

CASE SUMMARY
APPLICATION TYPE: REZONING
ONE YEAR PLAN AMENDMENT

KNOXVILLE • KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N

T E N N E S S E E

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
FAX • 215 • 2068
www.knoxmpc.org

File Number: 1-A-13-RZ **Related File Number:** 1-A-13-PA
Application Filed: 11/21/2012 **Date of Revision:**
Applicant: THE KROGER COMPANY

PROPERTY INFORMATION

General Location: Southeast side E. Emory Rd., southwest of I-75
Other Parcel Info.:
Tax ID Number: 57 PORTION OF 007 OTHER: MAP ON FILE AT MPC **Jurisdiction:** City
Size of Tract: 18.75 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Undeveloped / old airport
Surrounding Land Use:
Proposed Use: Shopping center with grocery store, shops, fuel center and outparcels **Density:**
Sector Plan: North County **Sector Plan Designation:** MU-SD (MU-NC04)
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context:

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

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

ZONING INFORMATION (where applicable)

Current Zoning: PC-1 (Retail and Office Park), C-3 (General Commercial), A-1 (General Agricultural) & F-1 (Floodway)
Former Zoning:
Requested Zoning: PC-1 (Retail and Office Park) & F-1 (Floodway) (revised)
Previous Requests:
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: GC (General Commercial) (K) & F (Floodway)
Requested Plan Category: GC (General Commercial) (K) & F (Floodway) (revised)

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 PC-1 zoning and removal of the F-1 (Floodway) zoning on the proposed development site.

Staff Recomm. (Full): The recommended PC-1 zoning is an extension of zoning from the northwest and is consistent with the sector plan proposal for the property. The removal of the F-1 zoning from the proposed site is acceptable because the updated FEMA floodplain map from 2010 (attached) does not show floodway within the proposed site.

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. PC-1 is a logical extension of zoning from the northwest and is consistent with the sector plan proposal for the site.
2. The site is near other commercial businesses and zoning in the vicinity of the Emory Rd./I-75 interchange.
3. MPC has met with City of Knoxville Engineering officials, who have reviewed the up-to-date FEMA floodplain information. They are in agreement that the F-1 zoning designation may be removed from a portion of this site, as long as it is not located within the FEMA adopted floodway. (See attached letter and FEMA map from City Engineering, dated 1/7/13.) MPC and Engineering staff are in agreement that the proposed reduction of the F-1 zone is acceptable.

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

1. The recommended PC-1 zoning, as described in the zoning ordinance, is established to provide for the unified development of uses ranging from retail stores and services such as are found in neighborhood and community shopping centers to businesses and professional offices. In the interest of promoting orderly design and development, the district regulations emphasize rational placement of activities, traffic and pedestrian circulation, access and parking, loading, landscaping and the mitigation of adverse offsite impacts.
2. Based on the above general intent, this area is appropriate for the proposed PC-1 zoning.

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 proposal will have no impact on schools. The impact on the street system will depend on the type of development proposed. The proposed grocery store will require a traffic impact study to be reviewed and approved by MPC and City Engineering prior to development.
2. PC-1 zoning is compatible with surrounding development and should have a minimal impact on adjacent properties. It is an extension of zoning from the northwest.
3. Public water and sanitary sewer utilities are available to serve the site.
4. PC-1 zoning will require approval of a use on review development plan by MPC prior to construction. PC-1 zoning will require MPC use on review approval of a development plan prior to construction. This will give MPC and City of Knoxville Engineering staff the opportunity to review plans and address issues such as access, setbacks, landscape buffering, lighting, layout and traffic circulation, as well as other development concerns. Engineering and MPC staff recognize that a portion of the proposed site is located in a no-fill zone, but agree that this issue can be addressed as part of the various stages of plans review forthcoming.
5. There is an opportunity to establish a public recreation/open space to the northeast, between this site and I-75. Staff would expect the applicant to work with the City and adjacent property owners if this opportunity presents itself in the future. The Parks and Greenways Plan shows the entire Powell Airport site as a "general vicinity for a district/regional recreation center". The area to the northeast of the site has a natural wetland area that should be preserved and possibly dedicated as public parkland.

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. With the recommended One Year Plan amendment to conditioned GC, PC-1 zoning would be consistent with the plan. The F (Floodway) designation is recommended to be removed from the proposed development site, consistent with F-1 zoning recommendation.
2. The North County Sector Plan reflects this site as part of a mixed use special district (MU-NC04), which allows consideration of PC-1 zoning.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. The proposal does not present any apparent conflicts with any other adopted plans.

Action: Approved **Meeting Date:** 1/10/2013

Details of Action:

Summary of Action: PC-1 (Retail and Office Park) and removal of the F-1 (Floodway) zone

Date of Approval: 1/10/2013 **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: 2/19/2013 **Date of Legislative Action, Second Reading:** 3/5/2013

Ordinance Number: **Other Ordinance Number References:**

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

If "Other": Postponed 252013 **If "Other":**

Amendments: **Amendments:**

PP 2/5/2013

Date of Legislative Appeal: **Effective Date of Ordinance:**