



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

▶ **FILE #:** 5-G-14-RZ
5-D-14-SP

AGENDA ITEM #: 26
AGENDA DATE: 5/8/2014

▶ **APPLICANT:** ASSOCIATION FOR THE PRESERVATION OF TENNESSEE ANTIQUITIES / RAMSEY HOUSE
OWNER(S): Association for the Preservation of Tennessee Antiquities / Ramsey House

TAX ID NUMBER: 96 PART OF 11001 MAP ON FILE AT MPC
JURISDICTION: Commission District 8
STREET ADDRESS:

▶ **LOCATION:** North side Thorn Grove Pike, east side E. Governor John Sevier Hwy.
▶ **TRACT INFORMATION:** 3.37 acres.
SECTOR PLAN: East County
GROWTH POLICY PLAN: Planned Growth Area
ACCESSIBILITY: Access is via E. Governor John Sevier Hwy., a major arterial street with 35' of pavement width within 100' of right-of-way, or Thorn Grove Pike, a minor collector street with 17' of pavement width within 40' of right-of-way.
UTILITIES: Water Source: Knoxville Utilities Board
Sewer Source: Knoxville Utilities Board
WATERSHED: Swan Pond Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** OS (Other Open Space) / A (Agricultural) / HZ (Historic Overlay)
▶ **PROPOSED PLAN DESIGNATION/ZONING:** C (Commercial) / CA (General Business)
▶ **EXISTING LAND USE:** Vacant land
▶ **PROPOSED USE:** Retail store
EXTENSION OF PLAN DESIGNATION/ZONING: No
HISTORY OF ZONING REQUESTS: None noted
SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: House / LI / A (Agricultural)
South: Thorn Grove Pike - Apartments / MDR / RB (General Residential)
East: Ramsey House and grounds / OS / A (Agricultural)/HZ (Historic Overlay)
West: E. Governor John Sevier Hwy. - Light industrial / LI / I (Industrial)
NEIGHBORHOOD CONTEXT: This area is developed with a mix of uses, including light industrial, low and medium density residential and the Ramsey House and grounds, zoned OS.

STAFF RECOMMENDATION:

- ▶ **ADOPT RESOLUTION #5-D-14-SP, amending the East County Sector Plan to C (Commercial), and recommend that County Commission also adopt the sector plan amendment. (See attached resolution, Exhibit A.)**

The proposal for commercial uses at this location is appropriate. The surrounding area is developed with a mix of uses, none of which should be negatively impacted by commercial use of this site. The property is located at the intersection of a major arterial street and a minor collector, making the location appropriate for establishment of a commercial node.

- ▶ **RECOMMEND that County Commission APPROVE PC (Planned Commercial) zoning. (Applicant requested CA (General Business) zoning.)**

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:

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

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

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

No known improvements have been made recently to E. Gov. John Sevier Hwy. or Thorn Grove Pike in front of this site. However, the streets are classified as major arterial and minor collector, respectively, and are sufficient for the traffic that would be generated by commercial use of the site. Public water and sewer utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The plan currently calls for open space uses for this site. All of the property currently owned by the Ramsey House association was designated as Open Space, because of the public use. Approval of commercial for this portion of the Ramsey House property is appropriate. The three acres proposed for commercial is the most appropriate part of the site to be used for commercial purposes.

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

The property is located across the highway from light industrial uses and zoned I (Industrial), which allows commercial uses. The development pattern has been established and commercial uses will be compatible with surrounding land uses and zoning.

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

General planning principles suggest that commercial uses are appropriate at the intersection of major streets, as is the case here, for establishment of commercial nodes.

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.

