CASE SUMMARY

APPLICATION TYPE: REZONING



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File Number:8-H-12-RZApplication Filed:6/25/2012Applicant:SAM CONNOR

Related File Number: Date of Revision:

PROPERTY INFORMATION

General Location:	Southeast side W. Emory Rd., southwest of Central Avenue Pike				
Other Parcel Info.:					
Tax ID Number:	57 002,00301&00302 OTHER: 056-125	Jurisdiction: County			
Size of Tract:	21.94 acres				
Accessibility:	Access is via W. Emory Rd., a major arterial street with 4 lanes and a center turn lane within 75' of right-of-way.				

GENERAL LAND USE INFORMATION

Residence/vacant **Existing Land Use:** Surrounding Land Use: **Proposed Use:** Shopping center **Density:** Sector Plan: North County Sector Plan Designation: Mixed Use **Growth Policy Plan:** Planned Growth Area This property is located just southwest of the Emory Rd./I-75 interchange, which is developed with **Neighborhood Context:** commercial uses under CA, PC-1 and C-3 zoning. To the southwest are residential and agricultural uses, zoned A, PR and RB. There is also a vacant site to the southwest, currently zoned TC (Town Center).

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

Street:

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning:	A (Agricultural) and F (Floodway)	
Former Zoning:		
Requested Zoning:	PC (Planned Commercial) and F (Floodway)	
Previous Requests:	None noted	
Extension of Zone:	No	
History of Zoning:	None noted	

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.:

MPC ACTION AND DISPOSITION					
Planner In Charge:	Michael Brusseau				
Staff Recomm. (Abbr.):	RECOMMEND that County Commission APPROVE PC (Planned Commercial) and F (Floodway) zoning, subject to 2 conditions.				
Staff Recomm. (Full):	 All vegetation within the Beaver Creek floodplain along the southeast side of the property must be preserved. This area includes all land southeast of the bold, dashed line on the attached map entitled 'Floodplain'. A minimum 20 feet wide easement must be provided within the proposed Beaver Creek Greenway Corridor (see attached 'Greenway' map) along the southeastern boundary of the site. The final width of the greenway easement must be approved by the Knox County Greenways Coordinator as part of the required use on review process. 				
	With the recommended conditions above, PC zoning is consistent with the mixed use proposal of the newly adopted North County Sector Plan. The proposal is an extension of commercial zoning from the northeast.				
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: PC zoning is compatible with the scale and intensity of the surrounding development and zoning pattern in the area. The proposed PC zoning is consistent with the newly adopted North County Sector Plan proposal for the site. The request is an extension of commercial zoning from the northeast. The two conditions are recommended to minimize the development's impact on Beaver Creek along the southeast boundary of the site. 				
	 THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE: 1. The PC zone is intended for a unified grouping of commercial buildings which do not require or desire a central business location. It is the objective of this zone to achieve the highest quality site design, building arrangement, landscaping and traffic circulation patterns possible. 2. PC zoning will require MPC use on review approval of a development plan prior to construction. This will give MPC and Knox County 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. The PC zone also requires that the applicant submit protective covenants for the development. These covenants shall indicate the use and design of structures in the planned complex as well as establishing measures to protect occupants of the development from incompatible uses and structures. 3. Based on the above description, this site is appropriate for PC 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 applicant intends to pursue commercial use of the property. The use of the planned commercial zone is most appropriate for commercial development at this location. 2. The PC zone requires use-on-review approval of a development plan by MPC prior to construction. This will give the opportunity for MPC and Engineering staffs to address development concerns prior to 				

	 ssuance of building permits for the project. It also gives the opportunity for public comment at the MPC public meeting. The impact to the street system will depend on the type of commercial use that is established. There will be no impact to the school system. The proposed zoning is compatible with surrounding development, and there should be minimal mpact to the surrounding area and no adverse affect to any other part of the County. Public water and sewer utilities are available in the area, but may need to be extended to serve the 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: The North County Sector Plan was recently updated and was adopted by MPC on July 12, 2012 (6-A-12-SP). It proposes mixed uses for the site, which allows consideration of the requested PC zoning. Approval of this request may lead to future requests for PC or other non-residential zoning on surrounding properties, which is consistent with the sector plan proposal for mixed uses in the area. Each rezoning request would need to be reviewed on a case-by-case basis based on its own merits. 				
Action:	Approved		Meeting Date:	8/9/2012	
Details of Action:	 All vegetation within the Beaver Creek floodplain along the southeast side of the property must be preserved until such time as MPC reviews a development plan. This area includes all land southeast of the bold, dashed line on the attached map entitled 'Floodplain'. A minimum 20 feet wide easement must be provided within the proposed Beaver Creek Greenway Corridor (see attached 'Greenway' map) along the southeastern boundary of the site. The final width of the greenway easement must be approved by the Knox County Greenways Coordinator as part of the required use on review process. 				
Summary of Action:	 RECOMMEND the Knox County Commission approve PC (k) (Planned Commercial) and F (Floodway) zoning, subject to 2 conditions: 1. All vegetation within the Beaver Creek floodplain along the southeast side of the property must be preserved until such time as MPC reviews a development plan. This area includes all land southeast of the bold, dashed line on the attached map entitled 'Floodplain'. 2. A minimum 20 feet wide easement must be provided within the proposed Beaver Creek Greenway Corridor (see attached 'Greenway' map) along the southeastern boundary of the site. The final width of the greenway easement must be approved by the Knox County Greenways Coordinator as part of the required use on review process. 				
Date of Approval:	8/9/2012 D	ate of Denial:	Postponements:		
Date of Withdrawal:	Withdrawn prior to publication?: Action Appealed?:				
		VE ACTION AND DIS	POSITION		
Legislative Body:	Knox County Commiss				
Date of Legislative Action:	9/24/2012	C C	ive Action, Second Reading	j:	
Ordinance Number:			e Number References:		
Disposition of Case:	Approved	-	Case, Second Reading:		
If "Other":		If "Other":			
Amendments:		Amendments:			
Date of Legislative Appeal:		Effective Date o	f Ordinance:		