

CASE SUMMARY

APPLICATION TYPE: REZONING

ONE YEAR PLAN AMENDMENT



File Number: 1-A-20-RZ Related File Number: 1-A-20-PA
Application Filed: 1/18/2019 Date of Revision: 3/2/2020
Applicant: MARTY NORTON

PROPERTY INFORMATION

General Location: West side of Mill Road, south of Washington Pike
Other Parcel Info.:
Tax ID Number: 59 018 & 019 Jurisdiction: City
Size of Tract: 3.2 acres
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.

GENERAL LAND USE INFORMATION

Existing Land Use: Existing commercial land use at 3309 Mill Road and vacant land designated single family residential at 3313 Mill Road
Surrounding Land Use:
Proposed Use: Landscape mulch & materials outside storage expansion Density: N/A
Sector Plan: North City Sector Plan Designation: LDR
Growth Policy Plan: Urban Growth Area (Inside City Limits)
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.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 3313 Mill Road (part of)
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-1 (Single Family Residential District)
Former Zoning: I (Industrial)
Requested Zoning: I-G (General Industrial) for part of 3313 Mill Road only
Previous Requests: 9-R-95-RZ
Extension of Zone: Yes, the General Industrial zone exists to the south
History of Zoning: 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

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)

Requested Plan Category: LI (Light Industrial)

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Michelle Portier

Staff Recomm. (Abbr.): 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.

Staff Recomm. (Full):

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. 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.

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

1. 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.

2. Rezoning 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.

2. 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.

3. 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.

Action: Approved **Meeting Date:** 4/9/2020

Details of Action:

Summary of Action: 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.

Date of Approval: 4/9/2020 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** ☐ **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 5/5/2020

Date of Legislative Action, Second Reading:

Ordinance Number: O-71-2020

Other Ordinance Number References:

Disposition of Case: Approved (Emergency)

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: