

► **FILE #:** 5-F-10-RZ

AGENDA ITEM # 46

AGENDA DATE: 5/13/2010

► **APPLICANT:** THE KROGER COMPANY

OWNER(S): MCMURRY KAPTOLA

TAX ID NUMBER: 132 02801

JURISDICTION: City Council District 2

► **LOCATION:** West side N. Cedar Bluff Rd., north side Kingston Pike

► **APPX. SIZE OF TRACT:** 21.44 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Kingston Pike, a 4 to 6 lane major arterial street within 100-130' of right-of-way, or N. Cedar Bluff Rd., a major arterial street with 6 lanes within 130' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Ten Mile Creek

► **PRESENT ZONING:** SC-3 (Regional Shopping Center)

► **ZONING REQUESTED:** PC-1 (Retail and Office Park)

► **EXISTING LAND USE:** Vacant land

► **PROPOSED USE:** Shopping center with grocery store, shops, fuel center and outparcels

EXTENSION OF ZONE: Yes, extension of PC-1 from the east and southwest

HISTORY OF ZONING: None noted for this site. The large site to the east was rezoned PC-1 in 2009 (10-D-09-RZ).

SURROUNDING LAND USE AND ZONING: North: Motel and liquor store / SC-3 (Regional Shopping Center) and C-3 (General Commercial)

South: Kingston Pike - Shopping center, bank and gas station/convenience store / SC (Shopping Center) and C-3 (General Commercial)

East: N. Cedar Bluff Rd. - Vacant land, residence / PC-1 (Retail and Office Park)

West: Retail businesses / SC-3 (Regional Shopping Center)

NEIGHBORHOOD CONTEXT: This 21 acre vacant site is surrounded by commercial and office uses under various zoning designations.

STAFF RECOMMENDATION:

► **RECOMMEND that City Council APPROVE PC-1 (Retail and Office Park) zoning.**

PC-1 zoning is consistent with both the One Year Plan and sector plan proposals for the property and is an extension of commercial zoning from all sides. PC-1 will require use on review approval of a development plan by MPC prior to development of the land.

COMMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE

COUNTY GENERALLY:

1. The proposed PC-1 zoning is compatible with the scale and intensity of the surrounding development and zoning pattern and mirrors the PC-1 zoning on the east side of N. Cedar Bluff Rd.
2. Because of the large size of the site and its prominent location at the intersection of two major arterial streets, a planned zoning district is preferred for the commercial development of this site. The proposed PC-1 zoning will require use on review approval of a development plan by MPC prior to any development of the land.
3. Both the One Year Plan and the sector plan propose commercial uses for the site, consistent with the proposed PC-1 zoning.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The PC-1 zoning district is established to provide for the unified development of uses ranging from retail stores and services such as those 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 site is appropriate for PC-1 development. During the use on review process, the above issues can be addressed.

THE EFFECTS OF THE PROPOSAL:

1. Water and sewer utilities are in place to serve this site.
2. The proposal would have no impact on schools. The impact on the street system would depend on the type of development proposed. The two major arterial streets on which the property fronts should have the capacity to support the additional trips that will be created by the development of the site. There is a traffic signal with extra turning lanes at the southeast corner of the site.
3. The proposal is compatible with surrounding development and zoning, so the impact on adjacent properties should be minimal. Commercial zoning and/or uses are located on all sides of the site.
4. The PC-1 zone requires use on review approval of a development plan by MPC prior to construction. This will provide the opportunity for MPC and City Engineering staff to review the plan and address issues such as traffic circulation, layout, access, landscaping, drainage and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.

