

**Kingsport Regional Planning Commission**  
**Rezoning Report**

**File Number REZONE24-0072**

**Overhill County Rezoning**

<b>Property Information</b>			
<b>Address</b>	Highway 126 & Overhill Rd		
<b>Tax Map, Group, Parcel</b>	Tax Map 049, Parcel 068.00		
<b>Civil District</b>	5		
<b>Overlay District</b>	n/a		
<b>Land Use Designation</b>	Retail/Commercial		
<b>Acres</b>	19.5 acres +/-		
<b>Existing Use</b>	Vacant	<b>Existing Zoning</b>	County R-1
<b>Proposed Use</b>	Future Commercial	<b>Proposed Zoning</b>	County PBD-SC
<b>Owner /Applicant Information</b>			
<b>Name:</b> George M. Moody <b>Address:</b> 1312 Linville St. <b>City:</b> Kingsport <b>State:</b> TN <b>Zip Code:</b> 37660 <b>Email:</b> glmoody@charter.net <b>Phone Number:</b> (423) 782-7901		<b>Intent:</b> <i>To rezone from County R-1 to County PBD-SC for the purpose of having future commercial use on the property.</i>	
<b>Planning Department Recommendation</b>			
<p>The Kingsport Planning Division recommends sending a <b>POSITIVE</b> recommendation to the Sullivan County Commission for the following reasons:</p> <ul style="list-style-type: none"> <li>The requested PBD-SC zone conforms to the 2030 Future Land Use Plan as a future retail/ commercial use.</li> </ul> <p><b>Staff Field Notes and General Comments:</b></p> <ul style="list-style-type: none"> <li>The rezoning site is currently undeveloped</li> <li>The parcel proposed for rezoning contains over 1,400 feet of frontage along Overhill Drive</li> </ul>			
<b>Planner:</b>	Ken Weems	<b>Date:</b>	May 1, 2024
<b>Planning Commission Action</b>		<b>Meeting Date:</b>	<b>May 16, 2024</b>
<b>Approval:</b>			
<b>Denial:</b>		<b>Reason for Denial:</b>	
<b>Deferred:</b>		<b>Reason for Deferral:</b>	

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**PROPERTY INFORMATION**

<b>ADDRESS</b>	Overhill Drive
<b>DISTRICT</b>	5
<b>OVERLAY DISTRICT</b>	n/a
<b>EXISTING ZONING</b>	R-1 (Low Density /Single-Family District)
<b>PROPOSED ZONING</b>	PBD-SC (Planned Business and/or Shopping Center District)
<b>ACRES</b>	19.5 +/-
<b>EXISTING USE</b>	undeveloped
<b>PROPOSED USE</b>	future commercial

**PETITIONER**

**ADDRESS**                    **1312 Linville St. Kingsport, TN 37660**

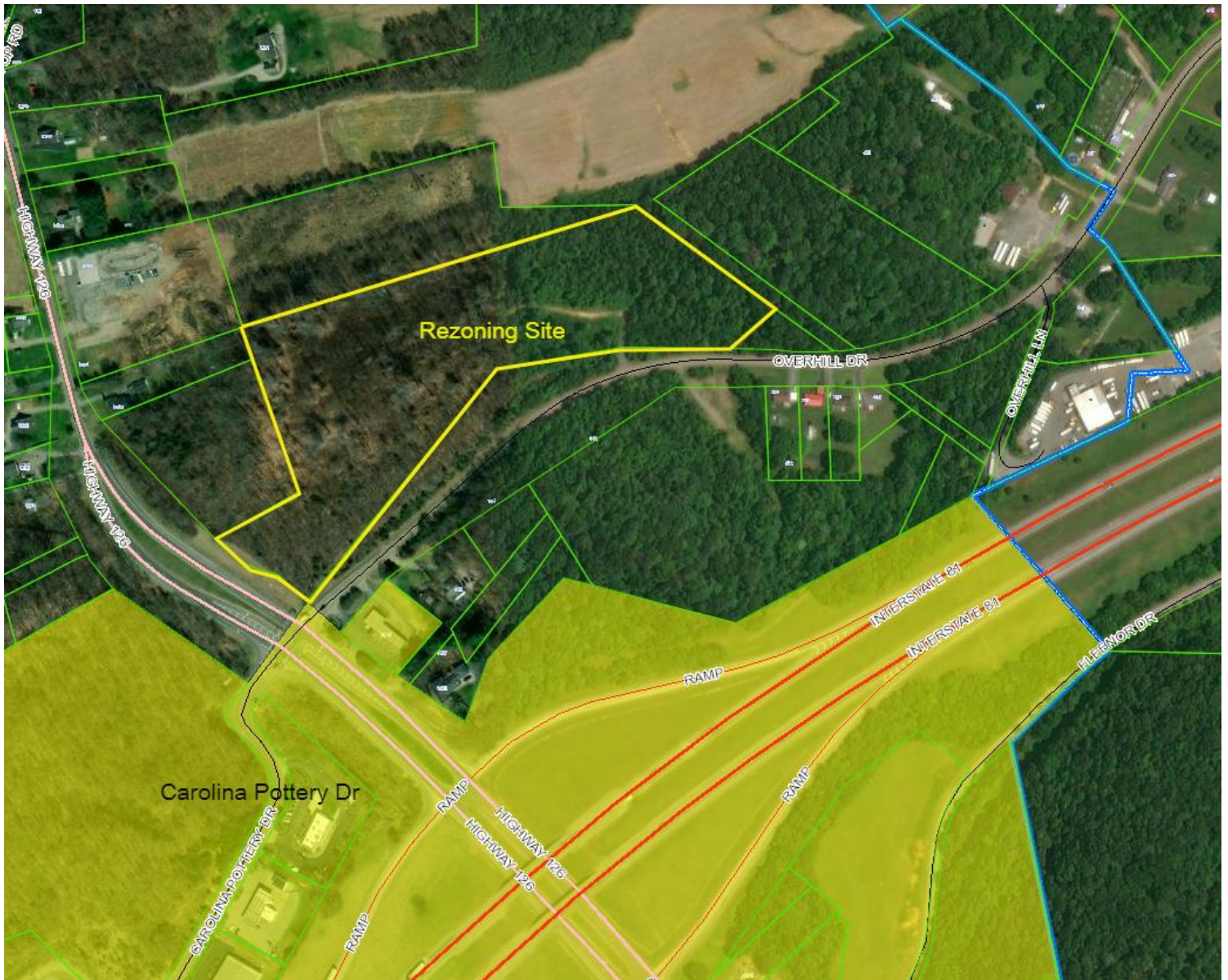
**REPRESENTATIVE**

**PHONE**                    **(423) 782-7901**

**INTENT**

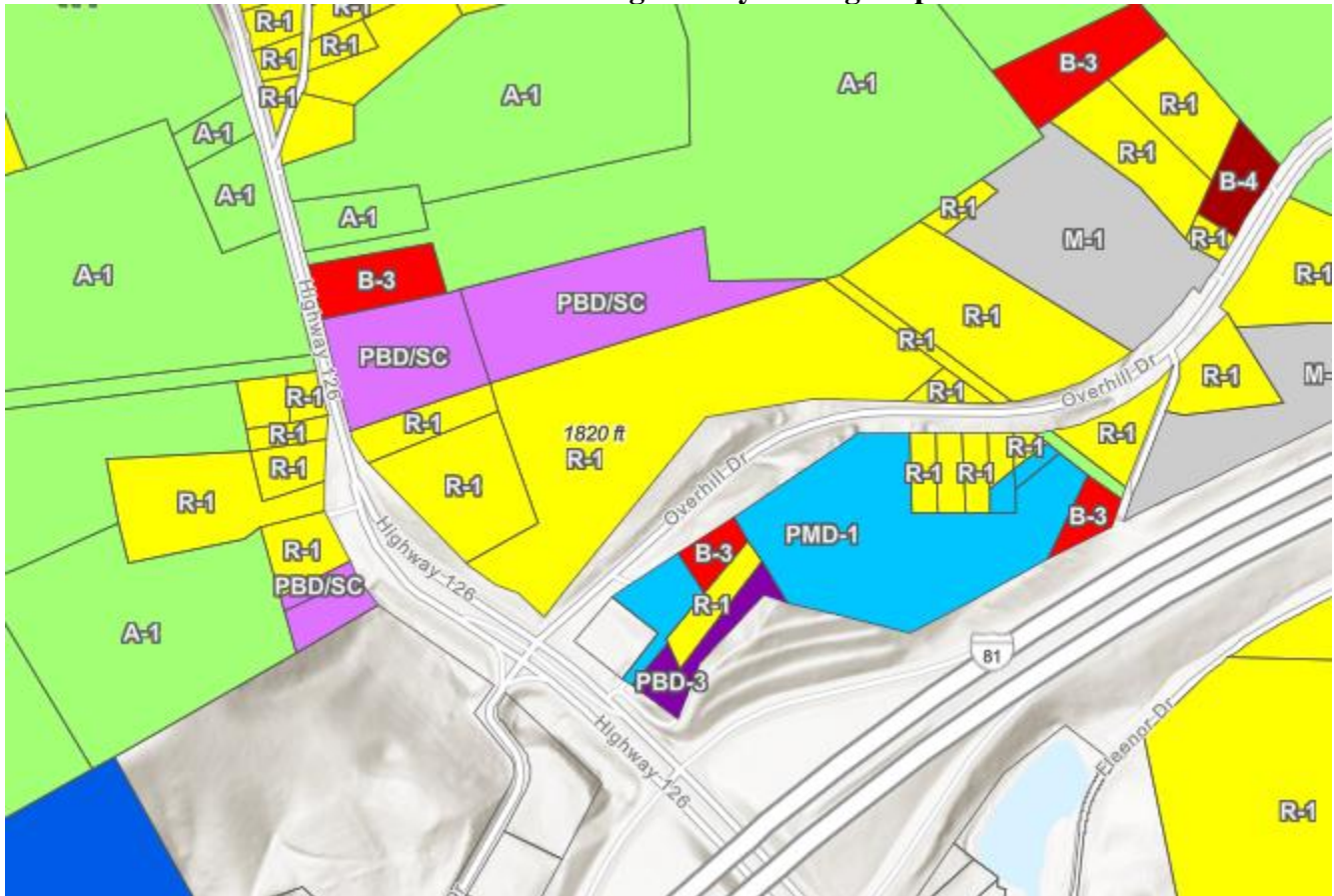
*To rezone from County R-1 to County PBD-SC for the purpose of having future commercial use on the property.*

Vicinity Map





**Surrounding County Zoning Map**



**City Zoning (TA/C District and B-3 Interstate Right-of-way)**



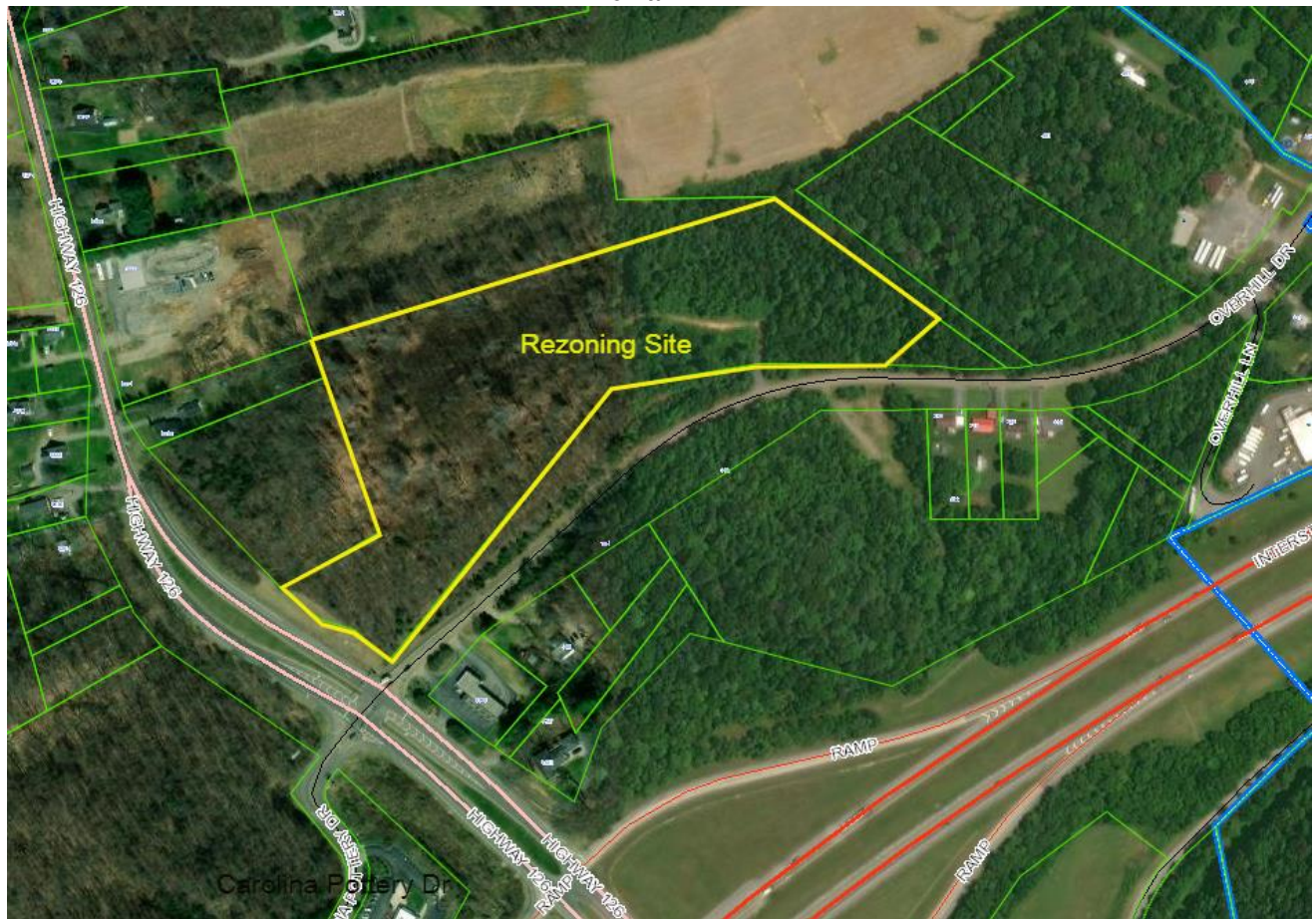


**Future Land Use Plan 2030: Retail/Commercial Designation**





## Aerial

**Sullivan County R-1 Zone District Purpose (source: Sullivan County Zoning Resolution)**

5. **R-1. Low Density/Single-Family Residential District** - These districts are designed to provide suitable areas for single-family residential development within areas that are predominantly characterized by low-density suburban residential development. Residential development consists of single-family detached dwellings and other accessory structures thereto. The intensity of development permitted within these districts is directly related to the availability of public water service and sewage capabilities. These districts also include community facilities, public utilities, and open uses that serve specifically the residents of these districts, or that are benefited by an open residential environment without creating objectionable or undesirable influences upon residential developments. It is the express purpose of this resolution to exclude from these districts all buildings or other structures and uses having commercial characteristics, whether operated for profit or otherwise, except that uses on review, with supplementary provision and home occupations specifically provided by these regulations for these districts shall be considered as not having such characteristics if they otherwise conform to the provisions of this resolution.

**Sullivan County PBD/SC Zone District Purpose**

2. PBD/SC, Planned Business and/or Shopping Center District - This district is designed to provide adequate space along major arterial and collector roads, while serving the needs of the motoring public. This district is compatible with the Planned Corridor Business District in all aspects yet offers a broader scope of uses permitted. This district is designed to promote the clustering of developments along major routes through the use of access streets or interior roads while providing adequate buffering between existing abutting residential and agricultural land uses. Community facilities and utilities necessary to serve these districts or uses necessary for the general community welfare are also permitted. The previous zoning code had a separate category for the Shopping Center District; however, the setbacks and development standards were the same and the uses were very similar. These districts have been combined for simplicity.

**Sullivan County PBD/SC Zone District Uses and Structures**  
(source: Sullivan County Zoning Resolution)

**TABLE 4-102A**  
**USES AND STRUCTURES ALLOWABLE**  
**WITHIN MIXED USE AND COMMERCIAL DISTRICTS**

-----DISTRICTS-----	PBD-3	PBD/ SC	B-4	B-3	B-2	B-1
<b>I. Residential Activities</b>						
A. Permanent						
1. Single Family Dwelling	X	X	X	P	P	P
2. Duplex Dwelling	PC	PC	P	P	X	P
3. Multi-Family Dwelling	PC	PC	SUP	SUP	X	X
4. Single-Family Flats on 2 <sup>nd</sup> story & above within mixed-use	PC	PC	SUP	SUP	SUP	SUP
B. Semi-Transient						
1. Lodging House	X	X	P	P	X	X
2. Boarding House	X	X	P	P	X	X
<b>II. COMMUNITY FACILITY ACTIVITIES</b>						
A. Administrative Services	PC	PC	SUP	SUP	SUP	SUP
B. Child Care Facilities	PC	PC	SUP	SUP	SUP	SUP
C. Community Assembly	PC	PC	SUP	SUP	SUP	SUP
D. Cultural and Recreational Facilities	PC	PC	SUP	SUP	SUP	PC
E. Educational Facilities	PC	PC	SUP	SUP	SUP	SUP
F. Essential Public Transport, Communication & Utility	PC	PC	SUP	SUP	SUP	SUP
G. Extensive Impact Facilities	X	X	X	X	X	X
H. Health Care Facilities	PC	PC	SUP	SUP	SUP	SUP
I. Intermediate Impact Facilities – see Supplemental Regulations	PC	PC	SUP	SUP	SUP	SUP
1. Telecommunication Transmission Facilities	PC	PC	PC	PC	PC	PC
2. Funeral Homes and Crematoriums	X	SUP	SUP	X	X	X
J. Religious Facilities	PC	PC	SUP	SUP	SUP	SUP
K. Special Institutional Care Facilities	BZA	BZA	X	X	X	X
L. Special Personal and Group Care Facilities	PC	PC	SUP	X	X	X
M. Waste Disposal Operations	X	X	X	X	X	X



