



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 6-J-06-RZ
6-C-06-SP

AGENDA ITEM #: 72
AGENDA DATE: 6/8/2006

▶ **APPLICANT:** BEARDEN LAND COMPANY
OWNER(S): CEDAR BLUFF PLAY SCHOOL INC

TAX ID NUMBER: 119 H F 014
JURISDICTION: Commission District 5

▶ **LOCATION:** West side N. Cedar Bluff Rd., north of Dutchtown Rd.

▶ **TRACT INFORMATION:** 1.13 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via N. Cedar Bluff Rd., a major arterial street with 4 lanes and a center turning lane and 60' of pavement width within 80' of right of way. The site's driveway lines up with Fox Lonas Dr., a minor collector street to the east, which has a traffic signal at its intersection with N. Cedar Bluff Rd.

UTILITIES: Water Source: West Knox Utility District
Sewer Source: West Knox Utility District

▶ **PRESENT PLAN DESIGNATION/ZONING:** O (Office) / OA (Office Park)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** NC (Neighborhood Commercial) / CN (Neighborhood Commercial)

▶ **EXISTING LAND USE:** Day care facility

▶ **PROPOSED USE:** Coffee house

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted for this site; the two properties south of this site were denied CA zoning in 2001 and 2005.

SURROUNDING LAND USE, PLAN DESIGNATION, North: Entrance drive to Gulf Park pool and tennis facility, vacant land / LDR / A (Agricultural)

ZONING South: Real estate office / LDR / OA (Office Park)

East: N. Cedar Bluff Dr./Fox Lonas Rd. intersection / PI, OOS / RP-1 (Planned Residential)

West: Gulf Park pool and tennis facility / LDR / A (Agricultural)

NEIGHBORHOOD CONTEXT: This area of N. Cedar Bluff Rd. north of Dutchtown Rd. has been developed with office and residential uses, as well as a large church campus, under A, RA, RAE, RP-1, OA and OB zoning. Most commercial development along N. Cedar Bluff Rd. has occurred to the south, south of Dutchtown Rd. and to the north, near the intersection with Middlebrook Pike, under various commercial zones.

STAFF RECOMMENDATION:

▶ **APPROVE NC (Neighborhood Commercial) sector plan designation.**

Neighborhood commercial use of this site will allow commercial development of this site that is compatible with surrounding residential uses.

▶ **APPROVE CN (Neighborhood Commercial) zoning.**

CN zoning will allow the redevelopment of the site for a coffeehouse, but will require appropriate landscaping and building setbacks to lead to a quality development that will be compatible with adjacent land uses.

COMMENTS:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. CN zoning is compatible with the scale and intensity of the surrounding development and zoning pattern and allows a broad range of retail uses.
2. CN has a more limited list of permitted uses than other commercial zones such as CA and CB, and will require appropriate landscaping and building setbacks to lead to a quality development that will be compatible with adjacent land uses.
3. The site's location at a signalized intersection of a collector and arterial street make it very desirable for commercial use, especially for the proposed coffeehouse.

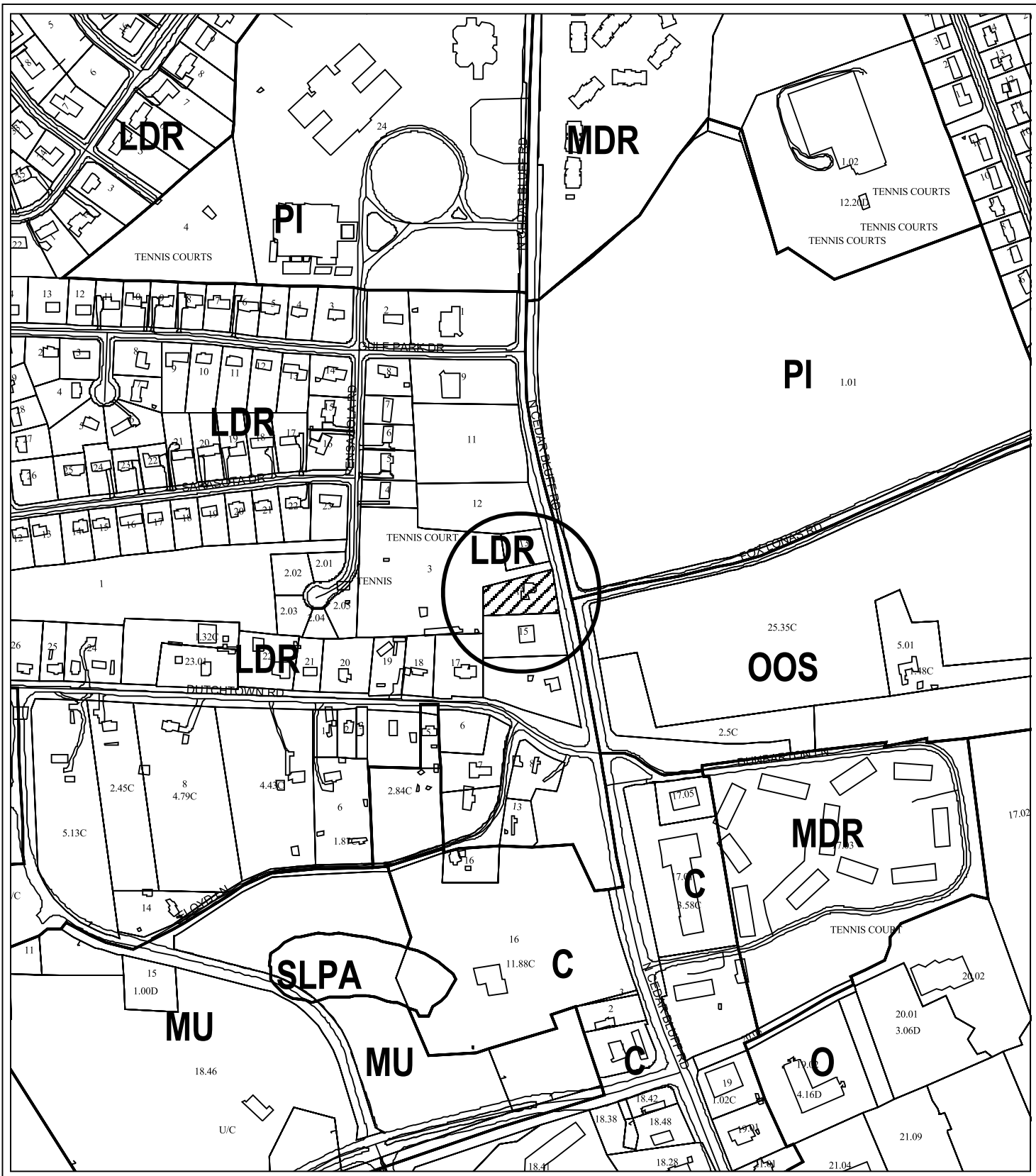
THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are in place to serve the site.
2. This proposal will have no impact on schools and a minimal impact on the street system.
3. The proposal is compatible with the surrounding zoning, and the impact on adjacent properties will be minimal. Compared to the CA zone, the CN zone allows less intense uses, has increased building setbacks and has more landscaping requirements. These restrictions will help to lessen the impact of commercial development in this area, as well as improve the aesthetic quality of the development.
4. If the proposed coffeehouse is to include a drive-through facility, then MPC use on review approval of the site plan will be required prior to development of the site. The CN zone requires use on review approval when a permitted use includes drive-through or drive-in facilities.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

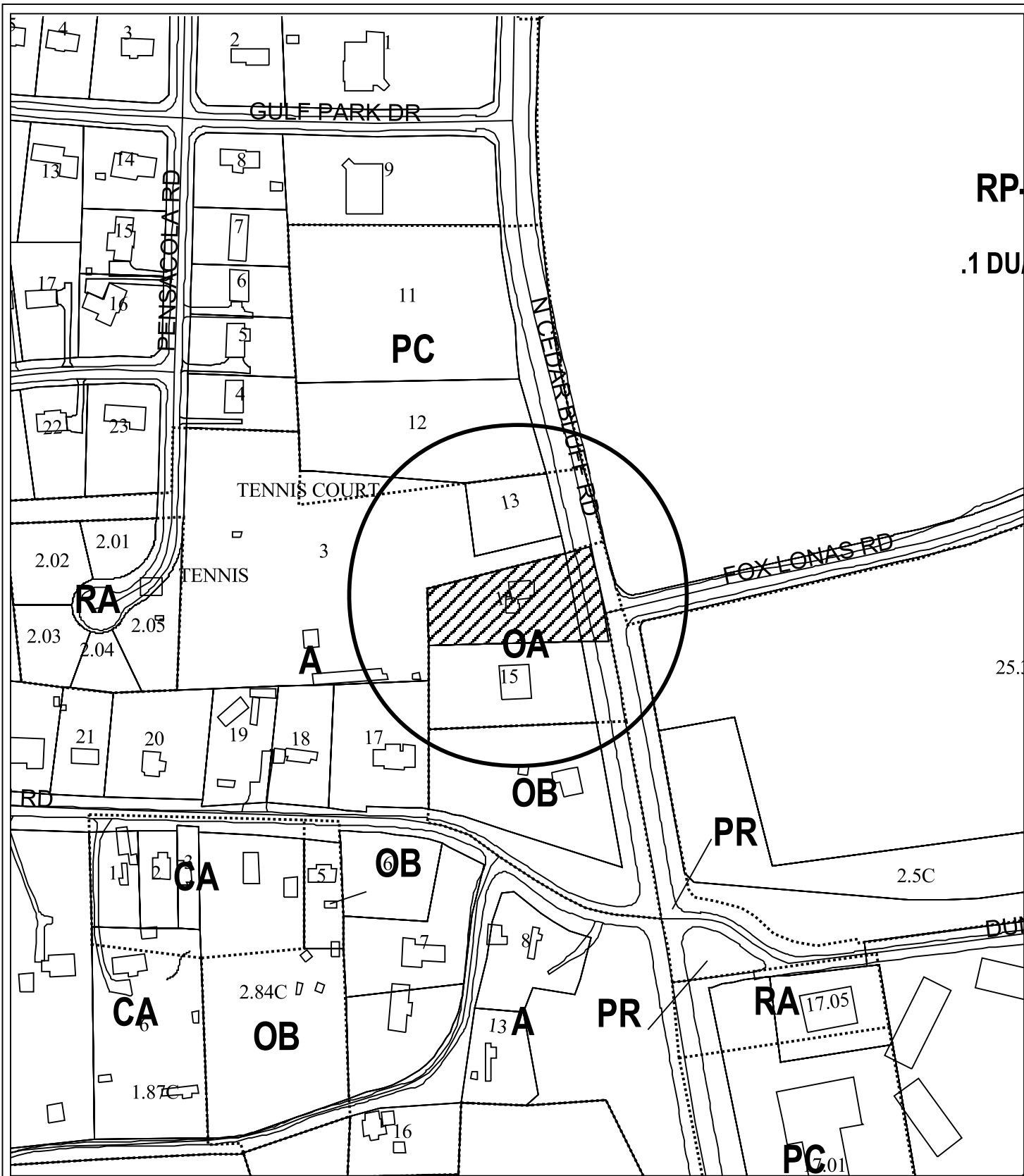
1. With the recommended sector plan amendment to neighborhood commercial, CN zoning is consistent with the Northwest County Sector Plan.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This request may generate similar requests for zoning changes to commercial on some nearby parcels, especially office zoned parcels to the south.