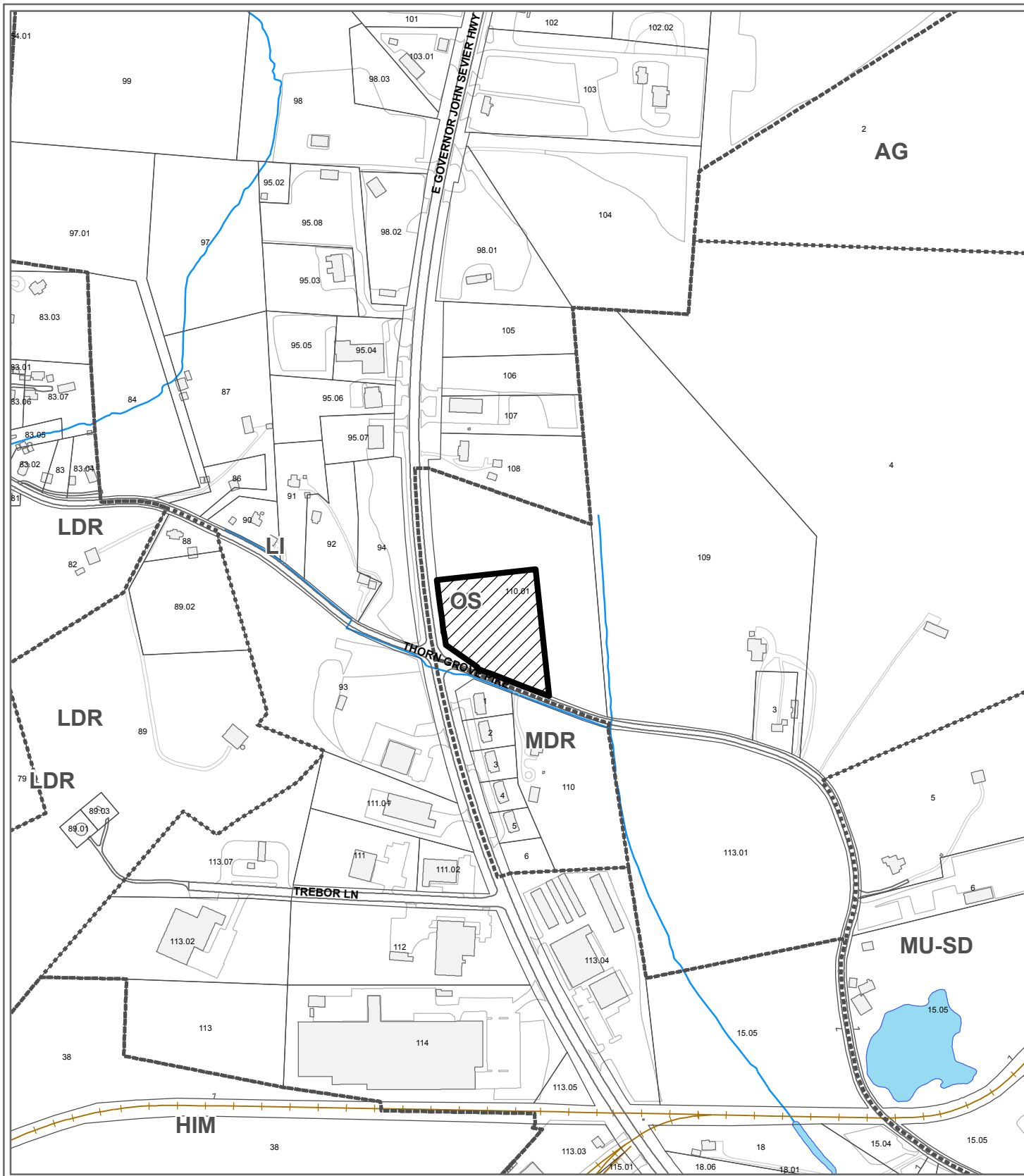
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

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.

ESTIMATED TRAFFIC IMPACT: Not required.

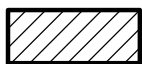
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 6/23/2014. 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.



**5-D-14-SP / 5-G-14-RZ
EAST COUNTY SECTOR PLAN AMENDMENT**

From: OS (Other Open Space)
To: C (Commercial)

