

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 7-C-22-RZ                      **Related File Number:**  
**Application Filed:** 5/19/2022              **Date of Revision:**  
**Applicant:** CANDORO PROPERTIES

## PROPERTY INFORMATION

**General Location:** North of Candora Ave., west of Maryville Pk.  
**Other Parcel Info.:**  
**Tax ID Number:** 123 A A 003                      **Jurisdiction:** City  
**Size of Tract:** 6.3 acres  
**Accessibility:** Access is via Candora Avenue, a local street with a pavement width of 23-ft within a right-of-way width of 43-ft. Access is also via Maryville Pike, a minor arterial with a pavement width of 21-ft within a right-of-way width of 70-ft.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Industrial  
**Surrounding Land Use:**  
**Proposed Use:**    **Density:**  
**Sector Plan:** South City                      **Sector Plan Designation:** H-I & SP  
**Growth Policy Plan:** N/A  
**Neighborhood Context:** This area is a mix of industrial uses, including historic properties, an arts and events space, commercial uses and residential uses.

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

**Street:** 4430 Cadora Ave.  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** I-MU (Industrial Mixed-Use) & F (Floodplain Overlay)  
**Former Zoning:**  
**Requested Zoning:** I-H (Heavy Industrial) & F (Floodplain Overlay)  
**Previous Requests:**  
**Extension of Zone:** Yes, I-H is adjacent.  
**History of Zoning:** January 1, 2022: I-4 to I-MU

## 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:

Liz Albertson

Staff Recomm. (Abbr.):

Deny the rezoning to I-H (Heavy Industrial) because it is not consistent with surrounding development since this area has been transitioning to light industrial and other less intensive uses since the late 1990s.

Staff Recomm. (Full):

Comments:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.3, SUBSECTIONS 1-3, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

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. Since 2001 there have only been three building permits issued for industrial uses within a quarter-mile of the subject property, however, there have been many building permits issued for residential and commercial uses. Since the late 1990s industrial activities in the Candora Road/Maryville Pike area have declined, as evidenced by aerial photographs.
2. The Candoro Marble Works site, of which the subject property is included, was deemed eligible for the National Register of Historic Places (NRHP) in 1996 because the property is associated with events that have made a significant contribution to the broad patterns of our history, significant to the marble industry that occurred in this area beginning in 1914. Although the subject property contains contributing structures, such as the Cutting Facility, Marble Yard, Polishing and Shipping/Receiving Building and the Boiler Room and Office the was not listed because of owner objection. In 2003, the adjacent property to the southeast, also part of the Candoro Marble Works, the Candoro Marble Showroom and Garage, was purchased and listed on the NRHP in 2005.
3. The existing structures have been deteriorating as evidenced by the loss of roofing material in aerial photographs, particularly for the Cutting Facility. The I-MU zoning district provides a wide array of permitted uses that could potentially reuse the existing structures with repairs and renovations.

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

1. The requested I-H zoning district is intended to provide for a wide variety of general manufacturing, fabricating, processing, distributing and warehousing uses. These uses may result in moderate external effects, such as smoke, noise, glare or vibration, and typically include outdoor storage and related outdoor activities.
2. The existing I-MU zoning is intended to provide for a mix of light industrial uses and a variety of compatible commercial uses such as entertainment, amusement and retail establishments. Residential uses are also permitted in the I-MU District.
3. Under the current zone district there are 25 uses permitted that are not permitted in I-H, including but not limited to: art gallery, arts and fitness studio, community center, cultural facility, multi-family dwellings, eating and drinking establishment, industrial design, live entertainment as a secondary use, live performance venue, live/work, micro-brewery/distillery/winery, retail goods establishment, etc. These uses are more compatible and representative of the transition of land uses occurring in this area, as well as provide many opportunities for development and re-use of the existing structures on the site. However, there are only 10 uses permitted in the I-H zone that are not permitted in the I-MU zone, including airport, broadcasting facility, impound lot, industrial-heavy, outdoor self-storage, solar farm, outdoor storage yard, vehicle operation facility, and waste transfer facility. Many of these uses could create external effects on adjacent properties and would be challenging to accommodate in the existing NHRP eligible historic structures of Candoro Marble Works, that may also be eligible collectively with the adjacent property as a National Historic Landmark.

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. A rezoning to I-H could affect adjacent and surrounding uses because of the range of existing heavy industrial uses permitted in the zone district. Nearby uses include adjacent residential properties and an NRHP listed property, the Candoro Marble Showroom, now a community space and art gallery.
2. The subject property currently has several structures that were considered eligible for NRHP in 1996 and could be reused to accommodate many of the 25 uses permitted by the existing I-MU zoning district, however, the uses within the I-H zoning district would likely require demolition of the existing buildings to accommodate the intensive industrial uses permitted in the I-H zone district.

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. While the sector plan and one year plan currently show this area as Heavy Industrial, many of the existing uses and trend for this area over the last 21 years is more Light Industrial, particularly in the area surrounding the Candoro Marble Works site.
2. The Vestal Site Improvement Plan adopted in February 2010 acknowledged the significance of the Candoro Marble Works site to the history of the Vestal community. The plan also noted the continued contribution of the Candoro Marble Works as a neighborhood amenity to which connections should be developed to from the surrounding area.
3. The City of Knoxville Sidewalk Study's Pedestrian Network Plan shows proposed sidewalks for this area as well, along Maryville Pike and Candora Avenue.

**Action:** Denied **Meeting Date:** 7/14/2022

**Details of Action:**

**Summary of Action:** Deny the rezoning to I-H (Heavy Industrial) because it is not consistent with surrounding development since this area has been transitioning to light industrial and other less intensive uses since the late 1990s.

**Date of Approval:** **Date of Denial:** 7/14/2022 **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:** 7/26/2022

## **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 8/23/2022

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

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:**

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**