2. The recommended PC zoning allows commercial uses, but site plans are subject to MPC review and approval as a use on review prior to issuance of building permits.
3. Based on the property's proximity to the Ramsey House and grounds, this property is appropriate to be rezoned to PC, rather than the requested CA..

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 and sewer utilities are available in the area, but may have to be extended to serve the site.
2. Establishment of PC zoning at this location would have little to no adverse impact on surrounding properties.
3. This proposed amendment of the zoning map will not adversely affect any other part of the County.

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 plan amendment to commercial, CA or PC zoning would be consistent with the East County Sector Plan.
2. The site is located within the Planned Growth Area 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 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:** 5/8/2014

Details of Action:

Summary of Action: RECOMMEND that County Commission APPROVE PC (Planned Commercial) zoning.

Date of Approval: 5/8/2014 **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: 6/23/2014

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: