

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 9-C-18-RZ **Related File Number:**
Application Filed: 7/20/2018 **Date of Revision:**
Applicant: FENNEL PARK, LLC

PROPERTY INFORMATION

General Location: Northeast side Fennel Rd., northeast of Elyria Rd.
Other Parcel Info.:
Tax ID Number: 69 I A 02801 **Jurisdiction:** City
Size of Tract: 2.5 acres
Accessibility: Accessed via Fennel Road, a local road with 20' of pavement width within a 45' right of way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant and telecommunications tower
Surrounding Land Use:
Proposed Use: Office warehouse 30,000 s.f. **Density:**
Sector Plan: North City **Sector Plan Designation:** LI
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: Mixture of industrial, commercial, low density residential and medium density residential land use pattern.

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

Street: 4570 Fennel Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: I-3 (General Industrial) with conditions
Former Zoning:
Requested Zoning: I-2 (Restricted Manufacturing and Warehousing)
Previous Requests: Property was rezoned from C-6, R-2 and I-2 to I-3 (K) in 2005 (1-K-05-RZ).
Extension of Zone: I-2
History of Zoning: 2005, Rezoned I-3 with a condition that land uses be limited to I-2 uses and the proposed bus maintenance facility.

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:

Jeff Archer

Staff Recomm. (Abbr.):

RECOMMEND that City Council APPROVE I-2 (Restricted Manufacturing and Warehousing) zoning.

Staff Recomm. (Full):

I-2 zoning is consistent with the proposed land use designations found within the North City Sector Plan, One Year Plan and Inskip Small Area Plan; all recommending light industrial for this property.

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. This is the last vacant parcel in the immediate area that is currently zoned industrial, properties to the north and northeast that are currently zoned industrial are all occupied.
2. Zoning from I-3 to I-2 is supported by the Inskip Small Area Plan and the neighborhoods efforts to stabilize this residential neighborhood.
3. The parcel immediately to the north is zoned I-2, rezoning this parcel would make a more consistent and continuous zoning pattern in the area.

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

1. The intent of I-2 zoning is to prevent frictions between uses within the district and also to protect nearby residential districts. Zoning from I-3 to I-2 would decrease the friction between the light industrial use and nearby residents.
2. In 2005, this parcel was rezoned from C-6 (General Commercial Park), R-3 (General Residential) and I-2 (Restricted Manufacturing and Warehousing) to I-3 (General Industrial) with a condition that zoning be limited to I-2 uses and the proposed bus maintenance facility. Since this time, City Law Department has directed MPC to not condition zoning by restricting land uses allowed within zoning districts. As a result, rezoning this parcel to I-2 is more in keeping with the City Zoning Ordinance and direction provided by City Law.

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. Changing from I-3 to I-2 will not have significant impact on the adjacent residential properties in the area.
2. The setbacks will decrease as a result of the rezoning.
3. Public water and sewer utilities are available in the area, but may need to be extended to serve this site.

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. The proposed rezoning is consistent with the General Plan and its elements, including the North City Sector Plan, One Year Plan and Inskip Small Area Plan.

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. The law now 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: 9/13/2018

Details of Action:

Summary of Action: RECOMMEND that City Council APPROVE I-2 (Restricted Manufacturing and Warehousing) zoning.

Date of Approval: 9/13/2018

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: 10/9/2018

Date of Legislative Action, Second Reading: 10/23/2018

Ordinance Number:

Other Ordinance Number References: 0-155-2018

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: