Blount County

Planning and Development Services

1221 McArthur Road Maryville, TN 37804

Phone: 865-681-9301 Fax: 865-681-9502



MEMORANDUM

TO:

Blount County Planning Commission

FROM:

Thomas A. Lloyd, AICP,

DATE:

January 14, 2019

SUBJECT:

Rezoning request from R-1 (Rural District 1) to C (Commercial) for multiple tracts of land totaling approximately 22.5 acres along and adjacent to E. Lamar Alexander Pkwy, Old Walland Highway, and E. Millers Cove Rd., Walland (Tax map 072 parcels 005.01, 011.00, 012.00, 013.00, 014.00, 015.00, 016.00, 017.00, 017.01, and

017.02; and tax map 072G, group A, parcels 001.00 and 002.00).

Attachments

(1) Applications

(2) Location/Existing Zoning

(3) Proposed Zoning

(4) Parcel IDs

(5) FEMA Flood Hazard Areas

(6) Official Zoning Map (request hatched in red)

Applicants/Owners

Harbor Club, LLC
John H. and Mary F. Stevens
Blount County Fire Protection District
Blackberry Mountain Club, LLC
TSM Properties of Tennessee, LLC

Summary

The applicants are requesting a rezoning from R-1 to C for the 12 parcels shown on the attached exhibits. The total acreage of the request (including right-of-way and water) is approximately 22.5 acres.

It should be noted that this request differs significantly from the request by Blackberry Mountain Club that was considered last year. This request does not in any way involve the Three Sisters property nor the Planned Rural Resort District. It is a request for rezoning to Commercial (C) for only the lands (~22.5 acres) listed above.

While Blackberry is the principal landholder in this request, they were encouraged by staff to work with other adjacent property owners in the area to see if there was an interest in creating a proper Walland Commercial district with frontage on E. Lamar Alexander Pkwy, and as shown on the attached exhibit. As such, there are multiple applicants on this request, all of which have properties that, in staff's opinion, are potentially viable for commercial use by virtue of their respective locations.

Currently, several of the tracts subject of this request have existing non-conforming ("grandfathered") commercial uses. These include the Walland Center/Post Office property, the Fire Department, and the Chilhowee Inn. The former site of Eats-on-the-Creek (5324 Old Walland Hwy) was historically commercial as was 121 Tannery Road although the grandfathered status of these sites has since expired. The balance of the tracts subject of this request are either undeveloped or developed with an older stock of small lot, higher density residential structures.

Given the current and former uses of many of these properties, and their location if considering Walland as a community node, it is conceivable that this area should have been considered for Commercial zoning when the original map was adopted in 2000.

As with all rezoning requests, the Commission must review this request on its own merits, with no specific development plan in mind by considering all potential uses in the Commercial district (Section 9.4 included below). Any development or redevelopment of the properties would (except for one or two family residential uses) be subject to review and approval of a site plan by the Planning Commission or a Special Exception by the Board of Zoning Appeals. A large portion of the requested rezoning area is located within either the 100 or 500 year floodplain and could only be developed or redeveloped in accordance with all applicable FEMA and County Floodplain Development regulations.

After conducting a public hearing and reviewing the proposal, the Planning Commission should, by way of a motion, forward this request to the County Commission with a recommendation for approval or denial.

Applicable code sections regarding the districts are included below for reference:

- **Section 9.2** R-1 Rural District 1. It is the purpose and intent of this district to regulate rural development of expected moderate to low density within the county, consistent with the overall purposes of this Resolution contained in Article 3, consistent with provisions in Public Chapter 1101 of 1998 (Tennessee Code Annotated Section 6-58-101, et seq), and consistent with plans adopted by Blount County.
 - A. Permitted Uses: one or two single family dwellings or manufactured home dwellings on a single lot, duplex dwellings, customary home occupations, group homes as provided in Tennessee Code Annotated, Section 13-24-101, *et seq*; churches, temples and other places of worship, cemeteries associated with churches and other places of worship; local, state and federal government and utility uses necessary for providing services to land or population within the district; and accessory structures customarily associated with the above uses.
 - **B**. Uses Permitted as Special Exceptions: multifamily dwellings including three or more of any dwelling units per lot (see also Section 7.6) and their associated sales or

rental offices for the development, family commercial enterprises (see Section 7.10), nursing homes, retirement homes, sanitariums, assisted care living facilities, and resident facilities with special services, treatment, or supervision; day care facilities; commercial cemeteries not associated with a church or other place of worship; government and utility uses of a regional character necessary for providing service to the land and population within a broader region including the district; sawmills and associated lumberyards; bed and breakfast accommodations; golf driving range; vacation cabin rental (see also section 7.11); *private non-commercial airstrips*; and accessory structures customarily associated with the above uses.

- C. Uses Permitted as Special Exceptions with Specific Limitations: Indoor Sport Shooting Range (Subject to provisions and requirements in Section 7.13); Outdoor Sport Shooting Range (Subject to provisions and requirements in Section 7.13); Convenience Stores with vehicle fuel sales, provided that any such convenience stores with vehicle fuel sales shall be located only with access and frontage on an arterial or collector status road as specified on the Major Road Plan of any regional planning commission within the county as registered with the Register of Deeds office, and provided that any such use shall be conducted on a lot or tract of at least one acre, that any such use shall be housed in a structure with footprint no greater than 4,000 square feet, and that buffering of the use from surrounding residential land shall be constructed and maintained; *commercial campgrounds and recreational vehicle parks* (see also section 7.18).
- D. Uses Prohibited: In the R-1-Rural District 1, adult oriented establishments as defined in TCA 7-51-1101 et seq., and pain management clinics. All other uses are prohibited except those uses permitted specifically or by special exception by the Board of Zoning Appeals.
- E. Uses Requiring Site Plan Review: All uses permitted as special exception in subsections B and C above. Permitted uses in subsection A above requiring land greater than three acres, except one or two single family or manufactured home dwelling on a single lot, duplex dwelling on separate lot, and customary accessory structures to such excepted uses.
- F. Minimum Lot Size and Density:
 - 1. If on individual septic system, unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be 30,000 square feet. For other than one unit per lot, or for planned unit development, the density shall be no greater than 1.2 residential units per gross acre.
 - 2. If on public utility sewer, unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be 23,000 square feet. For more than one unit per lot, or for planned unit development, the density shall be no greater than 1.5 residential units per gross acre.

- G. Setback Requirements: All uses permitted or permitted as special exception shall comply with the following setback requirements, except as otherwise provided for in Articles
- 3 and 5 for lots of record and nonconforming situations.
- 1. Front Setback: the minimum depth of the front building setback shall be 30 feet from any road right-of-way or easement line, with the following exceptions: (a) the lot fronts on an arterial road as shown on the Major Road Plan of Blount County, in which case the front setback shall be 60 feet for principal arterial roads and 40 feet for major arterial roads, and (b) the lot has been previously platted on a plat registered with the Blount County Register of Deeds prior to the enactment of this Resolution in which case the minimum shall be as shown on the registered plat.
- 2. Rear Setback: the minimum building setback from the rear property line shall be 20 feet for the principal structure, and five feet for any accessory structure, provided that the rear setback shall be 40 feet, or greater as may be required by the Board of Zoning Appeals, for any special exception.
- 3. Side Setback: the minimum building setback from the side property line shall be ten (10) feet, provided that the side setback shall be 20 feet, or greater as may be required by the Board of Zoning Appeals, for any special exception.
- H. Maximum Height of Structures: Unless otherwise explicitly allowed in other articles of this Resolution, all structures shall be no greater than 35 feet higher than the highest natural grade immediately adjacent to the structure.
- Section 9.4 C Commercial District. It is the purpose and intent of this district to regulate commercial and other development of high to medium density around the cities of Alcoa and Maryville, consistent with the overall purposes of this Resolution contained in Article 3, consistent with provisions in Public Chapter 1101 of 1998 (Tennessee Code Annotated Section 6-58-101, et seq), and consistent with plans adopted by Blount County.
 - A. Permitted Uses: General retail sales and rental of goods, merchandise, and equipment; Restaurants, taverns, drinking establishments, and nightclubs; Medical and general offices, e.g., dentists, physicians, attorneys, real estate, insurance, etc.; Automotive and marine craft sales and services; Hotels, motels, rooming and boarding houses, bed and breakfast, campgrounds; Social and fraternal clubs and lodges, union halls, and similar uses; Golf driving ranges, miniature golf courses, and similar uses; Service stations, motor vehicle repair and body shops; Convenience stores with vehicle fuel sales; Mobile home sales; Kennels and veterinarian services; Miscellaneous public and semi-public facilities including post offices; Dry cleaners and laundromats; Commercial greenhouses; Manufacturing, processing, creating, repairing, and assembly of goods, where all activities are conducted within a fully enclosed building; Hospitals, clinics, and other medical facilities; Churches, temples and similar places of worship with accessory structures, uses and cemeteries; Bowling alleys, skating rinks, indoor tennis and racquet ball courts, billiard halls, indoor athletic facilities; Public and private recreational activities conducted primarily outside enclosed buildings; Commercial cemeteries not associated with any on-site place of worship; any use permitted or listed

as permissible as a special exception in Sections 9.1.A and 9.1.B; adult oriented establishment as defined in TCA 7-51-1101 et seq., subject to requirements in Section 7.12.

- B Uses Permitted as Special Exceptions: Scrap materials salvage and recycling, salvage yards, junkyards, automobile graveyards; any other commercial activity not listed in subsection A above. Indoor Sport Shooting Range (subject to provisions and requirements in Section 7.13)
- C. Uses Permitted as Special Exceptions with Specific Limitations:
- (a) Pain Management Clinics, with the following requirements: clinic shall meet and maintain all licensing and permit requirements of the State of Tennessee, including but not limited to those in TCA 63-1-301, et seq.; clinic location shall be 1000 feet from any school, day care facility, park, or church measured from property line to property line; clinic location shall be 500 feet from any residential structure; clinic property abutting an S-Suburbanizing or R-1-Rural District 1 zoned property (not a public right-of-way) shall be secured from access across such abutting property lines by a fence no less than 6 feet in height; clinic location and access shall be on an arterial street as shown on the Major Road Plan for Blount County.
- D. Uses Prohibited: In the C Commercial District, all uses are prohibited except those uses permitted specifically or by special exception by the Board of Zoning Appeals.
- E. Uses Requiring Site Plan Review: All uses permitted as special exception in subsections B and C above, and customary accessory structures. Permitted uses in subsection A above and customary accessory structures, except one or two single family or manufactured home dwelling on a single lot, duplex dwelling on separate lot, and customary accessory structures to such excepted uses.
- F. Minimum Lot Size and Density: For residential structures as required in Section 9.1.F. All commercial lots shall be adequately sized to accommodate necessary parking requirements, setbacks, buffering, and soils requirements for any on-site septic disposal.
- G. Setback Requirements: All uses permitted or permitted as special exception shall comply with the following setback requirements, except as otherwise provided for in Articles 3 and 5 for lots of record and nonconforming situations.
- 1. Front Setback: the minimum depth of the front building setback shall be 30 feet from any road right-of-way or easement line, with the following exceptions: (a) the lot fronts on an arterial road as shown on the Major Road Plan of Blount County, in which case the front setback shall be 60 feet for principal arterial roads and 40 feet for major arterial roads, and (b) the lot has been previously platted on a plat registered with the Blount County Register of Deeds prior to the enactment of this Resolution in which case the minimum shall be no less than 20 feet or the platted setback, whichever is greater.
- 2. Rear Setback: the minimum building setback from the rear property line shall be 20 feet for the principal structure, and five feet for any accessory structure, provided that

the rear setback shall be 40 feet, or greater as may be required by the Board of Zoning Appeals, for any non residential use or special exception with a rear property line abutting a residential use lot, or abutting a lot in the S, R-1 or R-2 zone.