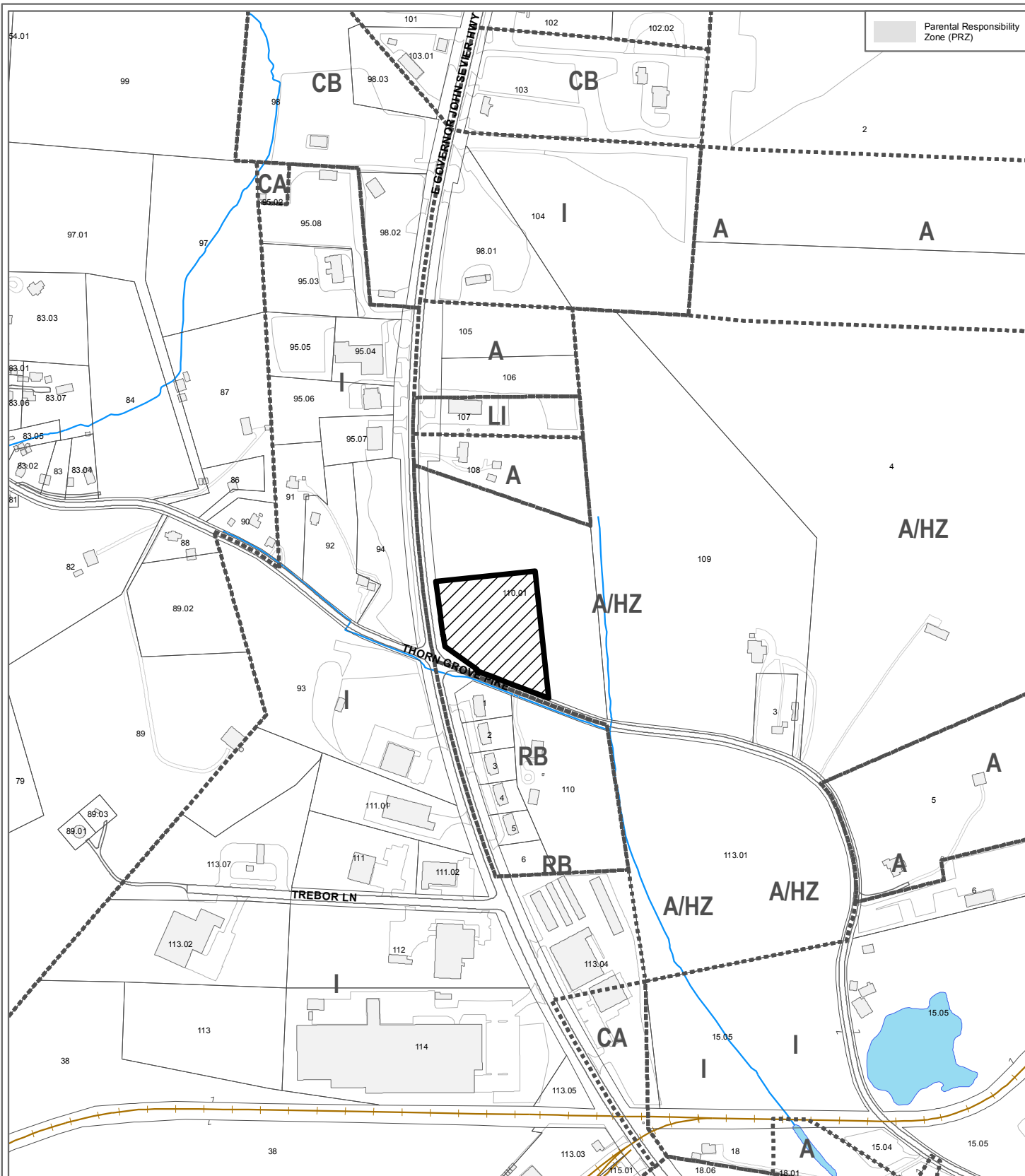


Original Print Date: 4/11/2014 Revised: 4/17/2014
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Association for the Preservation of Tennessee Antiquities / Ramsey House

Map No: 96
Jurisdiction: County





**5-G-14-RZ
REZONING**

From: A (Agricultural) / HZ (Historic Overlay)

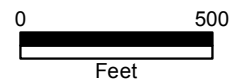
To: CA (General Business)



Petitioner: Association for the Preservation
of Tennessee Antiquities /
Ramsey House

Map No: 96

Jurisdiction: County



Original Print Date: 4/11/2014

Revised: 4/17/2014

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 sector plans initiated by the Planning Commission or in response to applications from property owners; and

WHEREAS, The Association for the Preservation of Tennessee Antiquities/Ramsey House has submitted an application to amend the Sector Plan from Open Space to 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 8, 2014, after consideration of the staff recommendation and testimony from those persons in support and opposed to the sector 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-D-14-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