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-----DISTRICTS-----	PBD-3	PBD/ SC	B-4	B-3	B-2	B-1
<b>III. COMMERCIAL ACTIVITIES – Amended 09 17 07</b>						
A. Adult Entertainment Establishments	X	X	X	X	X	X
B. Animal Care and Veterinary Services	PC	PC	SUP	SUP	SUP	SUP
C. Automotive Parking – open lots only in B-2 and B-1, no public garages or parking structures	PC	PC	P	P	P *	P*
D. Automotive and Marine Craft Sales and Accessory Services	PC	PC	P	P	X	X
E. Automotive Body and Repair Shops	X	PC	X	P	X	X
F. Auto Towing and temporary storage	X	X	X	SUP	X	X
G. Banking, Financial, Insurance and Real Estate Services	PC	PC	P	P	P	P
H. Convenience Retail Sales and Services	PC	PC	SUP	SUP	SUP	SUP
I. Entertainment and Amusement Services - Limited	PC	PC	SUP	SUP	SUP	X
J. General Business and Communications	PC	PC	P	P	P	X
K. General Retail Trade	PC	PC	P	P	P	X
L. Group Assembly and Commercial Outdoor Recreation	PC	PC	SUP	SUP	SUP	X
M. Outdoor Material and Equipment Sales and Repair	PC	PC	P	P	X	X
N. Professional Services – Medical	PC	PC	P	P	P	P
O. Professional Services – Non-medical/Professional Offices	PC	PC	P	P	P	P
P. Restaurant, Full Service	PC	PC	P	P	P	X
Q. Restaurant, Fast Food	PC	PC	P	P	X	X
R. Scrap Operations/junk yards	X	X	X	X	X	X
S. Self-Storage/Mini-Warehouse Facilities	PC	PC	P	P	X	X
T. Transient Habitation	PC	PC	PC	X	X	X
U. Warehousing, Goods, Transport, and Storage	X	PC	X	X	X	X
V. Wholesale Sales	PC	PC	P	P	X	X
W. Indoor Sport Shooting Range Facilities <i>amended on 3/15/10</i>	PC	PC	PC	PC	X	X
<b>IV. MANUFACTURING ACTIVITIES (deleted 02/16/2023)</b>						
<b>V. AGRICULTURAL AND EXTRACTIVE ACTIVITIES</b>						
A. Agricultural – General	P	P	P	P	P	P
B. Agricultural – Intensive	PC	PC	PC	PC	PC	PC
C. Agricultural Services	P	P	P	P	P	P
D. Plant and Forest Nurseries	PC	PC	PC	PC	PC	PC
<b>VI. ACCESSORY ACTIVITIES</b>						
A. Commercial Accessory Storage – Enclosed (residential accessory structures permitted where residential land uses are permitted)	X	PC	X	P	X	X
B. Accessory Day Care within business ctr.	PC	PC	SUP	SUP	SUP	SUP
C. Administrative Office	PC	PC	SUP	SUP	SUP	SUP
D. Bed and Breakfast Inn	PC	PC	PC	PC	PC	PC
E. Columbarium/Mausoleum	SUP	SUP	SUP	SUP	SUP	SUP
F. Operation of a Cafeteria	PC	PC	PC	PC	X	X
G. Parents Day Out	SUP	SUP	SUP	SUP	SUP	SUP
H. Production for Retail Sale	PC	PC	SUP	SUP	SUP	X
I. Residential Occupancy <i>(approved administratively)</i>	SUP	SUP	SUP	SUP	P	P
J. Special Public Event on Private Property	BZA	BZA	BZA	BZA	SUP	BZA
<b>KEY TO INTERPRETING USE CLASSIFICATIONS</b> <b>BZA = Special Exception of Use with Approval from Board of Zoning Appeals</b> <b>P = Use Permitted by Right Within the District</b> <b>SUP = Principal Use Permitted with Supplemental Provisions</b> <b>PC = Subject to Review and Approval by the Planning Commission</b> <b>X – Not permitted</b>						



