

▶ **FILE #:** 9-H-18-RZ

AGENDA ITEM #: 44

AGENDA DATE: 9/13/2018

▶ **APPLICANT:** DAMON A. FALCONNIER

OWNER(S): Sharp Family Properties

TAX ID NUMBER: 81 H D 008

[View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS: 3356 Rudy St

▶ **LOCATION:** North end of Rudy St., north of Dinwiddie St.

▶ **APPX. SIZE OF TRACT:** 1.69 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Rudy St., a local street with 26' of pavement width within 45' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT ZONING:** I-2 (Restricted Manufacturing and Warehousing) / IH-1 (Infill Housing O

▶ **ZONING REQUESTED:** I-3 (General Industrial) / IH-1 (Infill Housing Overlay)

▶ **EXISTING LAND USE:** Business

▶ **PROPOSED USE:** Ditch Witch sales and service

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Vacant land - I-2 (Restricted Manufacturing & Warehousing) / IH-1 (Infill Housing Overlay)

South: Vacant land - I-2 (Restricted Manufacturing & Warehousing) / IH-1 (Infill Housing Overlay)

East: I-275 right-of-way - I-2 (Restricted Manufacturing & Warehousing)

West: Light industrial - I-2 (Restricted Manufacturing & Warehousing) / IH-1 (Infill Housing Overlay)

NEIGHBORHOOD CONTEXT: The properties on Rudy St., along the west side of I-275, are developed with light industrial and residential uses, under R-1A and I-2 zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE I-3 (General Industrial) / IH-1 (Infill Housing Overlay) zoning.**

I-3 is a logical extension of light industrial uses from all sides. It will allow development that is compatible with the surrounding development and zoning pattern. I-3 zoning is consistent with the light industrial proposal on adopted plans for the area.

COMMENTS:

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. I-3 is a logical extension of light industrial uses from all sides.
2. I-3 zoning is consistent with the light industrial plan designation of the Central City Sector Plan and the Knoxville One Year Plan.
3. I-3 zoning is appropriate for this site, which is adjacent to other light industrial uses and I-2 zoning.
4. Although I-3 is a slightly more intense zoning district, the site is located along I-275 frontage and is somewhat isolated at the end of a street.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE 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 for warehousing. These land uses do not depend primarily on frequent personal visits from 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. Based on the above description, this site is appropriate for general industrial use under I-3 zoning.
3. The IH-1 (Infill Housing Overlay) will remain on the property, regardless of the proposed change in the base zoning. Non-residential uses are not subject to the regulations of the IH-1 overlay, so will not impact the development of the subject property.

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. The recommended I-3 zoning is compatible with the surrounding land uses and zoning pattern.
2. I-3 zoning will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.
3. Rudy St. is a local street that dead ends at the subject property about 1100 feet north of its intersection with Heiskell Ave. It has 26' of pavement width and 45' of right-of-way, adequate to handle any additional traffic generated by allowing light industrial uses on the site.

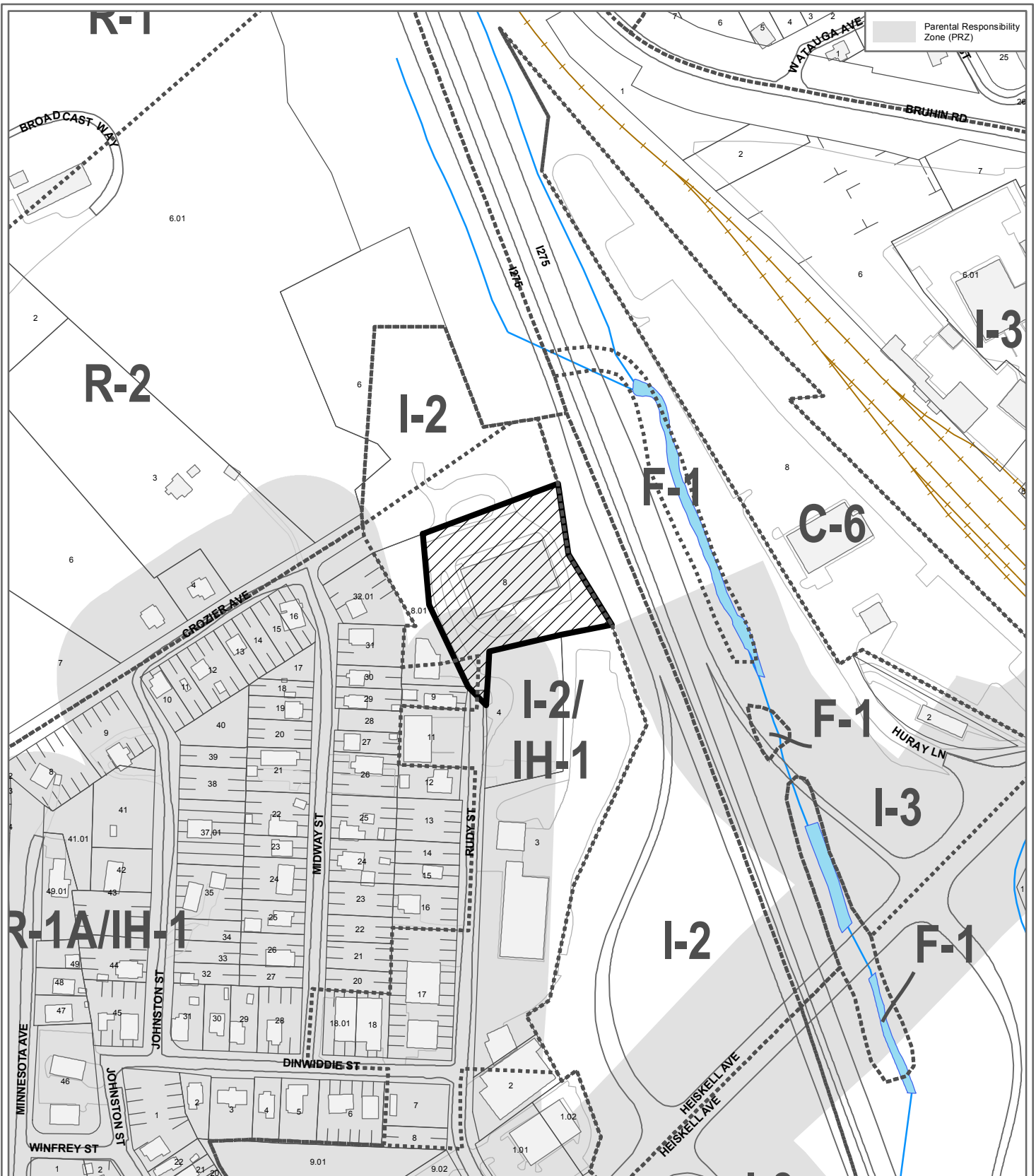
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The City of Knoxville One Year Plan proposes light industrial uses for the site, consistent with I-3/IH-1 zoning.
2. The Central City Sector Plan proposes light industrial uses for the site, consistent with I-3/IH-1 zoning.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This recommended I-3/IH-1 zoning does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 10/9/2018 and 10/23/2018. 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.



**9-H-18-RZ
REZONING**

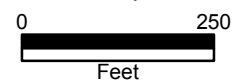
From: I-2 (Restricted Manufacturing and Warehousing) / IH-1 (Infill Housing Overlay) and R-1A (Low Density Residential) / IH-1
 To: I-3 (General Industrial) / IH-1 (Infill Housing Overlay)



Petitioner: Falconnier, Damon A.

Map No: 81

Jurisdiction: City



Original Print Date: 8/15/2018
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

dbl Fee

KNOXVILLE-KNOX COUNTY

MPC

METROPOLITAN
PLANNING
COMMISSION

T E N N E S S E E

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
FAX • 215 • 2068
www.knoxmpc.org

REZONING **PLAN AMENDMENT**

Name of Applicant: Damon A. Falconnier

Date Filed: 08/06/18 Meeting Date: 9/13/18

Application Accepted by: Marc Payne

Fee Amount: 2,000⁰⁰/₁₀₀ File Number: Rezoning 9-H-18-RZ

Fee Amount: X File Number: Plan Amendment



PROPERTY INFORMATION

Address: 3356 Rudy Street

General Location: _____
Just west of Heiskell Avenue exit off I-275

Parcel ID Number(s): 081HD008

Tract Size: 1.69 ACRES

Existing Land Use: "CO"

Planning Sector: Central City

Growth Policy Plan: City

Census Tract: 28

Traffic Zone: 149

Jurisdiction: City Council 5th District
 County Commission _____ District

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT
Name: Earl Sharp

Company: Sharp Family Properties

Address: 3347 Rudy Street

City: Knoxville State: TN Zip: 37921

Telephone: (865)524-5550

Fax: _____

E-mail: esharp@thesharpcompaniesllc.com

Requested Change

REZONING

FROM: I-2/IH-1 RI-A/IH-1

TO: I-3/IH-1 I-3/IH-1

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____

TO: _____

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
Name: Damon Falconnier

Company: Falconnier Design Co

Address: 4622 Chambliss Avenue

City: Knoxville State: TN Zip: 37919

Telephone: 865-584-7868

Fax: 865-584-3139

E-mail: faldesco@gmail.com

PROPOSED USE OF PROPERTY

Ditch Witch sales and service

Density Proposed _____ Units/Acre

Previous Rezoning Requests: _____

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: Damon A. Falconnier

PLEASE PRINT
Name: Damon A. Falconnier

Company: Falconnier Design Co

Address: 4622 Chambliss Avenue

City: Knoxville State: TN Zip: 37919

Telephone: 865-584-7868

E-mail: faldesco@gmail.com

NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:

Please Print or Type in Black Ink: (If more space is required attach additional sheet.)

Name Address City State Zip Owner Option

Earl Sharp 3347 Rudy St. Knoxville TN 37921 ✓

Sharp Family Properties

Earl Sharp

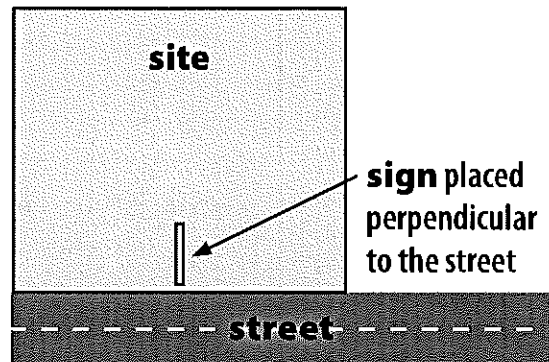
REQUIRED SIGN POSTING AGREEMENT

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:

8/29/18 and 9/14/18
(15 days before the MPC meeting) (the day after the MPC meeting)

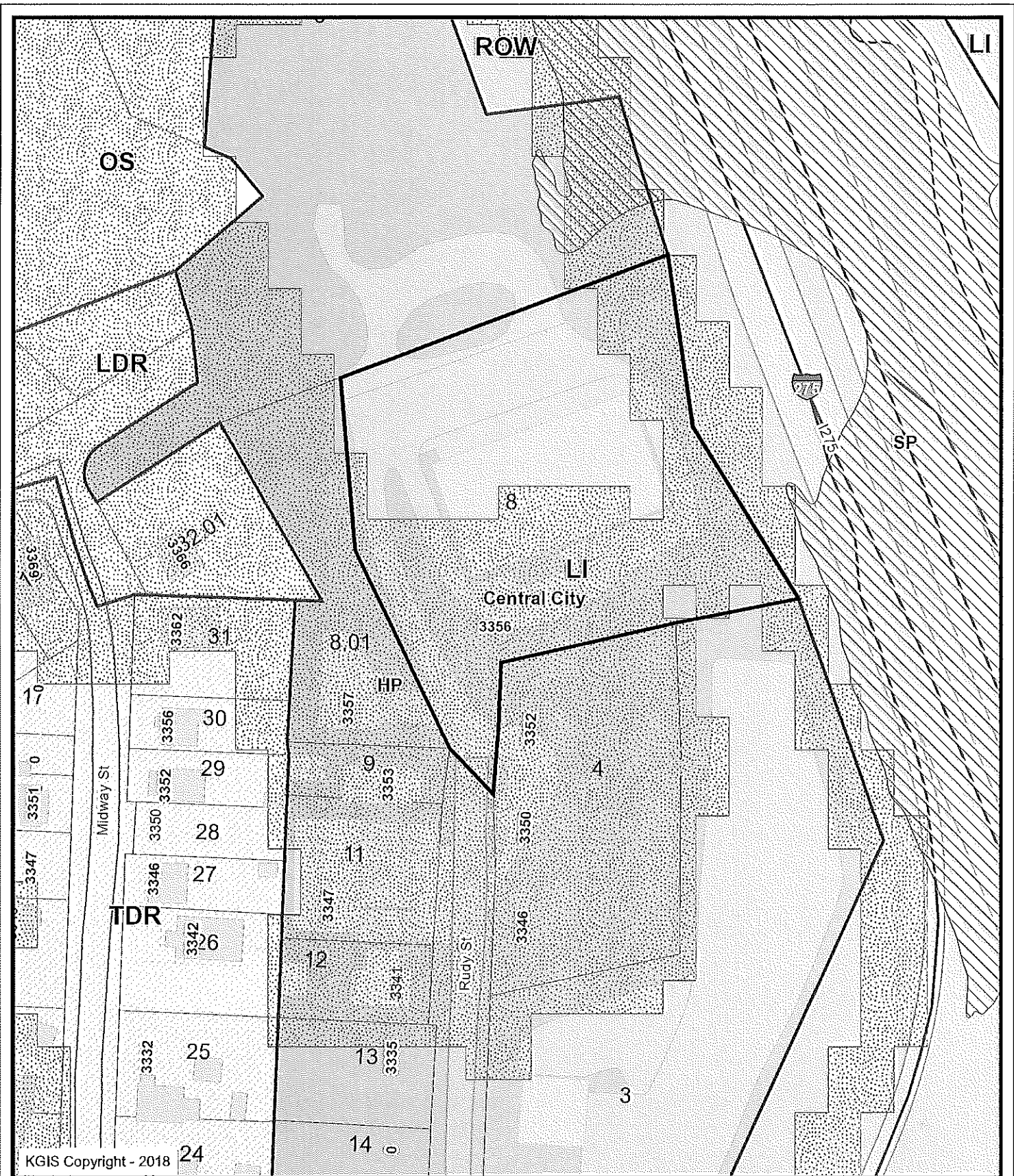
Signature: [Handwritten Signature]

