

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 SC-1 (Neighborhood Shopping Center) zoning, subject to 3 conditions. (Original request was for PC-1.)

Staff Recomm. (Full):

1. No clearing or grading of any portions of the sites shall occur prior to use on review development plan approval by MPC.
2. Parcels 92.03, 92.05, 92.06 and 92.07 shall be limited to C-3 uses, plus a self-service storage facility as a use permitted on review.
3. A full landscaping plan, a lighting and photometric plan, and architectural elevations of all buildings must be submitted as part of the use on review development plan package.

With the above conditions, the recommended SC-1 zoning will allow commercial development of the sites with required development plan approval by MPC prior to construction or disturbance of the land.

Comments:

Knoxville City Council requested that MPC consider rezoning the subject parcels to PC-1, which required a sector plan amendment to GC. The City of Knoxville One Year Plan already proposes GC (General Commercial) uses for the sites, so no One Year Plan amendment was necessary. However, this area will likely be studied as part of the 2010 One Year Plan Update, which will be on MPC's March agenda. In looking at the PC-1 zoning, staff determined that the sites may be too small for PC-1 zoning. SC-1 is more appropriate for smaller sites, especially when in close proximity to residential uses. The PC-1 zone requires a 50 foot peripheral boundary setback and is recommended for sites of no less than 5 acres. The SC-1 zone has smaller setbacks and is appropriate for sites that are less than 5 acres. Only one of the subject parcels (the westernmost tract) is over 5 acres currently. Parcels would have to be combined to create tracts of larger than 5 acres. The general description of the SC-1 zone in the zoning ordinance is as follows: "This commercial district is intended for a unified grouping, in one (1) or more buildings, of retail shops and stores that provide for the regular needs and are for the convenience of the people residing in the adjacent residential neighborhoods. It is intended that the neighborhood shopping center be developed as a unit, with adequate off-street parking space for customers and employees, and with appropriate landscaping and screening materials."

SC-1, like PC-1, requires use on review approval of a development plan prior to any construction. The recommended condition above will also prevent any disturbance of the land prior to the plan approval. This will provide the opportunity for staff to review a plan and address issues such as traffic circulation, landscaping, layout, screening, drainage, lighting, building architecture and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.

Some of the concerns that MPC staff will consider in reviewing development plans are lighting, noise, preservation of existing vegetation, installation of new landscaping/screening, hours of operation, traffic circulation and building architectural styles. All development should be planned in such a way to be as compatible as possible with surrounding residential uses.

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. New law 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:** 2/11/2010

Details of Action:

Summary of Action: Approve SC-1 (k) (Neighborhood Shopping Center zone with 2 conditions) for a portion of parcel 049 093.01; retain the existing C-3 (General Commercial) zone and add 4 conditions for parcels 049 084, 085, 085.01 and 092.01; and retain C-4 (k) (Highway and Arterial Commercial with conditions adding 3 more conditions) for parcels 049 092.03, 092.05, 092.06 and 092.07.

Date of Approval: 2/11/2010 **Date of Denial:** **Postponements:** 1/14/10

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 3/9/2010

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Denied

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

NO ACTION

Date of Legislative Appeal:

Effective Date of Ordinance: