



SPECIAL USE REPORT

▶ **FILE #:** 1-E-24-SU

AGENDA ITEM #: 14

AGENDA DATE: 1/11/2024

▶ **APPLICANT:** RADO NEDKOV

OWNER(S): Clinton TN LLC

TAX ID NUMBER: 68 N E 012.02

[View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS: 0 CLINTON HWY

▶ **LOCATION:** North side of Clinton Hwy, west of W Inskip Dr

▶ **APPX. SIZE OF TRACT:** 0.98 acres

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Clinton Highway, a major arterial street with a pavement width, including a vegetated median, of 100 ft within a 150-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **ZONING:** C-H-1 (Highway Commercial)

▶ **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land

▶ **PROPOSED USE:** Request for removal of SC-2 Shopping Center previously approved planned district

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Commercial - C-H-1 (Highway Commercial)

South: Commercial - C-H-1 (Highway Commercial)

East: Commercial - C-H-1 (Highway Commercial)

West: Commercial - C-H-1 (Highway Commercial)

NEIGHBORHOOD CONTEXT: This area is a commercial corridor west of the intersection of I-640 and I-75.

STAFF RECOMMENDATION:

▶ Approve the removal of the previously approved planned district designation because doing so is consistent with adopted plans and would enable redevelopment in accordance with contemporary zoning standards.

COMMENTS:

This request is to remove a previously approved planned district designation from the subject parcel to enable

redevelopment in accordance with its base zoning district, C-H-1 (Highway Commercial). Although this property is not marked with a (C) on the map, which is how such designations are often identified, its original development was approved in 1996 in accordance with a planned zoning district of that time, SC-2 (Shopping Center), as shown in Exhibit A. Per the Transition Rules in Article 1.4.G of the Zoning Ordinance, previously approved planned districts such as SC-2 are to remain in effect unless a request to remove that designation is accomplished via the Special Use review process.

STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2)

1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.

A. The land use classification for this property in the One Year Plan and the Northwest City Sector Plan is MU-CC (Mixed Use Community Center). This designation is intended for a moderate intensity of mixed commercial, office and residential development. Redevelopment of vacant or largely vacant shopping centers is a focus of this land use type.

The subject property is a vacant portion of a large commercial strip shopping center where nearly half of the property is dedicated to surface parking, approximately 9 acres. This shopping center was approved as a planned development in 1996 under the SC-2 (Shopping Center) zoning district of that time. The building on the subject parcel was demolished three years ago, leaving it primed for redevelopment.

Removing the previously approved planned district designation from this property would allow the lot to be redeveloped in accordance with current standards and regulations, which is the explicit intent of the MU-CC designation.

B. The General Plan's development policy 8.10 encourages redevelopment of obsolete commercial strip space by providing incentives for infill rather than greenfield development. Policy 8.11 describes improving the appearance of existing commercial strips by encouraging better landscaping and fewer signs. These policies are met in this case by allowing the redevelopment of a vacant commercial site in accordance with contemporary regulations.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.

A. The property is zoned C-H-1, which is intended to accommodate higher-intensity commercial uses of a predominantly auto-oriented character, including retail, rental, and service establishments. The C-H District regulations are designed to ensure the mitigation of any potential impacts related to such establishments on neighboring uses. C-H-1 is an appropriate zoning district for this location, considering its close proximity to a major highway interchange to the east and its inclusion in a high-intensity commercial corridor. This application is only for the removal of the planned district designation, and any future use would be required to adhere to the C-H-1 zoning standards.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. Removing the previously approved planned district from this property would enable redevelopment that is consistent with the C-H-1 district, which emphasizes compatibility with neighboring land uses.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.

A. This property is situated along Clinton Highway. However, it is separated from this right-of-way and the sidewalk by a large retaining wall, and the subject property sits approximately 10 feet below the street elevation. The property shares the same zoning district as its neighboring properties, and future development is not anticipated to cause any adverse impacts on this already intensive, auto-oriented environment.

5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

A. The property is only accessed via a major arterial street, and will not bring traffic through residential roads.

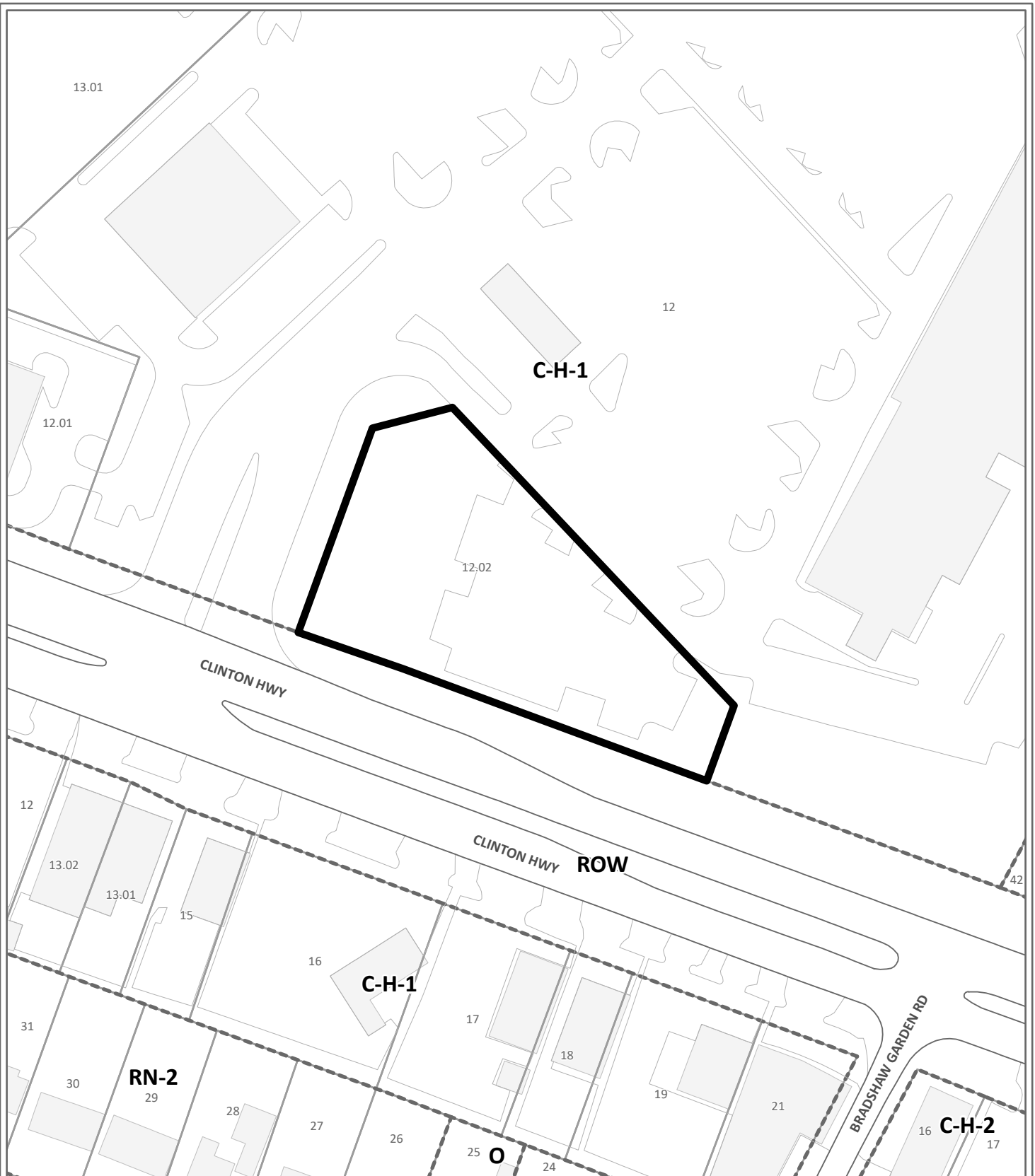
6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. This is a highly developed area, and there are no known environmental factors that should present a risk or threat to future development here.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed.



