# **CASE SUMMARY**

APPLICATION TYPE: REZONING



File Number: 7-B-20-RZ Related File Number:

**Application Filed:** 5/18/2020 **Date of Revision:** 

Applicant: BENJAMIN C. MULLINS OBO ALL ELEVEN GENERAL PARTNERSHIP

#### PROPERTY INFORMATION

General Location: North of Kingston Pike, east of Mabry Hood Road

Other Parcel Info.:

Tax ID Number: 131 12101 & 12102 Jurisdiction: City

Size of Tract: 7.36 acres

Accessibility: Kingston Pike is a major arterial with a 55-foot pavement width inside a 92-foot right-of-way.

# GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land

**Surrounding Land Use:** 

Proposed Use: Density:

Sector Plan: Southwest County Sector Plan Designation: MU-SD (Mixed Use Special District)

Growth Policy Plan: Urban Growth Area

Neighborhood Context: This property is near the Kingston Pike/Pellissippee Parkway interchange and is surrounded by a mix

of commercial and industrial uses. There are industrial properties consisting of warehouses and outdoor storage to the west. To the east are large lots with commercial uses such as home furniture retail and car dealerships. There are other smaller commercial uses and a church across the street.

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

Street: 10001 & 0 Kingston Pike

Location:

**Proposed Street Name:** 

**Department-Utility Report:** 

Reason:

# ZONING INFORMATION (where applicable)

Current Zoning: I-G (General Industrial)

Former Zoning: The property was annexed into the City of Knoxville and zoned PC-2 (Retail and Distribution Park) in

January 2008

Requested Zoning: C-H-2 (Highway Commercial)

Previous Requests: 12-FF-83-RZ & 12-BB-07-RZ

Extension of Zone: No

History of Zoning: The property was annexed into the City and the zoning was changed from CB (Business and

Manufacturing) to PC-2 (Retail and Distribution Park) with the annexation (Case # 12-BB-07-RZ)

#### PLAN INFORMATION (where applicable)

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**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 C-H-2 zoning because is consistent with the Southwest County Sector Plan and is compatible

with surrounding development.

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. The property was rezoned from PC-2 (Retail and Distribution Park District) to I-G (General Industrial) with the adoption of the City's new zoning ordinance and map.
- 2. The requested C-H zoning is more aligned with the sector plan's goals for this area the current I-G zoning. Properties along Kingston Pike to the east of this parcel have developed with commercial uses allowed in the C-H-1 zone, making this zone compatible with existing conditions in the area.

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

- 1. The C-H (Highway Commercial) Zoning District is intended to accommodate higher-intensity commercial uses of a predominantly auto-oriented character, including retail, rental, and service establishments of a more intense commercial character including those requiring permanent outdoor service or storage areas. The C-H District regulations are intended to ensure the mitigation of any potential impacts related to such establishments on neighboring uses. The C-H District is divided into two levels of intensity related to the overall form and design of the development; however, uses are the same across all levels.
- 2. 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 surrounding area contains many warehouses and generally has an industrial feel. The uses allowed in C-H are less intense than those allowed in the I-G zone, so there are no expected direct or indirect adverse impacts on neighboring properties.

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. C-H zoning is consistent with the current Southwest County Sector Plan's Mixed Use Special District land use designation.
- 2. The MU-SD designation on this parcel recommends GC as one of its recommended land use designations, which in turn allows C-H-2 zoning.
- 3. This parcel is located in Flood Zone X, but is not in a floodplain or floodway.

Action: Approved Meeting Date: 7/9/2020

**Details of Action:** 

**Summary of Action:** Approved C-H-2 zoning because is consistent with the Southwest County Sector Plan and is compatible with surrounding development.

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Date of Approval:	7/9/2020	Date of Denial:	Postponements:	
Date of Withdrawal:		Withdrawn prior to publica	ition?:	

# LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 8/11/2020 Date of Legislative Action, Second Reading: 8/25/2020

Ordinance Number: Other Ordinance Number References: O-133-2020

Disposition of Case: Approved Disposition of Case, Second Reading: Approved

If "Other":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

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