If approved, this item will be forwarded to Knox County Commission for action on 7/24/2006. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



6-C-06-SP/6-J-06-RZ
SECTOR PLAN AMENDMENT
NORTHWEST COUNTY SECTOR PLAN AMENDMENT


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|---|--|
| <p>From: O (Office)</p> <p>To: NC (Neighborhood Commercial)</p> <p>Original Print Date: 05/24/06 Revised: Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902</p> | <p>Petitioner: Bearden Land Company</p> <p>Map No: 119</p> <p>Jurisdiction: County</p> |
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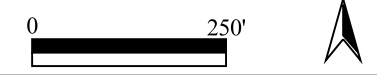


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6-J-06-RZ
REZONING

Petitioner: Bearden Land Company
Map No: 119
Jurisdiction: County

 From: OA (Office Park)
To: CN (Neighborhood Commercial)
Original Print Date: 05/24/06 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



LAW OFFICES

FRANTZ, McCONNELL & SEYMOUR, LLP

ARTHUR G. SEYMOUR JR.
FRANCIS A. CAIN
ROBERT L. KAHN
REGGIE E. KEATON
DONALD D. HOWELL
DEBRA L. FULTON
MICHAEL W. EWELL
IMOGENE A. KING
JOHN M. LAWHORN
JAMES E. WAGNER
BEVERLY D. NELMS
MARY ELIZABETH MADDOX
BENJAMIN C. MULLINS
RICHARD T. SCRUGHAM, JR.
MATTHEW A. GROSSMAN
SHARON POTTER

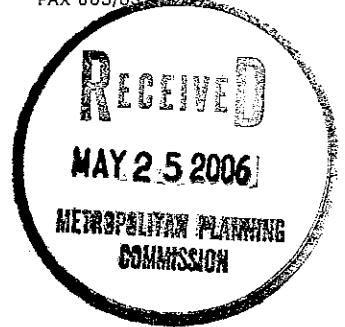
MAIL ADDRESS:
P. O. BOX 39
KNOXVILLE TENNESSEE 37901
TELEPHONE 865/546-9321

Email: ajs Seymour@frmsllp.com

OFFICE ADDRESS:
SUITE 500
550 W. MAIN AVENUE
KNOXVILLE, TENNESSEE 37902

FAX 865/637-5249

May 25, 2006



Mr. Ken Pruitt
Metropolitan Planning Commission
Suite 403, City-County Building
400 Main Avenue
Knoxville, TN 37902

Item # 72

Re: Bearden Land Company
File No. 6J06RZ
6C06SP

6-J-06-RZ/
6-C-06-SP

Dear Mr. Pruitt:

Andy Hillmer, the applicant on the above captioned matter, met with Frank Hall and other members of the Belmont West Neighborhood Association regarding this proposal.

At their request, he has had Mark Bialik, his engineer, redraw the proposed site with a zoning line shown in meets and bounds. I enclose that herewith.

Mr. Hall and the other members of the Belmont West Neighborhood Association wanted to place restrictions on the property so that there would be no tobacco stores, convenience stores, adult entertainment shops or stores dealing in men's or women's wearing apparel. Mr. Hillmer said all of those were satisfactory with him.

Mr. Hillmer was advised that if the above could be accomplished there would be no opposition from Belmont West to the rezoning.

Would you please add this information to the file.

