



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

▶ **FILE #:** 8-H-12-RZ

AGENDA ITEM #: 28

AGENDA DATE: 8/9/2012

▶ **APPLICANT:** SAM CONNOR

OWNER(S): Sam Connor

TAX ID NUMBER: 57 002,00301&00302 056-125

JURISDICTION: County Commission District 7

▶ **LOCATION:** Southeast side W. Emory Rd., southwest of Central Avenue Pike

▶ **APPX. SIZE OF TRACT:** 21.94 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

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.

UTILITIES: Water Source: Hallsdale-Powell Utility District
Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** A (Agricultural) and F (Floodway)

▶ **ZONING REQUESTED:** PC (Planned Commercial) and F (Floodway)

▶ **EXISTING LAND USE:** Residence/vacant

▶ **PROPOSED USE:** Shopping center

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: W. Emory Rd. - Vacant land / A (Agricultural)
South: Vacant land and floodway / A (Agricultural) & F (Floodway)
East: Residences and bank / CA (General Business)
West: Vacant land / A (Agricultural)

NEIGHBORHOOD CONTEXT: This property is located just southwest of the Emory Rd./I-75 interchange, which is developed with 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).

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE PC (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. 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.

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:

1. PC zoning is compatible with the scale and intensity of the surrounding development and zoning pattern in the area.
2. The proposed PC zoning is consistent with the newly adopted North County Sector Plan proposal for the site.
3. The request is an extension of commercial zoning from the northeast.
4. 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 issuance of building permits for the project. It also gives the opportunity for public comment at the MPC public meeting.
3. 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.
4. The proposed zoning is compatible with surrounding development, and there should be minimal impact to the surrounding area and no adverse affect to any other part of the County.
5. Public water and sewer utilities are available in the area, but may need to be extended to serve the site.

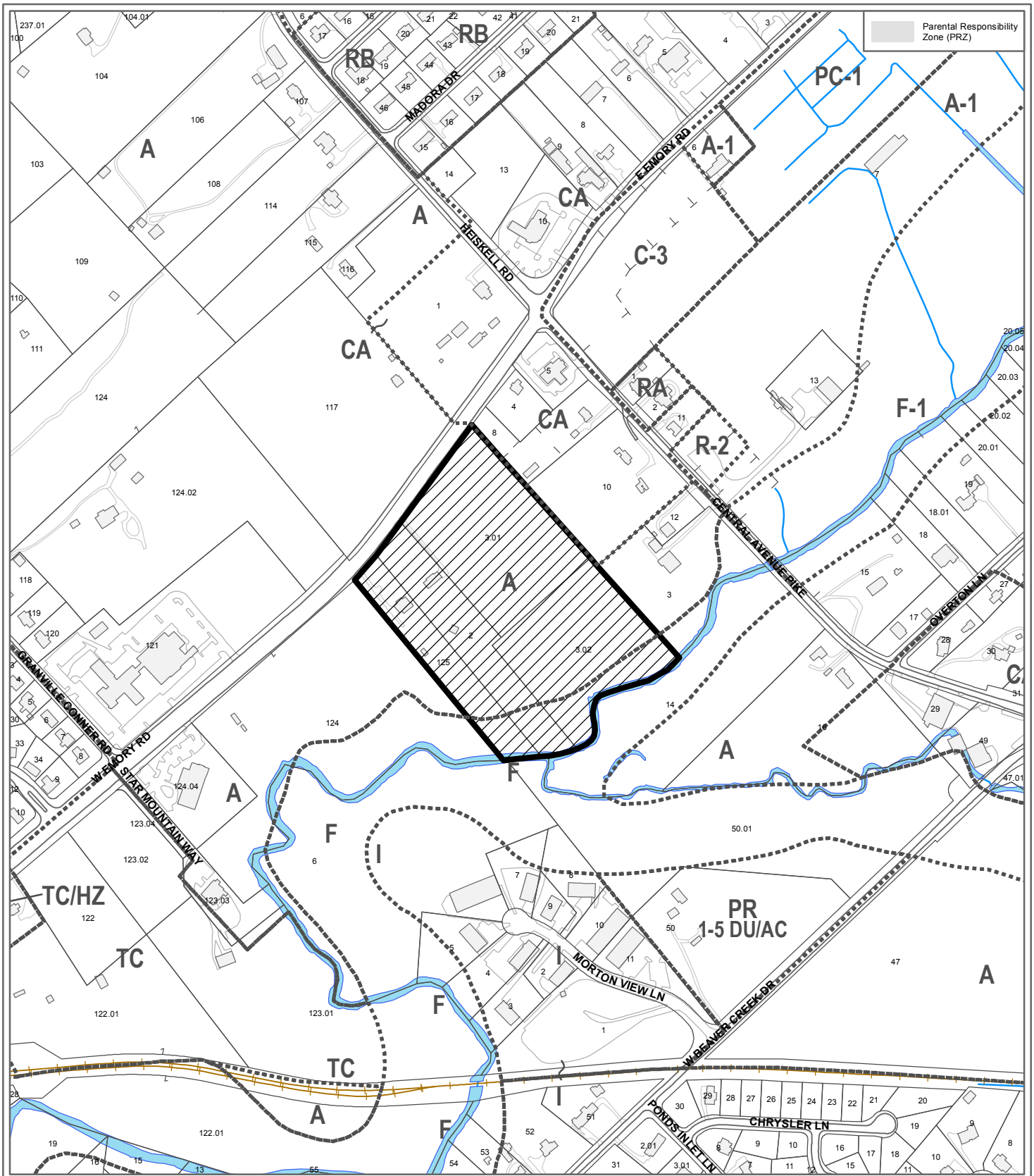
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. 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.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. 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.
4. This proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 9/24/2012. 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.



**8-H-12-RZ
REZONING**

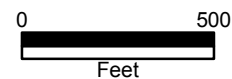
From: A (Agricultural) and F (Floodway)
To: PC (Planned Commercial) and F (Floodway)



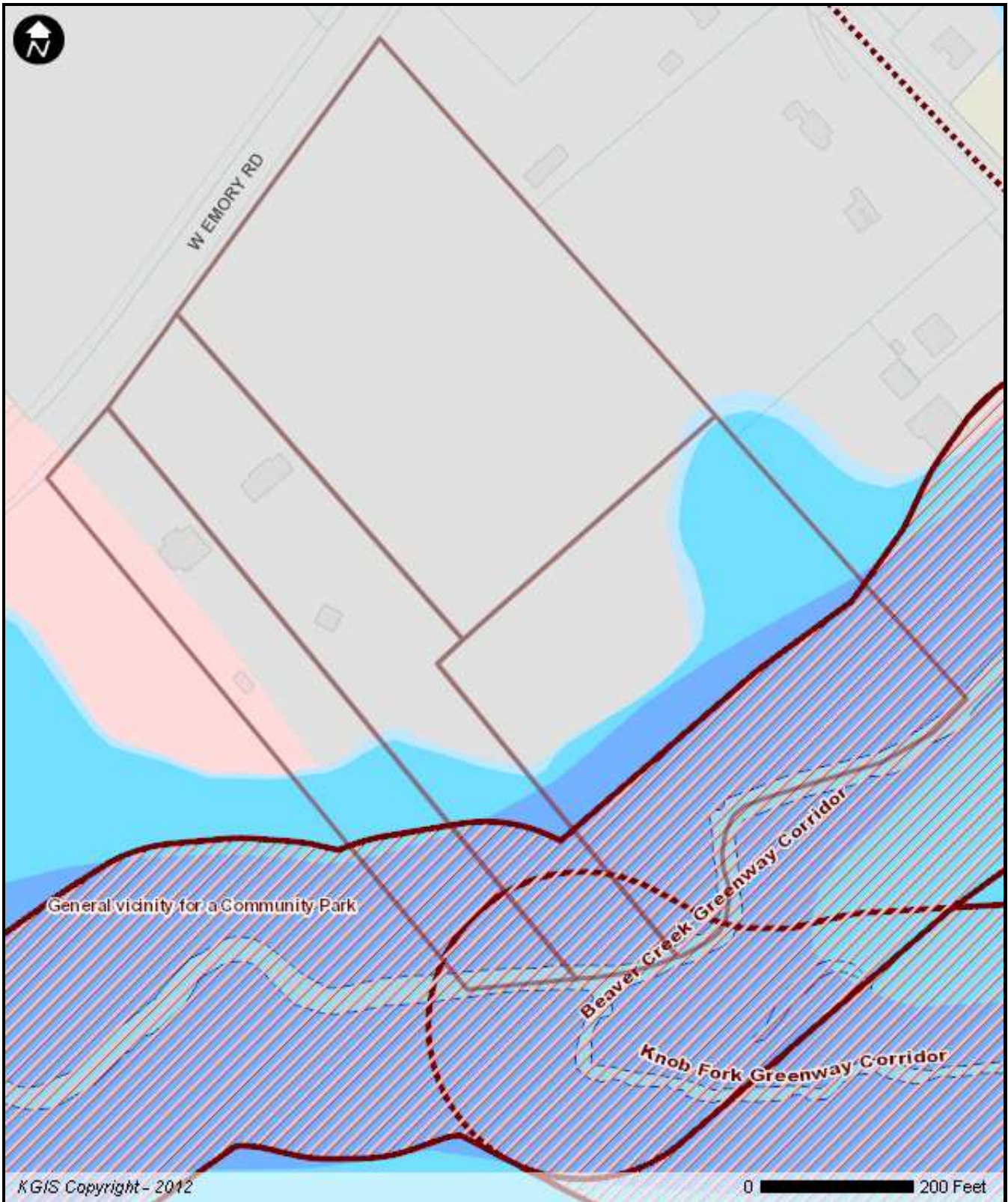
Petitioner: Connor, Sam

Map No: 57

Jurisdiction: County



Original Print Date: 7/17/2012
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



