

▶ **FILE #:** 5-B-18-RZ

AGENDA ITEM #: 34

AGENDA DATE: 5/10/2018

▶ **APPLICANT:** ARTHUR SEYMOUR, JR. FOR EBCO

OWNER(S): EBCO

TAX ID NUMBER: 59 02611

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 3200 Knoxville Center Dr

▶ **LOCATION:** North side N. Mall Rd., west side East Towne Rd.

▶ **APPX. SIZE OF TRACT:** 5.92 acres

SECTOR PLAN: North City

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

ACCESSIBILITY: Access is via North Mall Rd., a one-way west major collector street with 50' of pavement width within the large I-640 right-of-way, or East Towne Rd., a local street with 26' of pavement width, or Knoxville Center Dr., a private street that loops around the adjacent mall.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Love Creek

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

▶ **ZONING REQUESTED:** PC-2 (Retail and Distribution Park)

▶ **EXISTING LAND USE:** Vacant store

▶ **PROPOSED USE:** Warehousing, distribution

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Vacant land and parking lot / RP-2 (Planned Residential) at up to 35 du/ac

South: Right-of-way / SC-3 (Regional Shopping Center)

East: East Towne Rd., church / SC-3 (Regional Shopping Center)

West: Bank and residences / C-6 (General Commercial Park)

NEIGHBORHOOD CONTEXT: The building on this mall out parcel was formerly occupied by Toys R Us and Fowler's Furniture. It is surrounded by residential and commercial uses, under SC-3, C-6, RP-1 and RP-2 zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE PC-2 (Retail & Distribution Park) zoning, subject to one condition.**

1. MPC approval of a use on review development plan will be required prior to permitting to establish the new use of the site.

With the recommended condition, PC-2 zoning is consistent with the sector plan proposal for the property and will require development plan approval by MPC prior to any new development of the site. The condition is

included so that MPC staff may address issues such as access, landscaping, parking and other development issues that may arise with the establishment of new non-retail use for the site.

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. Staff is of the opinion that the proposed rezoning meets the intent of the sector plan proposal for the area, which encourages a mix of regional serving uses under planned zoning districts.
2. Both the sector plan and One Year Plan propose MU-RC (Mixed Use - Regional Commercial) uses for the site, consistent with the proposed PC-2 zoning.
3. PC-2 zoning is appropriate for this site, which is adjacent to commercial and high density residential zoning in an area designated on the sector plan for mixed uses.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The PC-2 zoning district is established to provide for the unified development of uses ranging from those found in regional shopping centers to those found in distribution/light warehousing parks. Businesses within this district may cater to a variety of retail, wholesale and service trades, and may require limited outdoor storage for materials and equipment. As with other planned commercial districts, emphasis is placed on 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 to be rezoned to PC-2.

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 recommended PC-2 zoning is compatible with the surrounding land uses and zoning pattern.
2. PC-2 zoning will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.
3. The road system is adequate to handle the traffic that could be generated from this development, however some minor improvements may be necessary to accommodate additional truck traffic that may be generated.

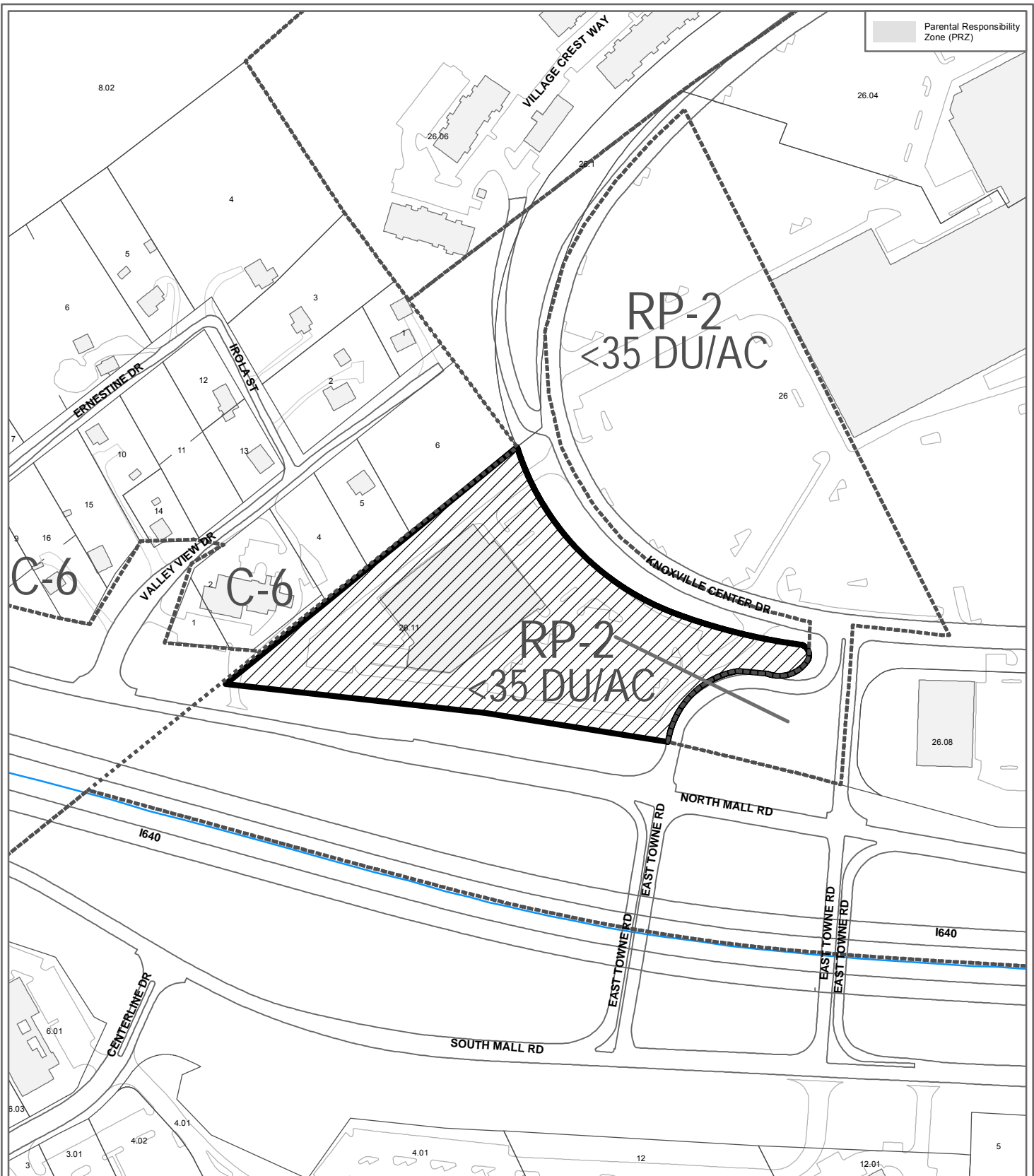
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. Both the City of Knoxville One Year Plan and the North City Sector Plan propose MU-RC (Mixed Use Regional Commercial) uses for the site, consistent with PC-2 zoning.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This recommended PC-2 zoning does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 6/5/2018 and 6/19/2018. 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-B-18-RZ
REZONING**

From: SC-3 (Regional Shopping Center)
To: PC-2 (Retail and Distribution Park)



Petitioner: Arthur Seymour, Jr. for EBCO

Map No: 59
Jurisdiction: City



Original Print Date: 4/16/2018
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

SP: MU-RC/SLPA

OYP: MU-RC

KNOXVILLE-KNOX COUNTY
M P C
 METROPOLITAN
 P L A N N I N G
 C O M M I S S I O N
 T E N N E S S E E
 Suite 403 • City County Building
 400 Main Street
 Knoxville, Tennessee 37902
 865 • 215 • 2500
 F A X • 215 • 2068
 www.knoxmpc.org

REZONING **PLAN AMENDMENT**

Name of Applicant: ARTHUR G. SEYMOUR, JR. FOR EISCO
 Date Filed: March 26 2018 Meeting Date: May 10, 2018
 Application Accepted by: M. Payne
 Fee Amount: 896.00 File Number: Rezoning 5-B-18-RZ
 Fee Amount: H File Number: Plan Amendment H



PROPERTY INFORMATION
 Address: 3200 KNOXVILLE CENTER DR
 General Location: w/s Knoxville Center Dr.
W of North Mall Rd
 Parcel ID Number(s): 05902611
 Tract Size: 5.92 ACRES
 Existing Land Use: VACANT STORAGE
 Planning Sector: ROBERTT CITY
 Growth Policy Plan: CITY OF KNOXVILLE
 Census Tract: 43
 Traffic Zone: 136
 Jurisdiction: City Council 4th District
 County Commission _____ District

PROPERTY OWNER **OPTION HOLDER**
 PLEASE PRINT
 Name: BILL BERKANO
 Company: EISCO
 Address: 1330 ADAMS ROAD
 City: ENGIN State: IL Zip: 60123
 Telephone: 847-531-9501
 Fax: 847-531-9531
 E-mail: BERKANO@EISCO/IL.COM

APPLICATION CORRESPONDENCE
 All correspondence relating to this application should be sent to:
 PLEASE PRINT
 Name: ARTHUR G. SEYMOUR JR
 Company: FRANITZ, McCONNELL, SEYMOUR
 Address: P.O. BOX 39
 City: KNOXVILLE State: NC Zip: 37901
 Telephone: 865-546-9321
 Fax: 865-637-5249
 E-mail: ARTSEYMOUR@FRSLLP.COM

Requested Change
REZONING
 FROM: SC-3
 TO: CE AC-2
PLAN AMENDMENT
 One Year Plan _____ Sector Plan
 FROM: H
 TO: H

APPLICATION AUTHORIZATION
 I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.
 Signature: [Signature]
 PLEASE PRINT
 Name: ARTHUR G. SEYMOUR JR
 Company: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____
 E-mail: _____

PROPOSED USE OF PROPERTY
WAREHOUSE - DISTRIBUTION
 Density Proposed _____ Units/Acre
 Previous Rezoning Requests: _____