CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



File Number: 5-A-21-SU Related File Number:

Application Filed: 5/13/2021 **Date of Revision:**

Applicant: BENJAMIN C. MULLINS / OBO ET KNOXVILLE, LLC

PROPERTY INFORMATION

General Location: North of N. Mall Rd., near the intersection of East Town Rd. & Knoxville Center Dr.

Other Parcel Info.: request if for a portion of 3001 Knoxville Center Dr.

Tax ID Number: 59 026 (PORTION OF) **Jurisdiction:** City

Size of Tract: 9 acres

Accessibility: The nearest access point to this portion of the Knoxville Center Mall property is off of N. Mall Road, a

major collector that runs parallel to I-640 and that is located just to the north of the interstate. It is contained within the I-640 right-of-way, which varies widely in width depending on the measurment point but is always greater than 500 feet. N. Mall Road has a pavement width of approximately 24 feet.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant (former site of mall)

Surrounding Land Use:

Proposed Use: Removal of the previously approved planned district (C) designation Density:

from the property.

Sector Plan: North City Sector Plan Designation: LI (Light Industrial)

Growth Policy Plan: N/A

Neighborhood Context: This property occupies a portion of the parking lot of the former Knoxville Center Mall. The general

area includes a mix of uses including commercial, multifamily residential, office, and single family

residential uses. I-640 is nearby to the south.

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

Street: 3001 Knoxville Center Dr.

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: I-G (General Industrial)

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning: Part of parcel 059 026 rezoned from SC-3 to RP-2 in 2017 (Case 7-E-17-RZ); part of parcels 059 059

26 and 059 02603 rezoned from R-1, RB, and I to SC-3 in 1981 (Case 7-L-81-RZ); parcels 059 026,

02603,02604 & 02605 rezoned to I-G in 2020 (10-L-20-RZ)

7/20/2021 11:32 AM Page 1 of 3

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

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 request to remove the previously approved planned district (C) designation from this

parcel.

Staff Recomm. (Full):

Comments: Prior to adoption of the new City Zoning Ordinance on January 1, 2020, the property had been rezoned RP-2 (Planned Residential) District in 2017 (Case 7-E-17-RZ). The former RP-2 zoning allowed

flexibility in the types of residential uses that could be considered (attached and detached houses and multi-family) and allowed clustering of density. If the former RP- 2 zoning is removed from the site, the

existing I-G zoning will apply to any proposed development.

Per Article 1.4.G. (Previously Approved Planned Districts) of the City of Knoxville Zoning Ordinance, all previously approved planned districts remain in effect and are subject to all plans, regulations, and/or conditions of their approval. The previously approved plans for this RP-2 District consisted of an apartment complex in an outlying section of the existing parking lot of then Knoxville Center Mall. The land was never developed and has since changed owners. The apartment complex is no longer a desired use for this property.

This property was rezoned from C-R-2 (Regional Commercial) to I-G (General Industrial) in 2020 (Case 10-D-20-RZ). There are plans underway for an Amazon distribution center at this location. The land where the C designation exists is planned to be part of the surface parking lot for the distribution center and does not contain any additional uses beyond that. Removal of the planned district designation would allow that project to continue and clean up the zoning for the property.

STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2)

The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the One Year Plan, and by the following general standards:

1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.

A. The land where the C designation exists will be part of the parking lot for the distribution center, which is consistent with the sector plan, zoning map, and other plans.

B. The One Year Plan and North City Sector Plan designate this site for LI (Light Industrial) land use. C. The I-G zoning under which the applicant is requesting to develop is consistent with all other plans.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.

A. The City of Knoxville Zoning Ordinance describes the I-G General Industrial Zoning District 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.

B. Removal of the previously approved plan district designation would not cause nonconformance with the City of Knoxville Zoning Ordinance.

C. Any proposed development will be required to be consistent with the general purpose and intent of

7/20/2021 11:32 AM Page 2 of 3

the zoning code.

Legislative Body:

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. This special use request is for removal of a former planned district designation that exists in the parking lot of the former Knoxville Center Mall. As stated previously, the plans associated with the former planned district were for an apartment complex that was intended to be an infill development but was never built. The plans are no longer vested, and an apartment complex is no longer a desired use for the property.

B. The applicant intends to leave a sliver of land zoned C-R-2 to form a buffer between the distribution center and the apartment complex to the north.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.

A. Removal of the previous planned district will not significantly injure the value of adjacent property. B. All properties are required to comply with the Article 10 of the City of Knoxville Zoning Ordinance. which regulates the aforementioned impacts. Section 10.2 regulates lighting, while noise, dust and pollution, odors, fire hazards, and other similar concerns are regulated in Section 10.5.

5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

A. Removal of the previous planned district will not draw additional traffic.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for future development anticipated to occur on this site.

Action:	Approved		Meeting Date:	5/13/2021
Details of Action:				
Summary of Action:	Approve the request to remove the previously approved planned district (C) designation from this parcel.			
Date of Approval:	5/13/2021	Date of Denial:	Postponements:	

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

LEGISLATIVE ACTION AND DISPOSITION

Knoxville City Council

Date of Legislative Action: Date of Legislative Action, Second Reading: Other Ordinance Number References: **Ordinance Number: Disposition of Case:** Disposition of Case, Second Reading: If "Other": If "Other": Amendments: **Amendments: Date of Legislative Appeal: Effective Date of Ordinance:**

7/20/2021 11:32 AM Page 3 of 3