

CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



File Number: 1-E-24-SU **Related File Number:**
Application Filed: 11/27/2023 **Date of Revision:**
Applicant: RADO NEDKOV

PROPERTY INFORMATION

General Location: North side of Clinton Hwy, west of W Inskip Dr
Other Parcel Info.:
Tax ID Number: 68 N E 012.02 **Jurisdiction:** City
Size of Tract: 0.98 acres
Accessibility: Access is via Clinton Highway, a major arterial street with a pavement width, including a vegetated median, of 100 ft within a 150-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: Request for removal of SC-2 Shopping Center previously approved **Density:** planned district
Sector Plan: Northwest City **Sector Plan Designation:** MU-CC (Mixed Use Community Center)
Growth Policy Plan: N/A (Within City Limits)
Neighborhood Context: This area is a commercial corridor west of the intersection of I-640 and I-75.

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

Street: 0 CLINTON HWY
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-H-1 (Highway Commercial)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: None noted.

PLAN INFORMATION (where applicable)

Current Plan Category: MU-CC (Mixed Use Community Center)
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: Jessie Hillman

Staff Recomm. (Abbr.): Approve the removal of the previously approved planned district designation because doing so is consistent with adopted plans and would enable redevelopment in accordance with contemporary zoning standards.

Staff Recomm. (Full):

Comments: This request is to remove a previously approved planned district designation from the subject parcel to enable redevelopment in accordance with its base zoning district, C-H-1 (Highway Commercial). Although this property is not marked with a (C) on the map, as such designations are typically identified, its original development was approved in 1996 in accordance with a planned zoning district of that time, SC-2 (Shopping Center). Per the Transition Rules in Article 1.4.G of the Zoning Ordinance, previously approved planned districts such as SC-2 are to remain in effect unless a request to remove that designation is accomplished via the Special Use process.

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

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

A. The land use classification for this property in the One Year Plan and the Northwest City Sector Plan is MU-CC (Mixed Use Community Center). This designation is intended for a moderate intensity of mixed commercial, office and residential development. Redevelopment of vacant or largely vacant shopping centers is a focus of this land use type.

The subject property is a vacant portion of a large commercial strip shopping center where nearly half of the property is dedicated to surface parking, approximately 9 acres. This shopping center was approved as a planned development in 1996 under the SC-2 (Shopping Center) zoning district of that time. The building on the subject parcel was demolished three years ago, leaving it primed for redevelopment.

Removing the previously approved planned district designation from this property would allow the lot to be redeveloped in accordance with current standards and regulations, which is the explicit intent of the MU-CC designation.

B. The General Plan's development policy 8.10 encourages redevelopment of obsolete commercial strip space by providing incentives for infill rather than greenfield development. Policy 8.11 describes improving the appearance of existing commercial strips by encouraging better landscaping and fewer signs. These policies are met in this case by enabling the redevelopment of a vacant commercial site in accordance with contemporary zoning standards.

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

A. The property is zoned C-H-1 (Highway Commercial), which is intended to accommodate higher-intensity commercial uses of a predominantly auto-oriented character, including retail, rental, and service establishments. The C-H District regulations are designed to ensure the mitigation of any potential impacts related to such establishments on neighboring uses. This is an appropriate zone for this location, considering its close proximity to a major highway interchange to the east and its inclusion in a high-intensity commercial corridor. This application is only for the removal of the planned district designation, and any future use would be required to adhere to the C-H-1 zoning standards.

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. Removing the previously approved planned district zoning from this property would enable redevelopment that is consistent with its base zoning district, which emphasizes compatibility with neighboring land uses.

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. This property is situated along Clinton Highway. However, it is separated from this right-of-way and the sidewalk by a large retaining wall, and the subject property sits approximately 10 feet below the street elevation. The property shares the same zoning district as its neighboring properties, and future development is not anticipated to cause any adverse impacts on this already intensive, auto-oriented environment.

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

A. The property is only accessed via a major arterial street, and will not bring traffic through residential roads.

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. This is a highly developed area, and there are no known environmental factors that should present a risk or threat to future development here.

Action: Approved **Meeting Date:** 1/11/2024

Details of Action:

Summary of Action: Approve the removal of the previously approved planned district designation because doing so is consistent with adopted plans and would enable redevelopment in accordance with contemporary zoning standards.

Date of Approval: 1/11/2024 **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: 2/6/2024 **Date of Legislative Action, Second Reading:** 2/20/2024

Ordinance Number: **Other Ordinance Number References:** O-23-2024

Disposition of Case: Approved **Disposition of Case, Second Reading:** Approved (Emergency)

If "Other": **If "Other":**

Amendments: **Amendments:**

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