- 3. Side Setback: For any commercial use under Permitted Uses abutting another commercial use or land zoned C-Commercial or I-Industrial or RAC-Rural Arterial Commercial, the minimum building setback from the side property line shall be ten (10) feet. For any commercial use under Permitted Uses abutting a residential lot or land zoned S, R-1 or R-2, the minimum building setback from the side property line shall be 20 feet. For any special exception, the minimum building setback from the side property line shall be 20 feet, or greater as may be required by the Board of Zoning Appeals. For any residential use the minimum building setback from the side property line shall be ten (10) feet.
- H) Maximum Height of Structures: Unless otherwise explicitly allowed in other articles of this Resolution, the maximum height of structures shall be no greater than: 1) 35 feet for single family and duplex residential structures; 2) 40 feet to eave and 50 feet to ridge for hip and gable roofs for other primary use structures; and 3) 40 feet for all other types of roofs for other primary use structures. All accessory structures shall be no greater than 35 feet in height. Notwithstanding the above, along highways designated as Scenic Highway under provisions of TCA 54-17-101 to 116, the maximum height of buildings shall be controlled by TCA 54-17-115, up to the maximum allowed in this subsection.

Under the Blount County Zoning Regulations



Tax Map/Parcel:	072 005.01 Site A	ddress: E Lamar Alexander Pkwy
Owner: Harbor	Club LLC	Phone:
Mailing Address:	c/o Jeffery J. F	ields - 11414 Kingston Pike
	Knoxville, TN 379	34
	City	State Zip Code
Type of Permit:		
Appeal Rezon	ing_XSpecial Exception	n Variance Co-Locate
Zone	Size of lot	
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Fee:		Reccipt #:
Approval Signature		Date:

Under the Blount County Zoning Regulations



Tax Map/Parcel:	072 011.00 Site Add	ress: <u>5315-5319 E Lamar</u>	Alexander Pkwy
Owner: Harbor C	Club LLC	Phone:	
Mailing Address:	c/o Jeffery J. Fie	lds - 11414 Kingston	Pike
	Knoxville, TN 37934		
	City	State Zip C	Code
Type of Permit:			
Appeal Rezoni	ing_X Special Exception_	Variance Co-Locate	
Zone	Size of lot		
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M Owner'S	ignature	Date	16,18
Fee:	the photography.	Receipt #: _	
Approval Signature			

Under the Blount County Zoning Regulations



Tax Map/Parcel:	072 012.00	Site Address:	E Lamar Ale	exander Pkwy
Owner: John H &	Mary F Steve	ns	Phone:	·
Mailing Address:	2899 Lake	Dr		
	Loudon, TN	37774		
	City		State	Zip Code
Type of Permit:				
Appeal Rezoni	ing _X Special	Exception Va	riance Co-L	ocate
Zone	Size of lot			
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approval Signature) ·	I - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	Da	te:

Under the Blount County Zoning Regulations



Tax Map/Parcel: <u>072</u>	013.00 Site Addr	ess: <u>5269 E. LAM</u>	IR ALEXANDER 1	DKWY
Owner: BLOUNT COUN	TY FIRE PROTECTION	DISTRECT Phone:		
Mailing Address:Pc				
	ARYVILLE	TN	37802	
	City		Zip Code	
Type of Permit:				
Appeal Rezoning 🔏	Special Exception	_ Variance Co-L	ocate	
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further acknowledge the construction of any prop				
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Owner Signat	ture		Date	
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Fee:	a w	Rec	eipt #:	
Approval Signature:			Date:	X
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Under the Blount County Zoning Regulations



Tax Map/Parcel:	072 014.00 Site Addres	s: <u>5291 Old Wa</u>	lland Highway	
Owner: Blackbe	erry Mountain Club LLC	Phone: _8	55-273-8572	
Mailing Address:	1471 West Millers Cov	e Road	N	
	Walland, TN 37886	2011		
	City	State	Zip Code	
Type of Permit:				
Appeal Rezon	ing _X Special Exception	Variance Co-	Locate	
Zone	Size of lot			
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Under the Blount County Zoning Regulations



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Type of Permit:	·				
	City	State	Zip Code		
	Walland, TN 37886				
Mailing Address:	Mailing Address: 1471 West Millers Cove Road				
		1 Honeoc	33 273 0372		
Owner: TSM PR	072 015.00 Site Address: ROPERTIES OF TENNESSEE LI				

Under the Blount County Zoning Regulations



Tax Map/Parcel:	072 016.00 Site Address:	5324 Old Wa	lland Highway
Owner: TSM PR	OPERTIES OF TENNESSEE LI	C Phone: <u>_86</u>	5-273-8572
Mailing Address:	1471 West Millers Cove	Road	
	Walland, TN 37886		
	City	State	Zip Code
Type of Permit:			
Appeal Rezon	ning _X Special Exception Va	ariance Co-I	ocate
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Approval Signatu	re:		Oate:

Under the Blount County Zoning Regulations



Cax Map/Parcel: 072 017.00 Site Address: 5315 Old Walland Highway
Owner: TSM PROPERTIES OF TENNESSEE LLC Phone: 865-273-8572
Mailing Address: 1471 West Millers Cove Road
Walland, TN 37886
City State Zip Code
'ype of Permit:
ppeal Rezoning _X Special Exception Variance Co-Locate
one Size of lot
otes: Request rezoning to Commercial
the undersigned being the owner of the property described above, affirm the accuracy of the bove information about the property and any proposed structures and uses described. I arther acknowledge that it is my responsibility to ensure that such requirements are met during construction of any proposed structure. By my signature, I also give permission for inspection of the property by an authorized agent of Blount County Government for the purpose of enforcing the Zoning Regulations set forth by the Blount County Commission.
Owner Signature Il ao 18 Date
ee: Receipt #:
pproval Signature: Date:

Under the Blount County Zoning Regulations



Tax Map/Parcel:	072 017.01 Site Address: _!	5323 Old Wa	lland Highway
Owner: TSM PRO	OPERTIES OF TENNESSEE LLC	Phone: <u>8</u> 6	55-273-8572
Mailing Address:	1471 West Millers Cove F	load	Total Contract of
	Walland, TN 37886		
	City	State	Zip Code
Type of Permit:			
Appeal Rezon	ing _X Special Exception Var	riance Co-	Locate
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Owner	SHUDY 63ALC Signature		<u>// から / / ち</u> Date
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Approval Signatui	re:		Date:

Under the Blount County Zoning Regulations



Tax Map/Parcel:	072 017.02 Site Address:	5321 Old Wal	lland Highway
Owner: TSM PRO	OPERTIES OF TENNESSEE LI	LCPhone: <u>86</u>	5-273-8572
Mailing Address:	1471 West Millers Cove	Road	
	Walland, TN 37886		
	City	State	Zip Code
Type of Permit:			
Appeal Rezon	ing _X Special Exception V	ariance Co-I	ocate
Zone	Size of lot		
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Under the Blount County Zoning Regulations



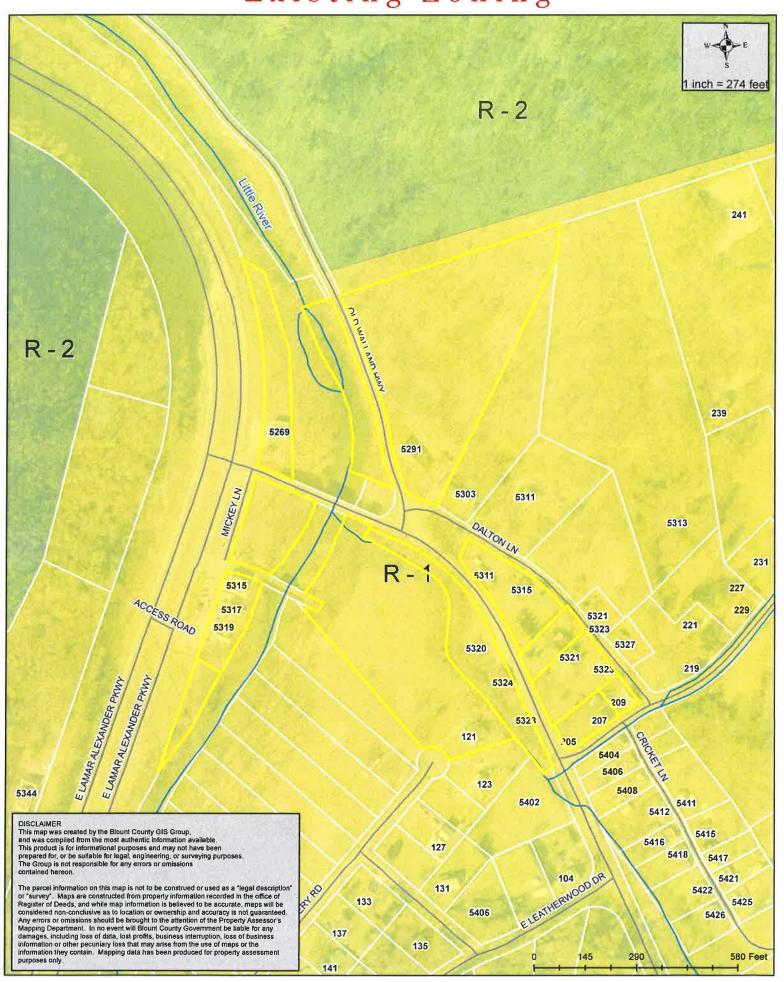
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Zone Size o	of lot				
Appeal Rezoning _X	Special Exception	_Variance Co-Lo	ocate		
Type of Permit:					
	City	State	Zip Code		
Wallan	nd, TN 37886				
	Mailing Address: 1471 West Millers Cove Road				
Mailing Address: 1471 W					
		LLC Phone: 865	5-273-8572		

