

CASE SUMMARY
APPLICATION TYPE: REZONING
ONE YEAR PLAN AMENDMENT



File Number: 10-D-10-RZ **Related File Number:** 10-C-10-PA
Application Filed: 8/20/2010 **Date of Revision:** 10/20/2010
Applicant: TENNESSEE LAND INVESTMENT PROPERTIES, LLC

PROPERTY INFORMATION

General Location: Northeast side Pelham Rd., southwest side Spring Hill Rd., east of Rutledge Pike
Other Parcel Info.:
Tax ID Number: 711A 001, 027 & 028 **Jurisdiction:** City
Size of Tract: 14.8 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Mobile homes
Surrounding Land Use:
Proposed Use: Warehousing, light industrial, business park **Density:**
Sector Plan: East City **Sector Plan Designation:** Medium Density Residential
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context:

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

Street: 212 Pelham Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-2 (General Residential) and I-3 (General Industrial)
Former Zoning:
Requested Zoning: C-6 (General Commercial Park)
Previous Requests: None noted
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: MDR (Medium 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.:

MPC ACTION AND DISPOSITION

Planner In Charge:

Michael Brusseau

Staff Recomm. (Abbr.):

RECOMMEND that City Council APPROVE C-6 (General Commercial Park) zoning.

Staff Recomm. (Full):

C-6 zoning is appropriate within the light industrial land use designations, as recommended. C-6 zoning will allow commercial uses on the site, in addition to some light industrial uses that are already permitted in the I-3 zoned area. C-6 uses will be compatible with the surrounding land uses and zoning pattern. C-6 zoning also requires administrative plan review and approval by MPC staff prior to issuance of building permits.

Comments:

REZONING COMMENTS:

All three subject parcels are under the same ownership. Two parcels are currently zoned I-3 and the westernmost parcel is R-2. The applicant has expressed interest in establishing the same zoning on all three parcels, which led to the original I-3 request on parcel 27 only. However, staff had concerns about accessing the site from Pelham Rd. and would like to have some form of required development plan review before the entire site is developed. A good deal of clearing and grading has already occurred on the site. The current access to the site from Spring Hill Rd. to the east is desirable, at least until some improvements could be made to the Pelham Rd. access on the west side of the site. Staff also has some concerns about protecting the steeper slopes on the property. After meeting with staff, the applicant agreed to revise the request to seek C-6 zoning on all three parcels that he owns, which is about 14.8 acres.

C-6 (General Commercial Park) zoning can be considered under the existing and proposed LI plan designations. C-6 zoning requires an administrative site plan review by MPC staff prior to development.

REZONING REQUIREMENTS:

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

1. C-6 zoning is appropriate within the light industrial land use designations, as recommended.
2. C-6 uses will be compatible with the surrounding land uses and zoning pattern.
3. C-6 zoning is appropriate for this site, which has over 1500 feet of frontage on I-40 and is just east of the Rutledge Pike interchange.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The requested C-6 zoning is intended to encourage the clustering of commercial activities within areas specifically designed to accommodate the activities and to discourage the proliferation of commercial uses along major thoroughfares and noncommercial areas. The following 6 concepts are emphasized in the zoning ordinance: 1) To encourage the clustering of commercial activities within areas specifically designed to accommodate the activities and to discourage the proliferation of commercial uses along major thoroughfares and noncommercial areas, 2) To provide for the orderly development of commercial activities so that any adverse impact on surrounding uses and on the general flow of traffic can be ameliorated, 3) To encourage an orderly and systematic development design providing the rational placement of activities, parking and auto circulation, pedestrian circulation, access and egress, loading and landscaping, 4) To encourage commercial development which is consistent with the long range, comprehensive, general plan for Knoxville and Knox County, 5) To allow for mixing of light industrial (manufacturing) uses with compatible commercial uses as stated within the C-6 zoning district, and 6)) To encourage general commercial activities to locate in areas that have access to a major street system.
2. Based on the above description, C-6 is an appropriate zone for this site. C-6 zoning will allow commercial uses on the site, in addition to some light industrial uses that are already permitted in the I-3 zoned area. C-6 zoning also requires administrative plan review and approval by MPC staff prior to issuance of building permits.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. C-6 zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.
3. The impact on the street system will depend on the type of development proposed.
4. C-6 zoning requires administrative plan review and approval by MPC staff prior to issuance of building permits. Access to the property and potential impacts on nearby steep slopes can be assessed through plan review.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the recommended amendment to LI, the recommended C-6 zoning is consistent with the City of Knoxville One Year Plan.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. An East City Sector Plan amendment accompanies these One Year Plan amendment and rezoning requests (10-B-10-SP). That request is to amend the sector plan from low and medium density residential to light industrial. This amendment must also be approved to be consistent with the requested C-6 zoning.

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. New law provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

Action: Approved **Meeting Date:** 12/9/2010

Details of Action:

Summary of Action: C-6 (General Commercial Park)

Date of Approval: 12/9/2010 **Date of Denial:** **Postponements:** 10/14/10-11/10/10

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:	Knoxville City Council	Date of Legislative Action:	1/11/2011	Date of Legislative Action, Second Reading:	
Ordinance Number:		Other Ordinance Number References:			
Disposition of Case:	Approved	Disposition of Case, Second Reading:		Approved	
If "Other":		If "Other":			
Amendments:		Amendments:			
Date of Legislative Appeal:		Effective Date of Ordinance:			