

PLAN AMENDMENT REPORT

► FILE #: 1-A-20-SP (REVI	SED) AGENDA ITEM #: 6
	AGENDA DATE: 4/9/2020
► APPLICANT:	MARTY NORTON
OWNER(S):	Marty Norton
TAX ID NUMBER:	59 018 & 019 View map on KGIS
JURISDICTION:	Council District 4
STREET ADDRESS:	3309 & 3313 Mill Rd.
► LOCATION:	West side of Mill Road, south of Washington Pike
► APPX. SIZE OF TRACT:	3.06 acres total
SECTOR PLAN:	North City
GROWTH POLICY PLAN:	Urban Growth Area (Inside City Limits)
ACCESSIBILITY:	Mill Road is a major collector with a pavement width of approximately 20 feet and a right-of-way width that varies from 46 to 65 feet.
UTILITIES:	Water Source: Knoxville Utilities Board
	Sewer Source: Knoxville Utilities Board
WATERSHED:	Love Creek
PRESENT PLAN AND ZONING DESIGNATION:	LDR (Low Density Residential) / I-G (General Industrial) & RN-1 (Single Family Residential Neighborhood)
PROPOSED PLAN DESIGNATION:	LI (Light Industrial) for 3309 and part of 3313 Mill Rd.
► EXISTING LAND USE:	Existing commercial land use at 3309 Mill Road and vacant land designated single family residential at 3313 Mill Road
EXTENSION OF PLAN DESIGNATION:	No, Mixed Use-Special District, North City 10 exists to the south and encompasses land zoned General Industrial
HISTORY OF REQUESTS:	3309 was annexed into the City of Knoxville in September, 2001. It had been zoned Industrial in the County and, upon annexation, was zoned I-3 (the comparable zone). 3313 was annexed in October, 1995. It went from RA (Low Density Residential) to R-1.
SURROUNDING LAND USE	North: Single family residential - Low Density Residential
AND PLAN DESIGNATION:	South: Industrial (across railway) - Mixed Use-Special District, North City 10
	East: Office and agricultural/forestry/vacant - Low Density Residential
	West: Single family residential - Low Density Residential
NEIGHBORHOOD CONTEXT	Mill Road has developed with a rural feel and consists of mostly single-family residential uses, though there are industrial uses in the general area (approximately 1/3 of a mile away by car). These industrial uses are behind these parcels to the west on Washington Pike.

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STAFF RECOMMENDATION:

Adopt resolution 1-A-20-SP amending the sector plan for 3309 Mill Road and a portion of 3313 Mill Road, as shown in the exhibit maps, to LI as it corrects nonconforming zoning and the area is transitioning to industrial and commercial uses.

COMMENTS:

SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. There are no recent changes to conditions that would warrant amending the land use plan.

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. No new roads or additional utilities have been introduced in this area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The area is home to several established industrial and commercial properties. The plan should have taken this into account and realized that additional properties along this stretch of Mill Road would transition to these uses, as they are near the intersection of an arterial (Washington Pike) and a collector (Mill Road), and many of the industrial uses in the area have been there for some time.

2. 3309 Mill Road was annexed into the City and the zoning was set as I-3 to accommodate the existing business. The zoning is not consistent with the North City sector plan's LDR designation, but is considered legal nonconforming since the nonconformity was created with the 2007 North City Sector Plan update. Amending the sector plan for this property corrects this nonconformity.

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

1. There area has had a number of industrial uses for the last two decades and has been transitioning towards more industrial and commercial uses since then.

2. Rezonings to the north in 2008 and the industrial zoning to the south bookend three residential properties, applying pressure for these properties to change.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 5/5/2020 and 5/19/2020. If denied, Knoxville-Knox County Planning Commission'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 a Planning Commission decision in the City.



PLAN AMENDMENT/ REZONING REPORT

► FILE #: 1-A-20-RZ		AGENDA ITEM #:
1-A-20-PA	(REVISED)	AGENDA DATE: 4/9/202
APPLICANT:	MARTY NORTON	
OWNER(S):	Marty Norton	
TAX ID NUMBER:	59 018 & 019	View map on KGI
JURISDICTION:	Council District 4	
STREET ADDRESS:	3313 & 3309 Mill Rd.	
LOCATION:	West side of Mill Road, south of	Washington Pike
► TRACT INFORMATION:	3.06 acres total. (3313 Mill Road acres)	is 1.48 acres; 3309 Mill Road is 1.58
SECTOR PLAN:	North City	
GROWTH POLICY PLAN:	Urban Growth Area (Inside City Lir	nits)
ACCESSIBILITY:	Mill Road is a major collector with a and a right-of-way width that varies	a pavement width of approximately 20 fee s from 46 to 65 feet.
UTILITIES:	Water Source: Knoxville Utilities	Board
	Sewer Source: Knoxville Utilities	Board
WATERSHED:	Love Creek	
PRESENT PLAN DESIGNATION/ZONING	LDR (Low Density Residential) / District) and I-G (General Indust	
PROPOSED PLAN DESIGNATION/ZONING	· •	Rd. and part of 3313 Mill Rd. / I-G juested for part of 3313 Mill Road only
► EXISTING LAND USE:	Existing commercial land use at designated single family resider	
DENSITY PROPOSED:	N/A	
EXTENSION OF PLAN DESIGNATION/ZONING	No, Mixed Use-Special District, No encompasses land zoned General	
HISTORY OF ZONING REQUESTS:	3309 was annexed into the City of Knoxville in September, 2001. It had zoned Industrial in the County and, upon annexation, was zoned I-3 (the comparable zone). 3313 was annexed in October, 1995. It went from RA (Low Density Residential) to R-1	
SURROUNDING LAND US PLAN DESIGNATION,	SE, North: Single family residential - Family Residential Neight	Low Density Residential - RN-1 (Single porhood District)
ZONING	South: Industrial (across railway) 10 - I-G (General Industri	- Mixed Use-Special District, North City al)
	East: Office and agricultural/for (Industrial) County zoning	estry/vacant - Low Density Residential - I
	West: Single family residential -	Low Density Residential - RN-1 (Single-
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NEIGHBORHOOD CONTEXT:

Mill Road has developed with a rural feel and consists of mostly single-family residential uses, though there are industrial uses in the general area (approximately 1/3 of a mile away by car). These industrial uses are behind these parcels to the west on Washington Pike.

STAFF RECOMMENDATION:

- Approve the LI (Light Industrial) designation for the requested areas because it corrects nonconforming zoning and because the area is transitioning to industrial and commercial uses.
- Approve I-G (General Industrial) District zoning for 3309 Mill Road and a portion of 3313 Mill Road as shown in the exhibit maps because the area is transitioning to industrial and commercial uses.

COMMENTS:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these.)

AN ERROR IN THE PLAN:

1. The area is home to several established industrial and commercial properties. The plan should have taken this into account and realized that additional properties along this stretch of Mill Road would transition to these uses, as they are near the intersection of an arterial (Washington Pike) and a collector (Mill Road), and many of the industrial uses in the area have been there for some time.

2. 3309 Mill Road was annexed into the City and the zoning was set as I-3 to accommodate the existing business. The zoning is not consistent with the North City sector plan's LDR designation, but is considered legal nonconforming since the nonconformity was created with the 2007 North City Sector Plan update. Amending the sector plan for this property corrects this nonconformity.

A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA:

1. The area has had a number of industrial uses for the last two decades and has been transitioning towards more industrial and commercial uses since then.

2. Rezonings to the north in 2008 and the industrial zoning to the south bookend three residential properties, applying pressure for these properties to change.

A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN:

1. No change in public policy directly impacts this plan amendment.

NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY KNOXVILLE-KNOX COUNTY PLANNING) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT: 1. No new information has become available to reveal the need for a plan amendment.

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. Development in this area is a mix of single-family residential and industrial uses. There are three properties at the corner of Washington Pike and Mill Road to the north that were rezoned from R-1 to C-1 in 2008. That rezoning and the I-3 zoning of 3309 Mill Road bookend residential zoning of three properties in the middle of this block. The large property across the street on Mill Road and Babelay Road was just approved as a rural retreat and a veterinary hospital is also across the street. There are industrial businesses on Washington Pike approximately 1/3 of a mile up Washington Pike to the west. The area seems to be transitioning towards industrial and commercial uses.

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

 The new zoning ordinance describes the I-G (General Residential) District zoning as intended to provide for a range of general industrial uses that may produce limited outside impacts, rendering them incompatible with retail, service, or residential uses. Such uses include limited manufacturing, fabricating, processing, wholesale distributing, and warehousing facilities that do not require frequent visits from customers or clients.
 Rezonings should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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 area is already transitioning towards these types of uses. These amendments support this development trend and allow the existing business to expand their operations.

The proposed zoning area of the northernmost parcel leaves a 50-foot buffer between the industrial use proposed and the residential uses across the street to the rear of the property. This property would not be a buildable lot under the zoning requirements, but would function as a buffer space between these adjacent uses.
 Typically, planning staff does not recommend split zoning or split land use classifications on a parcel, but in this case, the proposed zone and use are extensions of an existing zone/use and the buffer space protects the surrounding property owners from potential adverse impacts.

4. In addition to the 50-foot buffer space created by the zoning boundary, a Class B landscaping buffer will be required in accordance with Article 12 (Landscape), §12.8 (Buffer Yards) of the zoning ordinance.

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. 3309 Mill Road was annexed into the City in 1995 and the zoning was set to I-3, the comparable zone to that of the County. The zone is legal nonconforming, and the business predates this change. Amending the sector plan for this property corrects this nonconformity.

2. The property is located in FEMA Flood Zone X, but it is not located in a floodway or a floodplain.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 5/5/2020 and 5/19/2020. If denied, Knoxville-Knox County Planning Commission'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 a Planning Commission decision in the City.







KNOXVILLE-KNOX COUNTY PLANNING COMMISSION A RESOLUTION AMENDING THE NORTH CITY SECTOR PLAN

WHEREAS, the Knoxville-Knox County 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 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 Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the North City 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, Marty Norton has submitted an application to amend the Sector Plan from Low Density Residential to Light Industrial, for property described in the application; and

WHEREAS, the Planning Commission staff recommends approval of a revised amendment to the North City 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 Planning Commission, at its regularly scheduled public hearing on April 9, 2020, 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 PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the North City Sector Plan, with its accompanying staff report and map, file #1-A-20-SP.

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that Knoxville City Council likewise consider this revised amendment to the General Plan 2033.

Date

Chairman

Secretary

Street views of 3309 Mill Rd.



Structure and business at 3309 Mill Road



Outdoor storage at 3309 Mill Road



Vacant lot at 3313 Mill Road



Only structure on the parcels to the south zoned Industrial – open structure, perhaps stables at one time



Birds eye view of area



3309 Mill Road and all but the last 50 feet of 3313 Mill Road



3309 Mill Road and all but the last 50 feet of 3313 Mill Road



3309 Mill Road and all but the last 50 feet of 3313 Mill Road



3309 Mill Road and all but the last 50 feet of 3313 Mill Road



3309 Mill Road and all but the last 50 feet of 3313 Mill Road



3309 Mill Road and all but the last 50 feet of 3313 Mill Road

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		DEVELOPMENT		
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M	arty Norton		Knoxville-Knox County	sed application
Appli			Planning Planning	sia oppi carrier
	11-18-19	1-9-20	1-A-8	NO-PA F
Date	Filed	Meeting Date (if applicable	l - R - d	AO - SP
	RRESPONDENCE			
/		plication should be directed to the	approved contact listed below. □ Engineer □ Architect/Land	scape Architect
n	larty Norton		L&M Landcape 1	
Nam			Company	Muter als
13	3309 Mill Road	γ	Knoxville TM	37924
Addr			City State	Zip
(8	365)661-4768	martynorto	n7@gmail.com	
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PROFESSION OF THE OWNER OWNER OF THE OWNER	ner Name (if different)	Owner Address		Owner Phone
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REQUEST