Under the Blount County Zoning Regulations

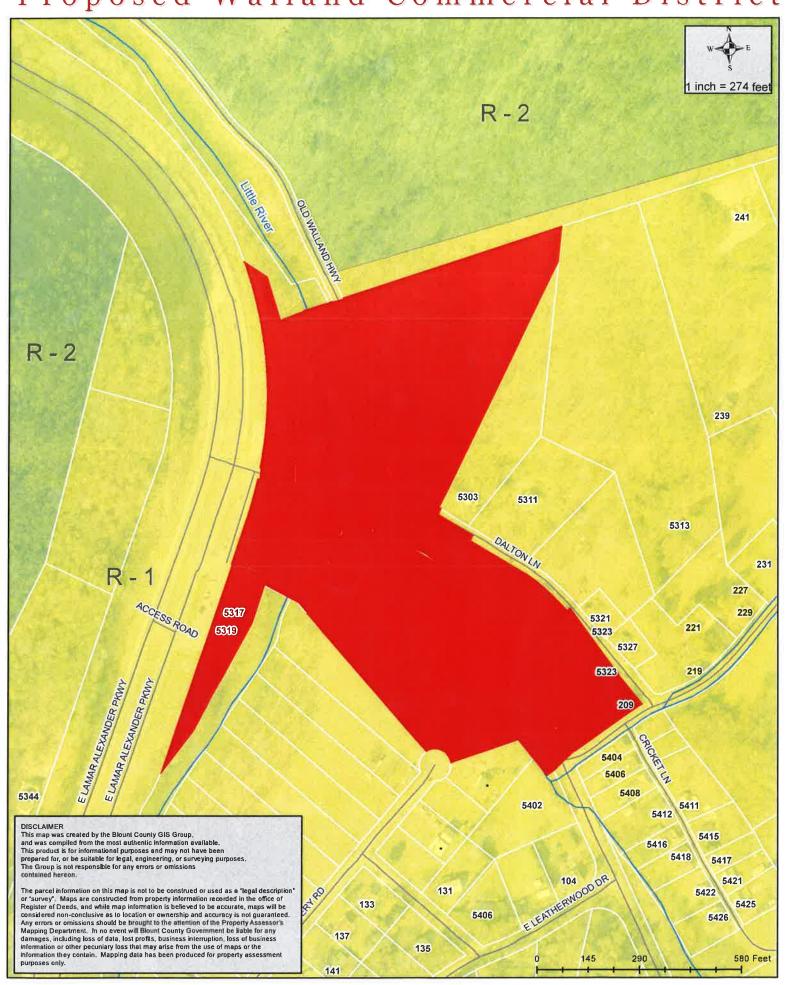


Tax Map/Parcel:	072G A 002.00 Site Address:	209 E Miler	s Cove road
	erry Mountain Club LLC		
	1471 West Millers Cove		
S	Walland, TN 37886		All residence and the second
	City	State	Zip Code
Type of Permit:			
Appeal Rezon	ing _X Special Exception V	ariance Co-I	Locate
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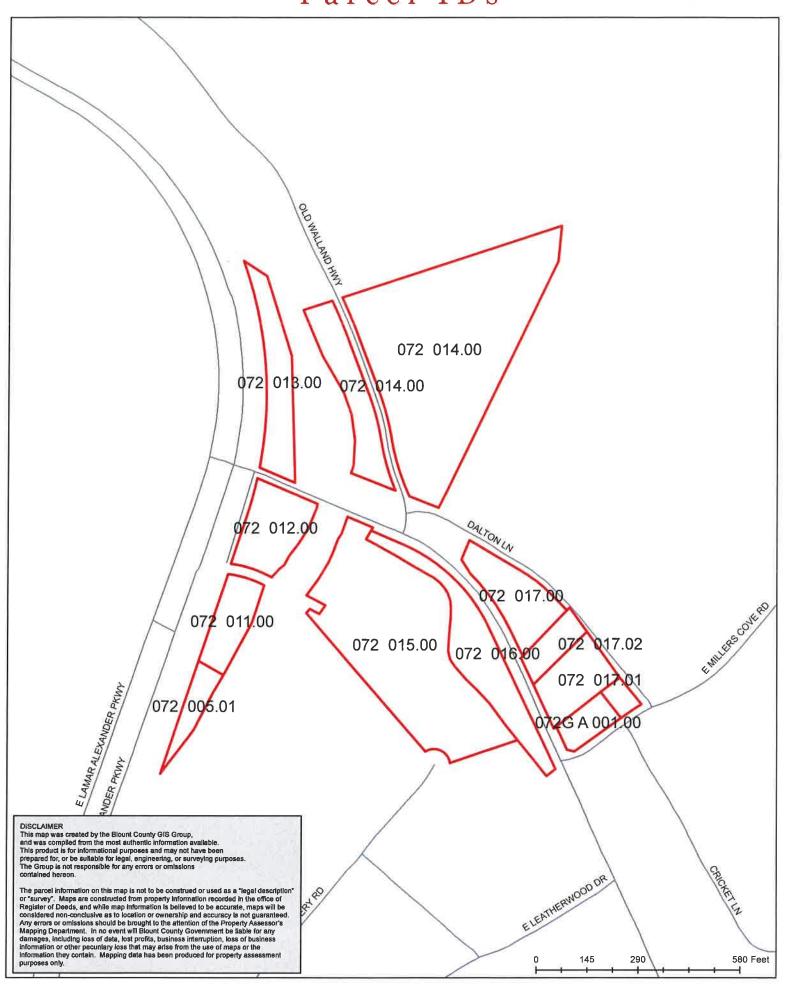
Existing Zoning



Proposed Walland Commercial District



Parcel IDs



FEMA Flood Hazard Areas

