

▶ **FILE #:** 12-B-13-RZ

AGENDA ITEM #: 25

AGENDA DATE: 12/12/2013

▶ **APPLICANT:** CARLOS WEBB

OWNER(S): Carlos Webb

TAX ID NUMBER: 132 L A 007

JURISDICTION: County Commission District 5

STREET ADDRESS: 717 Ebenezer Rd

▶ **LOCATION:** Northwest side Ebenezer Rd., northeast of S. Peters Rd.

▶ **APPX. SIZE OF TRACT:** 2.23 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Ebenezer Rd., a major collector street with 23' of pavement width within 55' of right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Ten Mile Creek

▶ **PRESENT ZONING:** A (Agricultural) & F (Floodway)

▶ **ZONING REQUESTED:** T (Transition) & F (Floodway)

▶ **EXISTING LAND USE:** Former kennel (now vacant)

▶ **PROPOSED USE:** Event facility and residential

EXTENSION OF ZONE: No

HISTORY OF ZONING: Use on review for kennel approved in 2002 (10-F-02-UR).

SURROUNDING LAND USE AND ZONING: North: Residence and horse facility / A (Agricultural)

South: Ebenezer Climate Storage business / OB (Office, Medical & Related Services)

East: Ebenezer Rd. - Condominiums / PR (Planned Residential)

West: Creek, County-owned Dunn Park, residential, office / A (Agricultural), F (Floodway) & OA (Office Park)

NEIGHBORHOOD CONTEXT: This area near the intersection of Ebenezer Rd. and S. Peters Rd. is developed with a large indoor storage facility, a now abandoned dog kennel, a small horse farm and condominiums, under OB, A and PR zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE T (Transition) and F (Floodway) zoning.**

Transition zoning would allow the reuse of a portion of this parcel as an event facility with associated parking, and a residence, with the approval of a new use on review development plan by MPC. The transition zone requires use on review approval for all development. This will offer the opportunity for public comment on this use and its design.

COMMENTS:

There is a former dog kennel and a house with associated parking currently located on this parcel. The

applicant wishes to reuse the existing structures for an event facility, which is permitted with MPC's use on review approval in the Transition zone.

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 proposed T zoning is compatible with the scale and intensity of the surrounding development and zoning pattern.
2. T zoning is appropriate at this location which abuts commercial uses to the south at the intersection of Ebenezer Rd. and S. Peters Rd.
3. T zoning requires use on review approval for all development, so the applicant will have to apply for use on review approval of a development plan for the site. This will provide the opportunity for staff to review the plan and address issues such as traffic circulation, layout, signage, drainage and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.

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

1. The T (Transition) zone, as described in the zoning ordinance, is intended to insure the development of land adjacent to residential areas as a transition between other types of commercial and residential classifications, and which will promote the public health, safety, morals, and general welfare of the citizens of Knox County.
2. Further, the purpose is to allow types of commercial uses which are not major traffic generators, and would not open the area to objectionable types of commercial uses, as well as have a transition zone that will be compatible with adjacent residential areas.
3. Based on the above general intent, this site is appropriate for Transition zoning. The site is located adjacent to commercial development to the south and medium density residential development to the east. This use of the site for the proposed event facility would appear to be an appropriate transitional use.

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 proposal would have no impact on schools. The impact on the street system will be minimal, as increased traffic will only be apparent when there is an event being held.
2. As part of the required use on review process, staff and MPC will have the opportunity to impose conditions on the development which will help to minimize the impact to adjacent properties.
3. Water and sanitary sewer utilities are in place to serve this site.

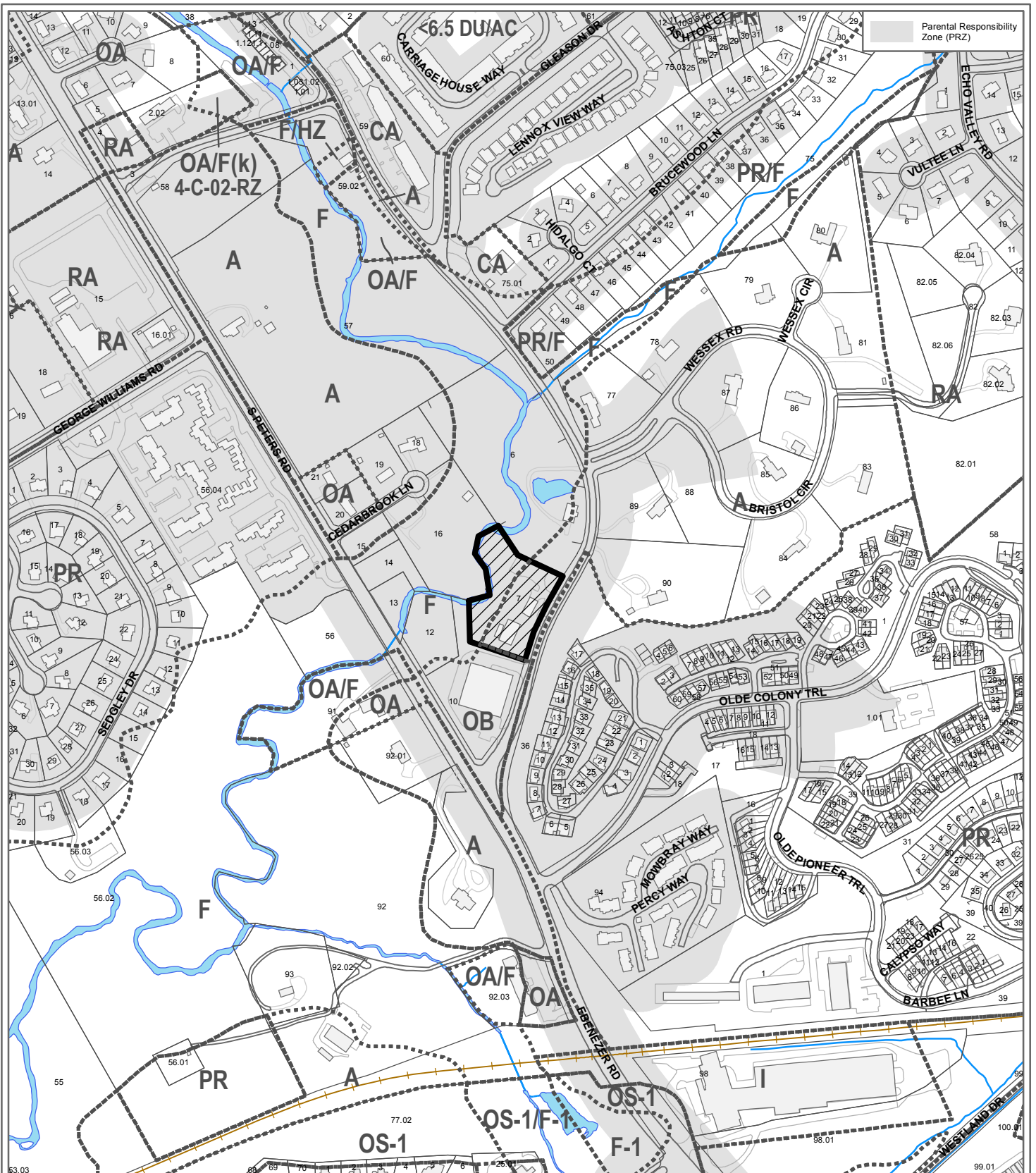
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Southwest County Sector Plan proposes low density residential uses and stream protection for this site. Staff has determined that the Transition zone may be considered on a case by case basis within this plan designation without a plan amendment.
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.
3. Approval of this request could lead to future requests for Transition zoning in the area. These applications would be reviewed on a case by case basis.
4. The proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 1/27/2014. 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.



**12-B-13-RZ
REZONING**

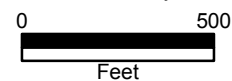
From: A (Agricultural) and F (Floodway)
To: T (Transition) and F (Floodway)



Petitioner: Webb, Carlos

Map No: 132

Jurisdiction: County



Original Print Date: 11/22/2013 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902