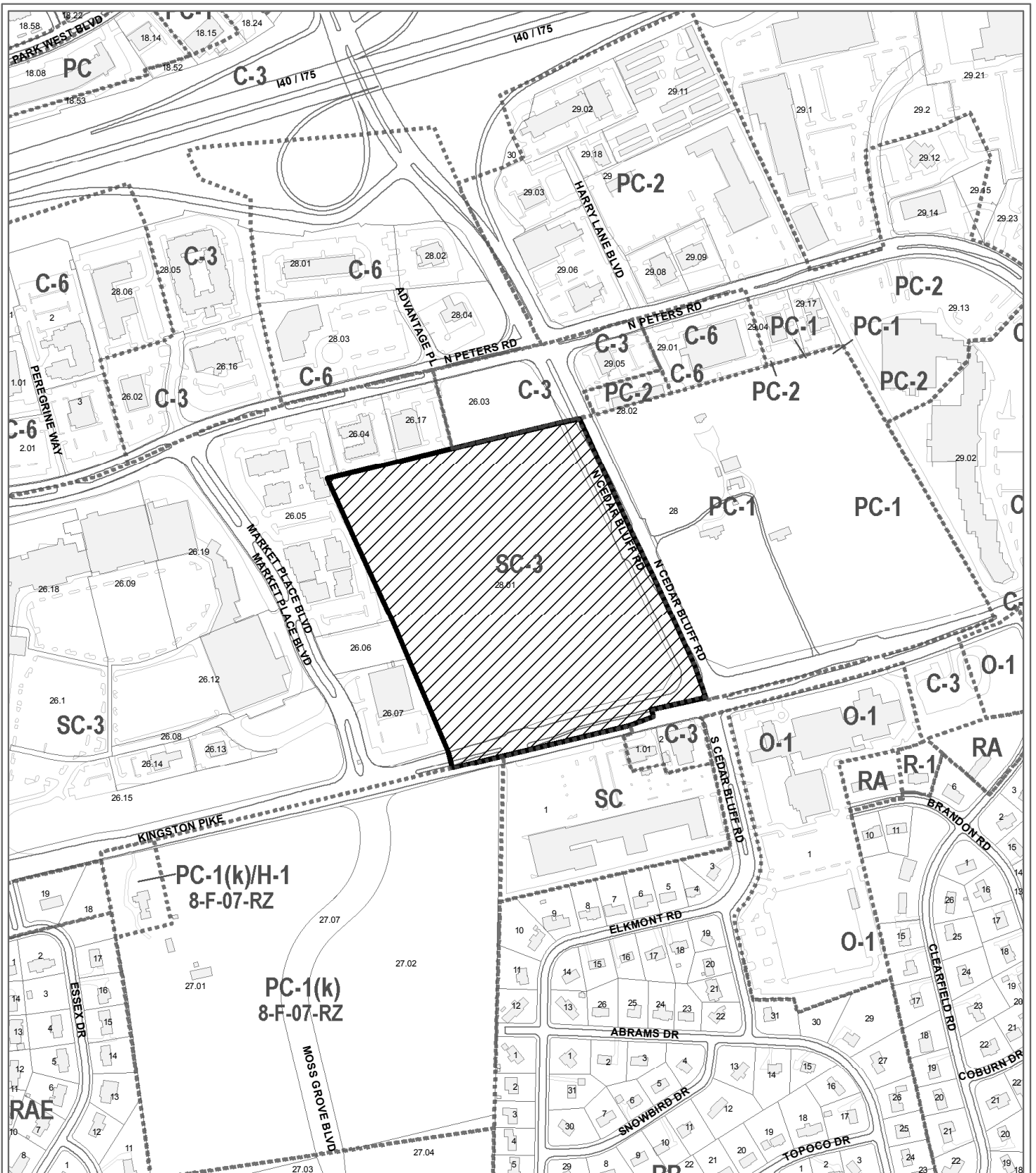
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Southwest County Sector Plan proposes commercial uses for this site, consistent with the proposed PC-1 zoning.
2. The One Year Plan proposes mixed uses, limited to medium density residential, office and general commercial uses, consistent with the proposal.
3. This site is located within the Urban Growth Area (inside the City) on the Knoxville-Knox County-Farragut Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: Not calculated.

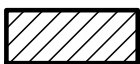
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 6/15/2010 and 6/29/2010. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



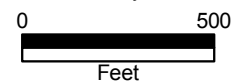
**5-F-10-RZ
REZONING**

From: SC-3 (Regional Shopping Center)
To: PC-1 (Retail and Office Park)



Petitioner: The Kroger Company

Map No: 132
Jurisdiction: City



Original Print Date: 4/14/2010
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902