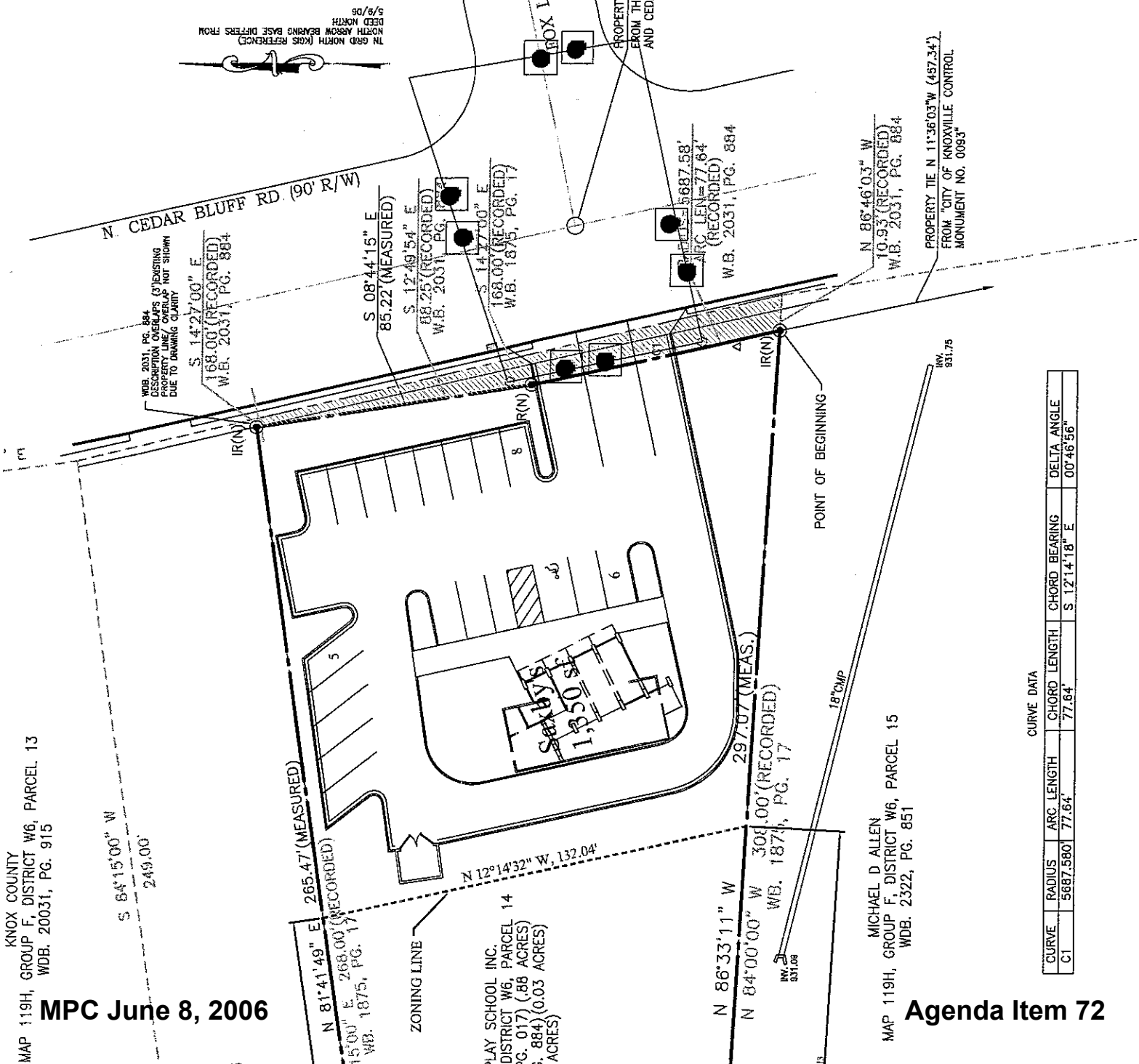
Thank you for your assistance.

Very truly yours,

Arthur G. Seymour, Jr.
FRANTZ, McCONNELL & SEYMOUR, LLP

KNOX COUNTY
 MAP 119H, GROUP F, DISTRICT W6, PARCEL 13
 WDB. 20031, PG. 915

MPC June 8, 2006



Item #72
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CURVE DATA

| CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|-------|-----------|------------|--------------|----------------|-------------|
| C1 | 5687.580' | 77.64' | 77.64' | S. 12°14'18" E | 00°46'56" |

MICHAEL D ALLEN
 MAP 119H, GROUP F, DISTRICT W6, PARCEL 15
 WDB. 2322, PG. 851

Agenda Item 72

| REV | DESCR |
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