

▶ **FILE #:** 2-A-11-RZ

**AGENDA ITEM #** 24

**AGENDA DATE:** 2/10/2011

▶ **APPLICANT:** HATCHER HILL PROPERTIES, LLC

OWNER(S): Hatcher Hill Properties, LLC

TAX ID NUMBER: 93 O A 01701 PORTION NOT ZONED I-3

JURISDICTION: City Council District 2

▶ **LOCATION:** Southeast side South Middlebrook Pike, southwest of Knott Rd.

▶ **APPX. SIZE OF TRACT:** 1.7 acres

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is through parcels to the north to S. Middlebrook Pike, a two lane major arterial street which is one-way in this section to the east, within 60' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

▶ **PRESENT ZONING:** I-2 (Restricted Manufacturing and Warehousing)

▶ **ZONING REQUESTED:** I-3 (General Industrial)

▶ **EXISTING LAND USE:** Business

▶ **PROPOSED USE:** Any use allowed in I-3

EXTENSION OF ZONE: Yes, extension of I-3 from the northwest

HISTORY OF ZONING: A portion of the site was rezoned I-2 in 2007 (5-D-07-RZ).

SURROUNDING LAND USE AND ZONING: North: Retail warehouse, S. Middlebrook Pike and gas tanks / I-3 (General Industrial)

South: Residences / R-1 (Low Density Residential)

East: Retail warehouse / I-2 (Restricted Manufacturing & Warehousing) and I-3 (General Industrial)

West: Retail warehouse and office / C-6 (General Commercial Park) and O-3 (Office Park)

NEIGHBORHOOD CONTEXT: The properties fronting on S. Middlebrook Pike in this area are developed with commercial, light and heavy industrial uses, under I-2, I-3, O-3 and C-6 zoning. To the south of this site, at a higher elevation, is an established residential neighborhood, zoned R-1.

**STAFF RECOMMENDATION:**

▶ **DENY I-3 (General Industrial) zoning.**

Staff is recommending denial in order to maintain a less intense zoning between the I-3 uses to the north and the R-1 residential uses to the south. This area will serve as a buffer area between the unlike uses.

**COMMENTS:**

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. There have been no substantially changed conditions in this area that would warrant a plan or zoning change for this property. In fact, since the previous rezoning request in 2007, some new houses have been constructed on the established lots to the south.
2. Maintaining the current I-2 zoning will minimize the impact on the residential area to the south by prohibiting more intense development in the area closest to the residential area.
3. Rezoning this property to I-3 will further add to the negative impact on the residential area to the south. The applicant has reasonable use of the property under the current I-2 zoning.

#### CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The requested I-3 (General Industrial) zoning district is established to provide areas in which the principal use of land is for manufacturing, assembling, fabricating and warehousing. These uses do not depend primarily on frequent personal visits of customers or clients, but usually require good accessibility to major rail, air or street transportation routes. Such uses have some adverse effects on surrounding properties and are not properly associated with, nor compatible with residential, institutional and retail commercial uses.
2. If the site is approved for the requested I-3 zoning, staff believes that it would have an unnecessary negative impact on the adjacent residential area to the south.
3. Approval of this request will likely lead to future requests for I-3 zoning on properties currently zoned I-2 to the northeast and southwest, which are also adjacent to residential uses.

#### THE EFFECTS OF THIS PROPOSAL

1. Public water and sanitary sewer utilities are available to the site.
2. The proposal would have no impact on schools. The impact to the street system would depend on the type of uses that were developed on the site. The Tennessee Department of Transportation (TDOT) will soon be conducting a safety audit in this area, which could be impacted by allowing more intense use of this site.
3. Allowing heavier industrial uses on the site may add to the detrimental impacts on residential properties to the south, with the potential for increased noise, lighting, building lot coverage, signage and traffic.
4. I-3 zoning allows more intense uses and a greater maximum lot coverage than I-2. I-3 allows up 80% lot coverage compared to 50% for the current I-2. On parcels 20.04 and 20.05 to the east, which are zoned entirely I-3, the effect of this difference can be seen. The buildings on these sites take up a much higher percentage of their respective sites than the ratio on the subject property.

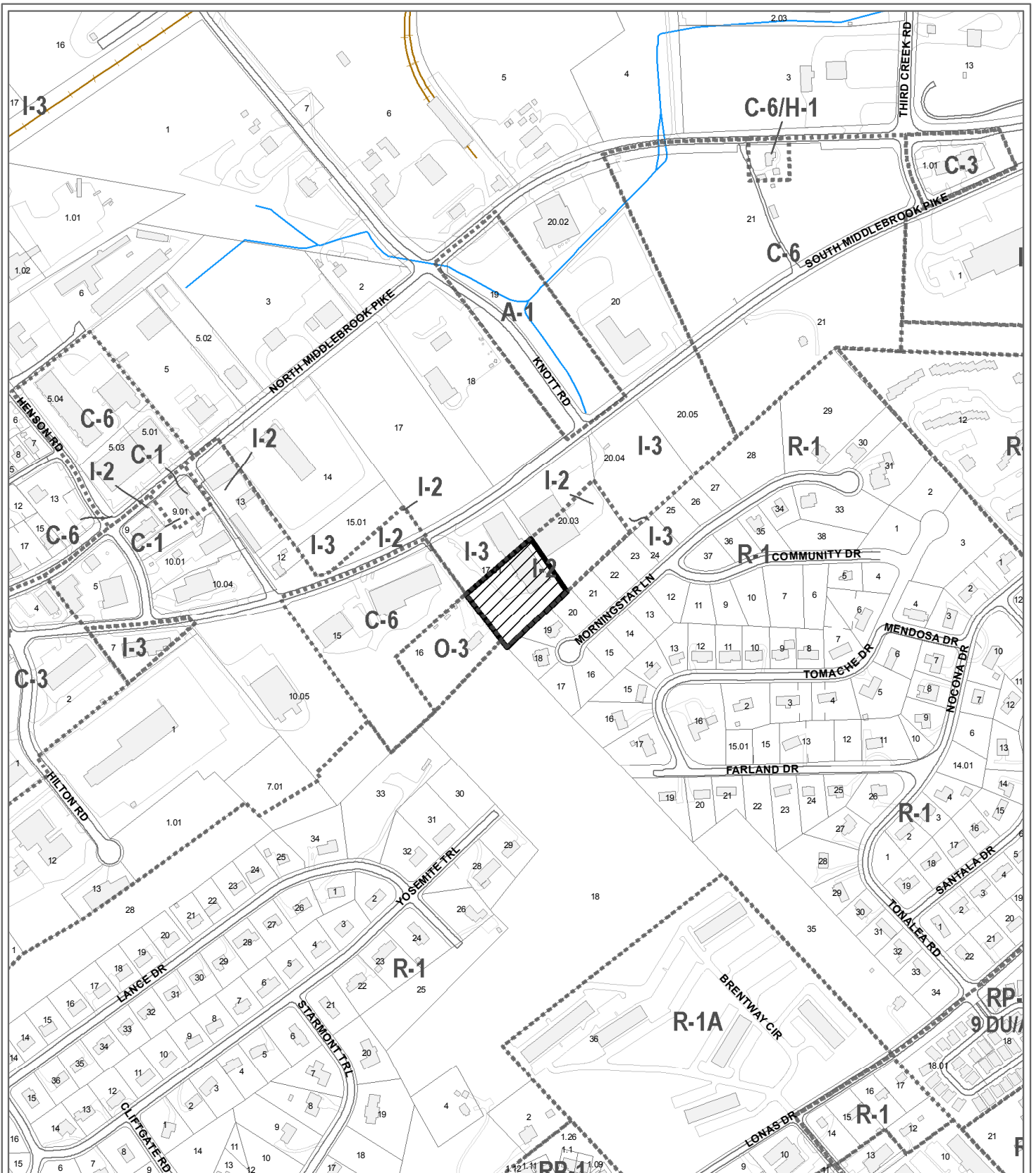
#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest City Sector Plan designates this site for light industrial uses and slope protection in the rear. The area proposed for rezoning is located in the area designated for slope protection.
2. The City of Knoxville One Year Plan designates this site for light industrial uses, consistent with either I-2 or I-3 zoning.
3. This site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. Approval of I-3 zoning for the subject property could lead to future similar requests in the area, especially on I-2 zoned properties to the northeast and southwest, which are also adjacent to residential uses along their southern borders.

ESTIMATED TRAFFIC IMPACT: Not calculated.

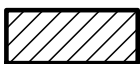
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 3/8/2011 and 3/22/2011. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



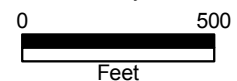
**2-A-11-RZ  
REZONING**

From: I-2 (Restricted Manufacturing and Warehousing)  
To: I-3 (General Industrial)



Petitioner: Hatcher Hill Properties, LLC

Map No: 93  
Jurisdiction: City



Original Print Date: 1/26/2011  
Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902