

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

► **FILE #:** 10-C-18-RZ

AGENDA ITEM #: 39

10-B-18-SP

AGENDA DATE: 10/11/2018

► **APPLICANT:** TJM PROPERTY LLC

OWNER(S): Zane TJM Property LLC

TAX ID NUMBER: 110 010

[View map on KGIS](#)

JURISDICTION: Commission District 8

STREET ADDRESS: 2804 Asbury Rd

► **LOCATION:** North side Asbury Rd, southeast of Asbury Cemetery Rd

► **TRACT INFORMATION:** 0.6 acres.

SECTOR PLAN: East County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Asbury Road, a major collector with 25' of pavement width within 55' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: French Broad

► **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / I (Industrial)

► **PROPOSED PLAN DESIGNATION/ZONING:** O (Office) / OB (Office, Medical, and Related Services)

► **EXISTING LAND USE:** Single Family Residential

► **PROPOSED USE:** Single family

EXTENSION OF PLAN DESIGNATION/ZONING: Properties on the west side of Asbury Rd are zoned OB (Office, Medical, and Related Services)

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

North:	Commercial buildings / LI (Light Industrial)
South:	Single family residential / (LDR) Low Density Residential
East:	Single family residential / (LDR) Low Density Residential
West:	Single family residential / (LDR) Low Density Residential

NEIGHBORHOOD CONTEXT: A small cluster of approximately 28 acres single family residential homes and churches falls within the Asbury community. It is surrounded by commercial, industrial and quarrying operations associated with the Forks of the River Industrial Park.

STAFF RECOMMENDATION:

► **APPROVE O (OFFICE) sector plan designation.**

The existing sector plan designation of LDR (Low Density Residential) does not currently have a transition buffer land use plan designation between the surrounding LI (Light Industrial) and HIM (Mining) designations. O (Office) adjacent to the LI (Light Industrial) is an appropriate transition to buffer the adjacent residential neighborhood.

► **APPROVE OB (Office, Medical and Related Services) zoning.**

OB zoning at this location is compatible with the adjacent LDR (Low Density Residential) and I (Industrial) zoning as a transition zone district to buffer the adjacent residential neighborhood from the surrounding uses allowed by the existing industrial zoning.

COMMENTS:

SECTOR PLAN AMENDMENT 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 new roads or additional utilities have been introduced in this area since the adoption of the 2010 East County Sector Plan. The current plan shows this parcel for LDR (Low Density Residential)

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

A transition land use plan designation was not provided in the sector plan between the surrounding LI (Light Industrial) and HIM (Mining) land use designations for the residential area of the Asbury community. This is an omission in the East County Sector Plan, which was updated in 2010.

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

There are no apparent trends in this area that would warrant amending the sector plan, however, a transition land use designation of O (Office) to buffer the residential neighborhood is appropriate at this location.

State law regarding amendments of the general plan (which includes 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.

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 property is located in the Planned Growth Area on the Growth Policy Plan.
2. The proposed OB ((Office, Medical and Related Services) zoning is compatible with the scale and intensity of the adjacent agricultural, low density residential and office zones, it also allows the same uses as the RB (General Residential) zone district.
3. The area and surrounding zone districts have not changed substantially since the adoption of the 2010 East County Sector Plan.

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

1. The proposed amendment to OB zoning allows for general retail business and services, as well as any use permitted in the RB (General Residential) zone.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL AND DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. OB zoning compatible with the surrounding development and will have not have an impact on the adjacent low density residential properties.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

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 East County Sector Plan proposes low density residential uses for this property, while not explicitly consistent with the requested OB zoning, the OB zoning does allow RB (General Residential) uses as well.
2. The uses allowed in the OB zone are consistent with transistional zoning concept between residential and commercial and industrial uses, as recommended in the Knoxville-Knox County General Plan.
3. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 11/19/2018. 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.



**10-B-18-SP / 10-C-18-RZ
EAST COUNTY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)



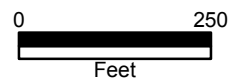
To: O (Office)

Original Print Date: 9/17/2018 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: TJM Property LLC, Zane, Fair

Map No: 110

Jurisdiction: County



**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 North 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, the Metropolitan Planning Commission has submitted an application to amend the Sector Plan from Low Density Residential to Office, 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 October 11, 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 #10-B-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

M P C

METROPOLITAN
PLANNING
COMMISSION
TENNESSEE

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
www.knoxmpc.org

☒ **REZONING**
☐ **PLAN AMENDMENT**

Name of Applicant: TJM Property LLC.

Date Filed: 8/24/18

Meeting Date: Oct 11, 2018

Application Accepted by: James Reed

Fee Amount: \$1,000

File Number: Rezoning 10-C-18-RZ

Fee Amount: \$600

File Number: Plan Amendment 10-B-18-SP



PROPERTY INFORMATION

Address: 2804 Asbury Rd

General Location: N side of Asbury Rd,
S/E of Asbury Cemetery Rd

Parcel ID Number(s): 110 010

Tract Size: 0.6 Acres

Existing Land Use: _____

Planning Sector: East County

Growth Policy Plan: Planned Growth

Census Tract: 54.01

Traffic Zone: 67

Jurisdiction: ☐ City Council _____ District
☒ County Commission 8 District

Requested Change

REZONING

FROM: I

TO: OB

PLAN AMENDMENT

☐ One Year Plan ☒ ~~LDR~~ East County Sector Plan

FROM: LDR

TO: O

PROPOSED USE OF PROPERTY

Single Family

Density Proposed _____ Units/Acre

Previous Rezoning Requests: _____

☒ **PROPERTY OWNER** ☐ **OPTION HOLDER**

PLEASE PRINT

Name: TJM Property LLC.

Company: Zane Fair

Address: P.O. Box 172

City: Powell State: TN Zip: 37849

Telephone: 865-254-9410

Fax: _____

E-mail: tjm.property.tn@gmail.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: Same

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

Fax: _____

E-mail: _____

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: Zane Fair

Company: TJM Property LLC

Address: P.O. Box 172

City: Powell State: TN Zip: 37849

Telephone: 865-254-9410

E-mail: _____

(If more space is required attach additional sheet.)

Name

Address

City

State

Zip

Owner

Option .

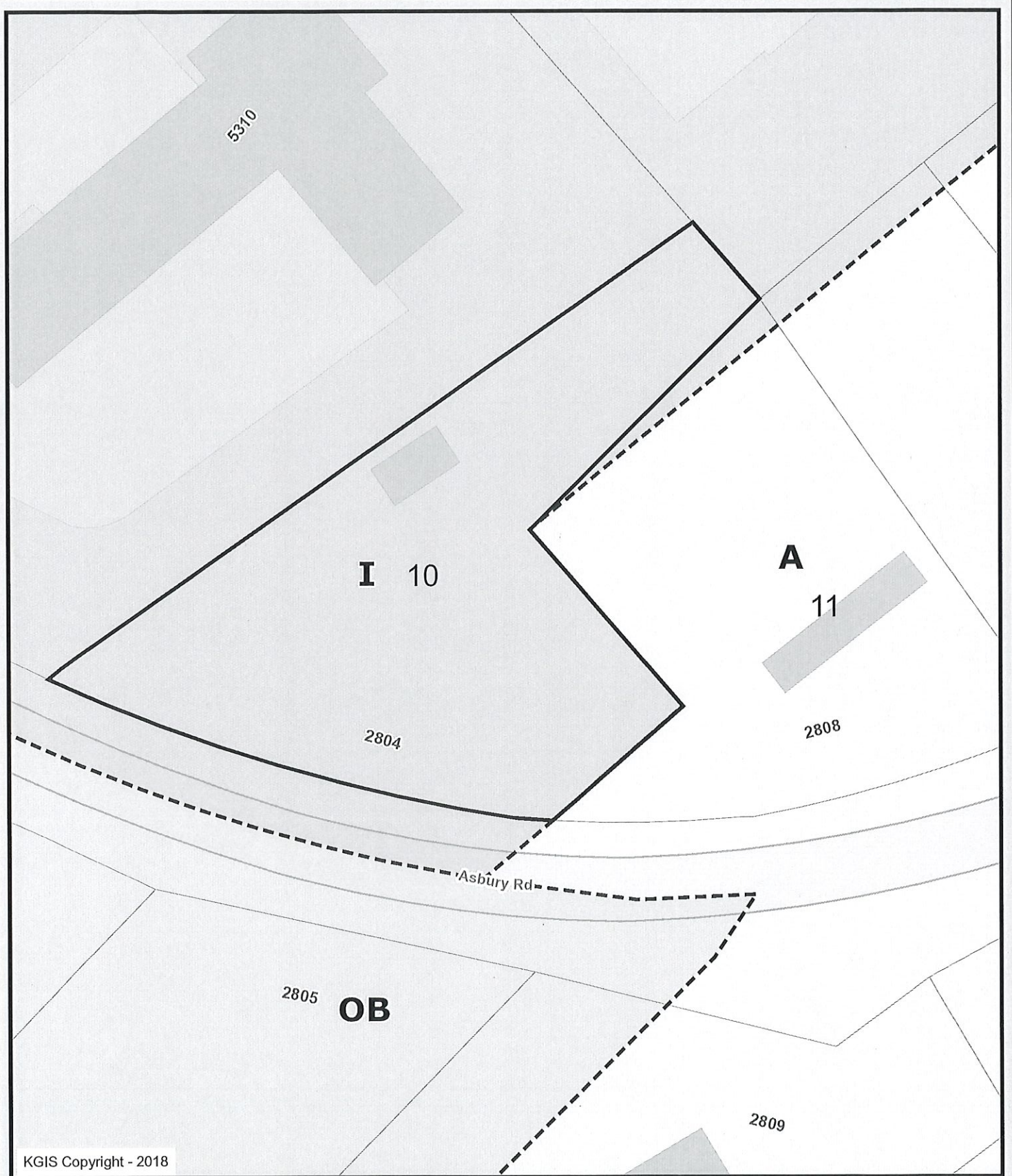
Name Zare Fair/ T.O.M Property LLC

Address City
C P.O. Box 172 Powell.

TN

3.784

X

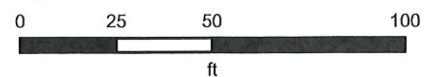


Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



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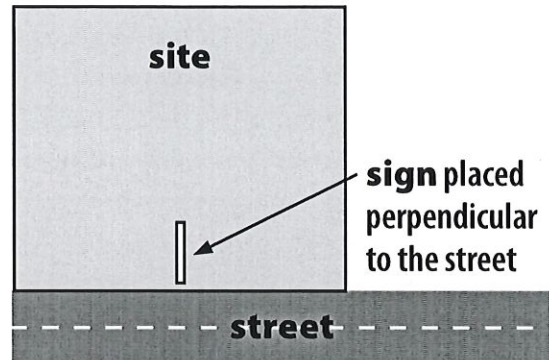
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled MPC public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

9/26/18 and 10/12/18
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: [Signature]

Printed Name: Zane Fair

Phone: 865-254-9410 Email: zfair@aol.com

Date: 8/24/18

MPC File Number: 10-C-18-RZ / 10-B-18-SP