Greenway

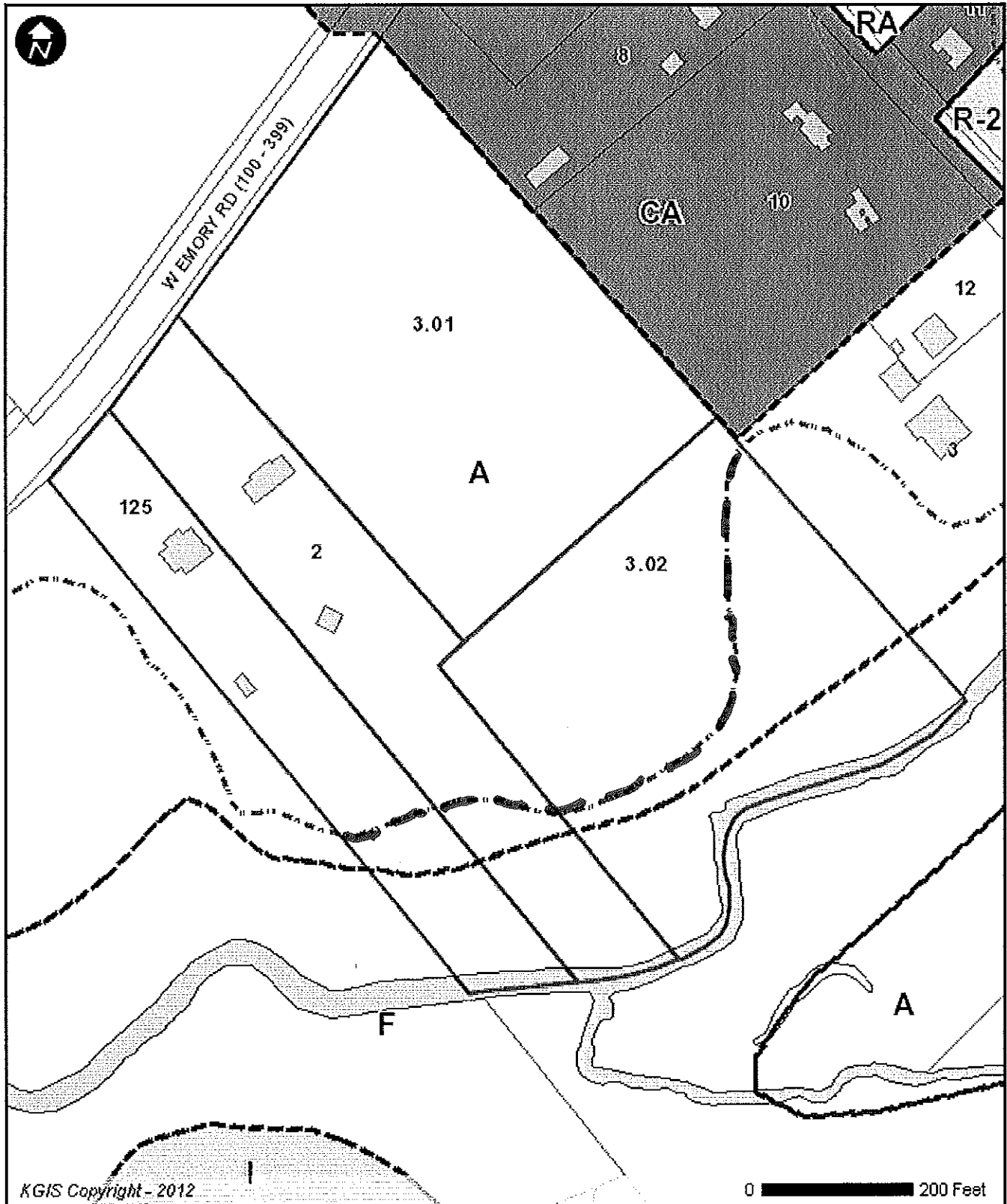
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Floodplain

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Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Fwd: Conner Property rezoning REQUEST 8-H-12-RZ

1 message

Sarah Powell <sarah.powell@knoxmpc.org>
To: "Mahan, Betty Jo" <bettyjo.mahan@knoxmpc.org>

Wed, Aug 1, 2012 at 10:47 AM

----- Forwarded message -----

From: **Kim Adams** <kra0682@aol.com>
Date: Tue, Jul 31, 2012 at 11:24 PM
Subject: Conner Property rezoning REQUEST 8-H-12-RZ
To: contact@knoxmpc.org

To the Knox County Metroplanning Commission,

Please use this email as a response to the rezoning request # 8-H-12-RZ.

I am writing this email with the expressed consent of my mother Mary Adams. She has the property adjoining Mr Connor on Emory Road. The land is titled to George Ray Adams(deceased) and Mary Ellen Adams. My mother also owns the property property of Samuel E Rhodes and Roxie Rhodes (both parents deceased). My mother and family feel that we would be most affected by this rezoning request..

Mary Adams and family have no objection to the rezoning request for the Conner property.

We feel that this is in the best interest of the Powell Community and is within the MPC's development plan for the area.

However, we do have a concern with any future development of the Conner property. We ask that MPC and/or State require that no water run off will be allowed to come on my mother's property. In addition, we ask that erosion control be maintained during any future development of the property.

I would like to thank Mr Dan Kelly with the MPC in providing guidance for our response .

If you have any questions, please call me at [864-270-5798](tel:864-270-5798).
Please email confirmation of receipt of this email.
Thank you for recording our response to the rezoning request.

Sincerely,
Kim Adams
Mary Adams
Mike Adams
Linda Adams Coyne