

# CASE SUMMARY

**APPLICATION TYPE: PLAN AMENDMENT**  
**ONE YEAR PLAN AMENDMENT**



**File Number:** 1-A-20-PA                      **Related File Number:** 1-A-20-RZ  
**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.:** (3313 Mill Road is 1.48 acres; 3309 Mill Road is 1.58 acres)  
**Tax ID Number:** 59 018 & 019                      **Jurisdiction:** City  
**Size of Tract:** 3.06 acres total  
**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 & 3309 Mill Rd.  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## **ZONING INFORMATION (where applicable)**

**Current Zoning:** RN-1 (Single Family Residential District) and I-G (General Industrial)  
**Former Zoning:** I (Industrial) in County  
**Requested Zoning:** I-G (General Industrial) rezoning requested for part of 3313 Mill Road only  
**Previous Requests:** 9-R-95-RZ  
**Extension of Zone:** No, Mixed Use-Special District, North City 10 exists to the south and encompasses land zoned General Industrial  
**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) for 3309 Mill Rd. and part of 3313 Mill Rd.

**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 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.  
**Staff Recomm. (Full):**  
**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. Rezoning 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.  
  
**Action:** Approved **Meeting Date:** 4/9/2020  
**Details of Action:**  
**Summary of Action:** 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.  
**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

**Ordinance Number:** O-70-2020

**Disposition of Case:** Approved (Emergency)

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Date of Legislative Action, Second Reading:**

**Other Ordinance Number References:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**