Image: Development Plan Use on Review / Special Use Residential Non-Residential Home Occupation (specify): Other (specify): Other (specify): Other (specify): Proposed Subdivision Name Other (specify): Parcel Change Other (specify): Other (specify): Other (specify): Other (specify): Other (specify): Attachments / Additional Requirements	
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Zoning Change: Proposed Zoning	
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Other (specify):	
PLAT TYPE FEE 1:	TOTAL:
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ADDITIONAL REQUIREMENTS	
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Property Owners / Option Holders Variance Request ADDITIONAL REQUIREMENTS Design Plan Certification (Final Plat only) FEE 3: Use on Review / Special Use (Concept Plan only)	

Applicant signature

PleasePrint 61 1 Date



DEVELOPMENT REQUEST
DEVELOPMENT SUBDIVISION ZONING
Planning Development Plan Concept Plan Plan Amendment Use on Review / Special Use Final Plat Rezoning
RECEIVED
Applicant NOV 18 2019 Revised application
Applicant / $1-9-20$ Knoxville-Knox County Planning $1-A-30-R7$
Date Filed Meeting Date (if applicable) File Numbers(s)
CORRESPONDENCE All correspondence related to this application should be directed to the approved contact listed below.
Applicant 🗌 Owner 🗌 Option Holder 🔲 Project Surveyor 🔲 Engineer 🔲 Architect/Landscape Architect
Adardy ALL I IAHAL IN INCL.
Name LINCLANDSCAPE MATCHAIS
3309 Mill Road Knoxylle TN 37924
Address City State Zip
(865)661-4768 martynorton 7@gmail.com
Phone Email
CURRENT PROPERTY INFO
0 1111
same by width of lot WP 6661-4768
Owner Name (if different) Owner Address Owner Phone
SRMC Owner Name (if different) 33/3 MILL Road Part at Buck at Ally Property Address Property Address Property Address Property Address
Property Address Parcel ID
Property Address <u>WISMIL Rd</u> , 59 Washington Parcel ID <u>General Location</u> <u>Tract Size</u>
4 R-1
Jurisdiction (specify district above) City County Zoning District
Planning Sector A Sector Plan Land Use Classification Growth Policy Plan Designation
Vacant/res.yesKubExisting Land UseSeptic (Y/N)Sewer ProviderWater Provider
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REQUEST

NT	🔲 Development Plan 🔲 Use on Review / Special Use
DEVELOPMENT	🗌 Residential 🔲 Non-Residential
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DEV	Other (specify):
in) a	
NO	Proposed Subdivision Name Unit / Phase Number
VISIO	Parcel Change
SUBDIVISION	🗌 Combine Parcels 🔲 Divide Parcel 🛛 Total Number of Lots Created:
SL	Other (specify):
	Attachments / Additional Requirements
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	Zoning Change: Proposed Zoning
(7	Plan Amendment Change:
ZONING	□ Plan Amendment Change: (mulck/materials) Landscape € outside Storage € upansion I Proposed Property Use (specify) Proposed Density (units/acle) Previous Rezoning Requests
ZOI	Landscape & outside storage expansion
	Proposed Property Use (specify) Proposed Density (units/acle) Previous Rezoning Requests
	Other (specify):
	8
E	PLAT TYPE FEE 1: TOTAL:
NIN	Staff Review Planning Commission
ON	FEE 2:
ISU	Property Owners / Option Holders Variance Request ADDITIONAL REQUIREMENTS
STAFF USE O	Design Plan Certification (Final Plat only)
SI	Use on Review / Special Use (Concept Plan only)
Carlo Carlo	Traffic Impact Study
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ŀ	AUTHORIZATION
200	taff Signature Please Print Date
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A	Marty Vater MARLY NoveTon 11-18-19
Δ	pplicant signature Please Print Date Date