Printed Name: DAVID C Alexander

Phone: 865-963-5788 Email: calexander@editchwitchtv.com

Date: 8/6/2018

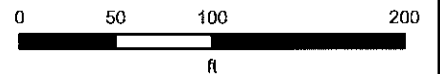
MPC File Number: 9-H-18



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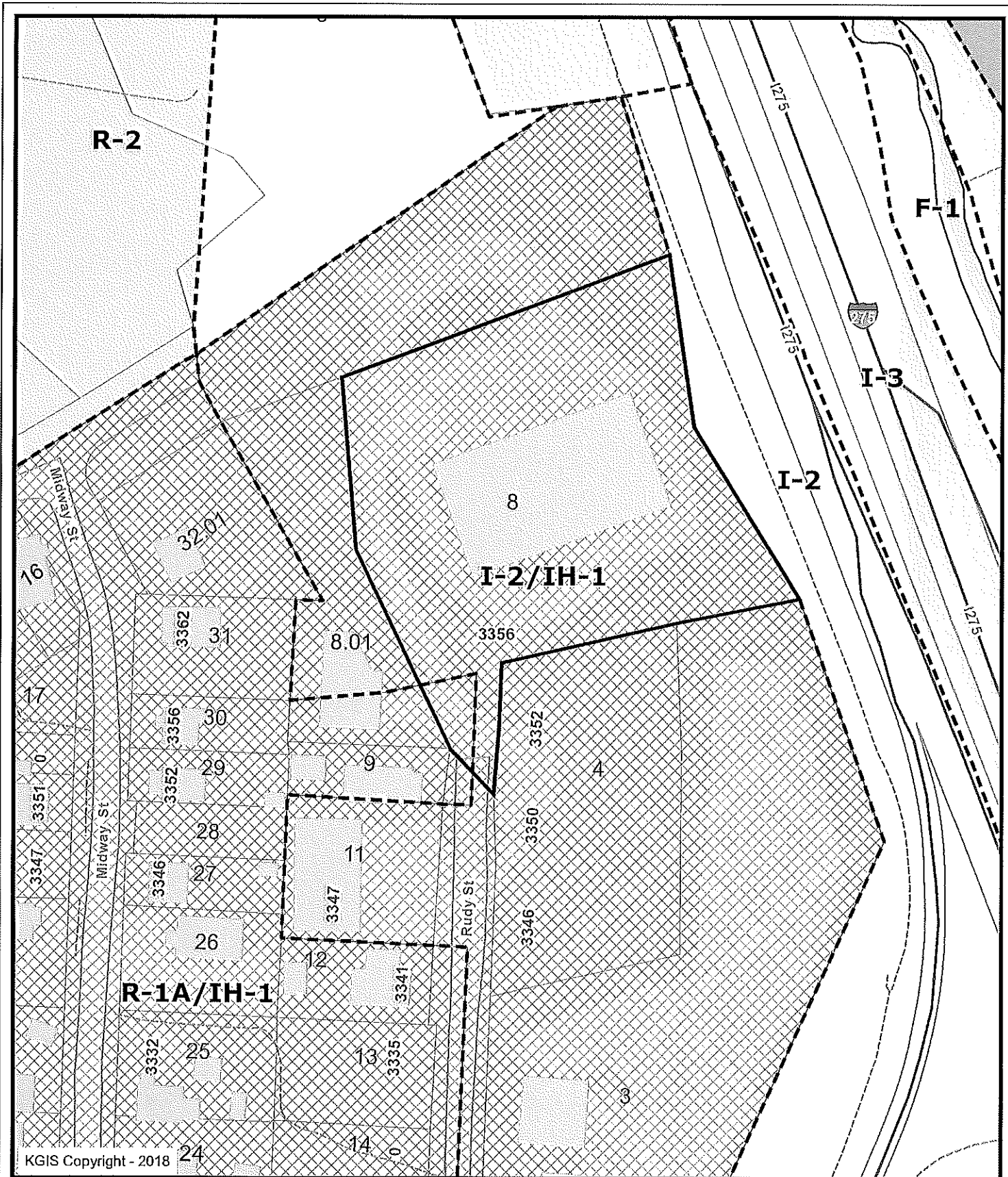
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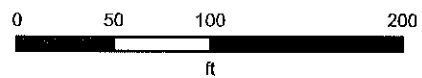
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