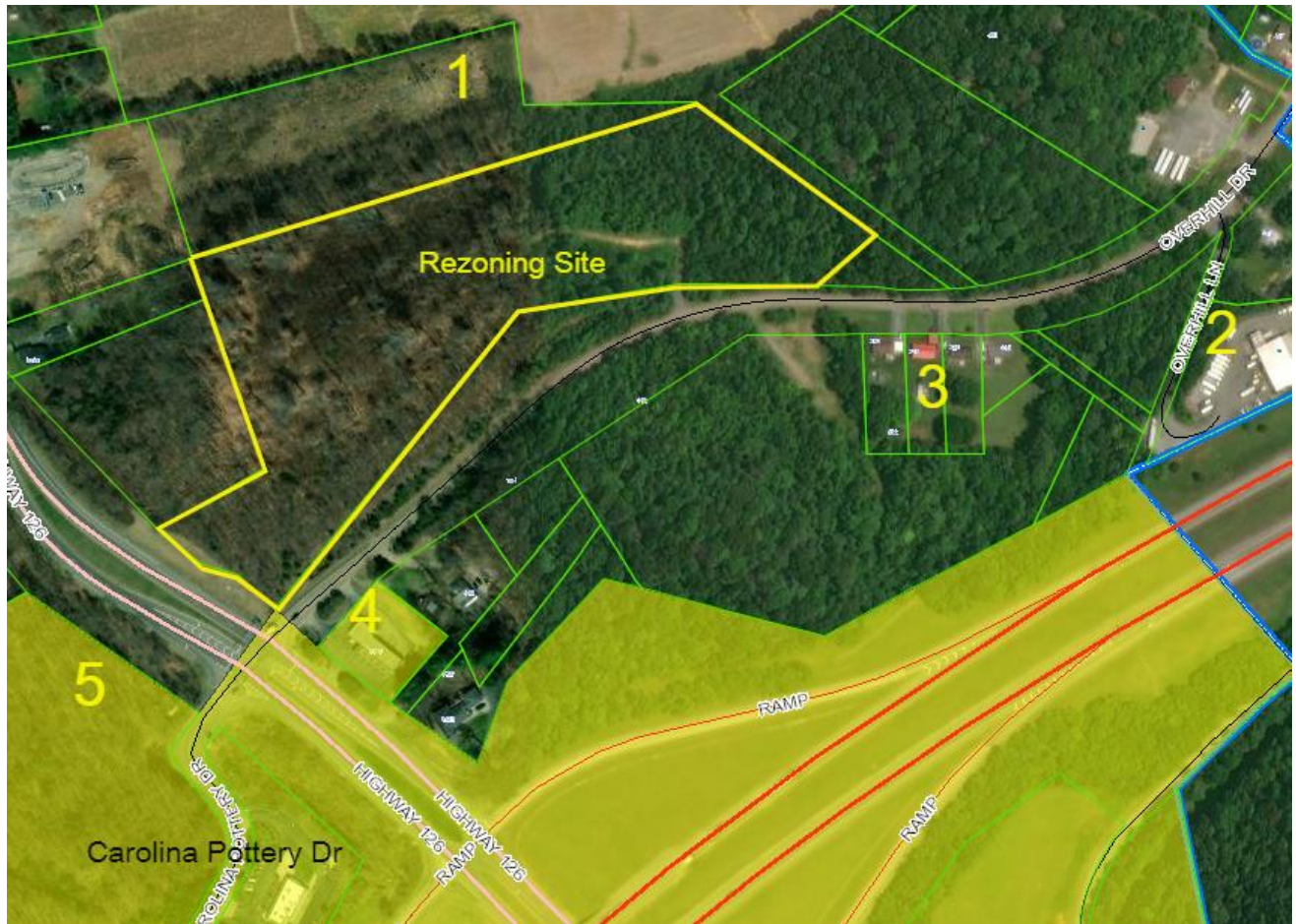
**View Along Overhill Drive**



**View of Overhill Drive and Hwy 126 Intersection**



EXISTING USES LOCATION MAP





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**Existing Zoning/ Land Use Table**

<b>Location</b>	<b>Parcel / Zoning Petition</b>	<b>Zoning / Name</b>	<b>History Zoning Action Variance Action</b>
North	<b>1</b>	<u>Zone: County PBD-SC</u> Use: residential	Rezoned to PBD-SC
East	<b>2</b>	<u>Zone: County A-1</u> Use: Ag/ vacant	n/a
Southeast	<b>3</b>	<u>Zone: County A-1</u> Use: Ag/ vacant	n/a
South	<b>4</b>	<u>Zone: County A-1</u> Use: low density residential	n/a
West	<b>5</b>	<u>Zone: County A-1</u> Use: low density residential	n/a

**Standards of Review**

Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors 1 through 4, below, as well as any other factors it may find relevant.

- 1. Whether or not the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby Property?** The site abuts to another PBD/SC zone.
- 2. Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** The site has a reasonable economic use as currently zoned. The proposed activity is well suited for the site as well.
- 3. Whether the proposal is in conformity with the policies and intent of the land use plan?** The proposal matches the 2030 Future Land Use Plan as appropriate for retail/commercial use

**Proposed use:** future commercial

**The Future Land Use Plan Map recommends** City: Single Family Residential; Sullivan County: Ag/ Open Space.

4. **Whether there are other existing or changed conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the proposal?** The abutting parcel to the north was recently rezoned to PBD/SC.

#### CONCLUSION

Staff recommends sending a POSITIVE recommendation to the Sullivan County Commission to rezone from Sullivan County R-1 to Sullivan County PBD/SC based upon conformance with the 2030 Future Land Use Plan.