SPECIAL USE

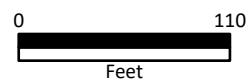
1-E-24-SU

Petitioner: Rado Nedkov



Request for removal of SC-2 Shopping Center previous approved planned district in C-H-1 (Highway Commercial)

Map No: 68
Jurisdiction: City

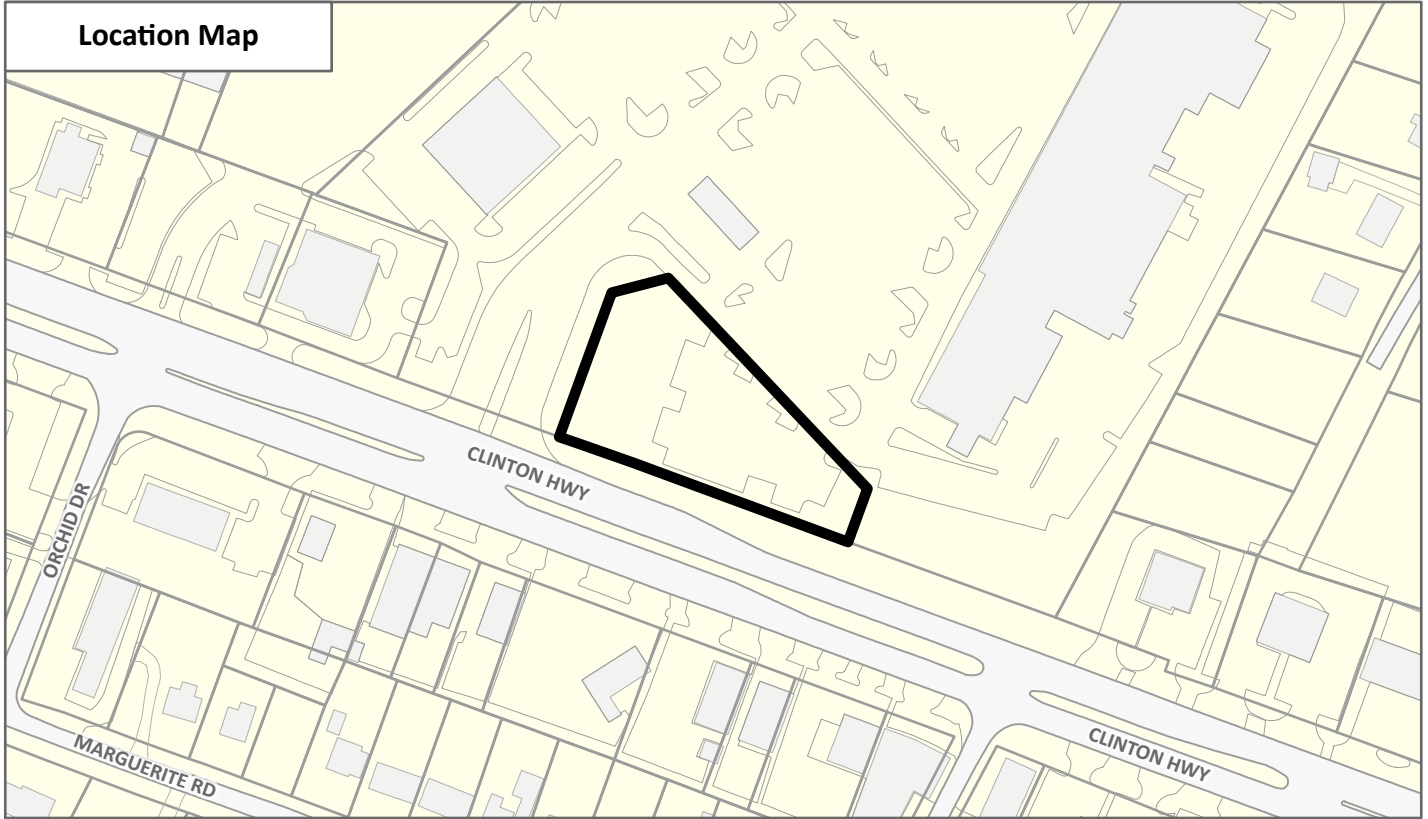


Original Print Date: 12/7/2023

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Exhibit A. Contextual Images

Location Map



Aerial Map

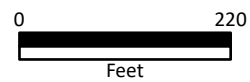


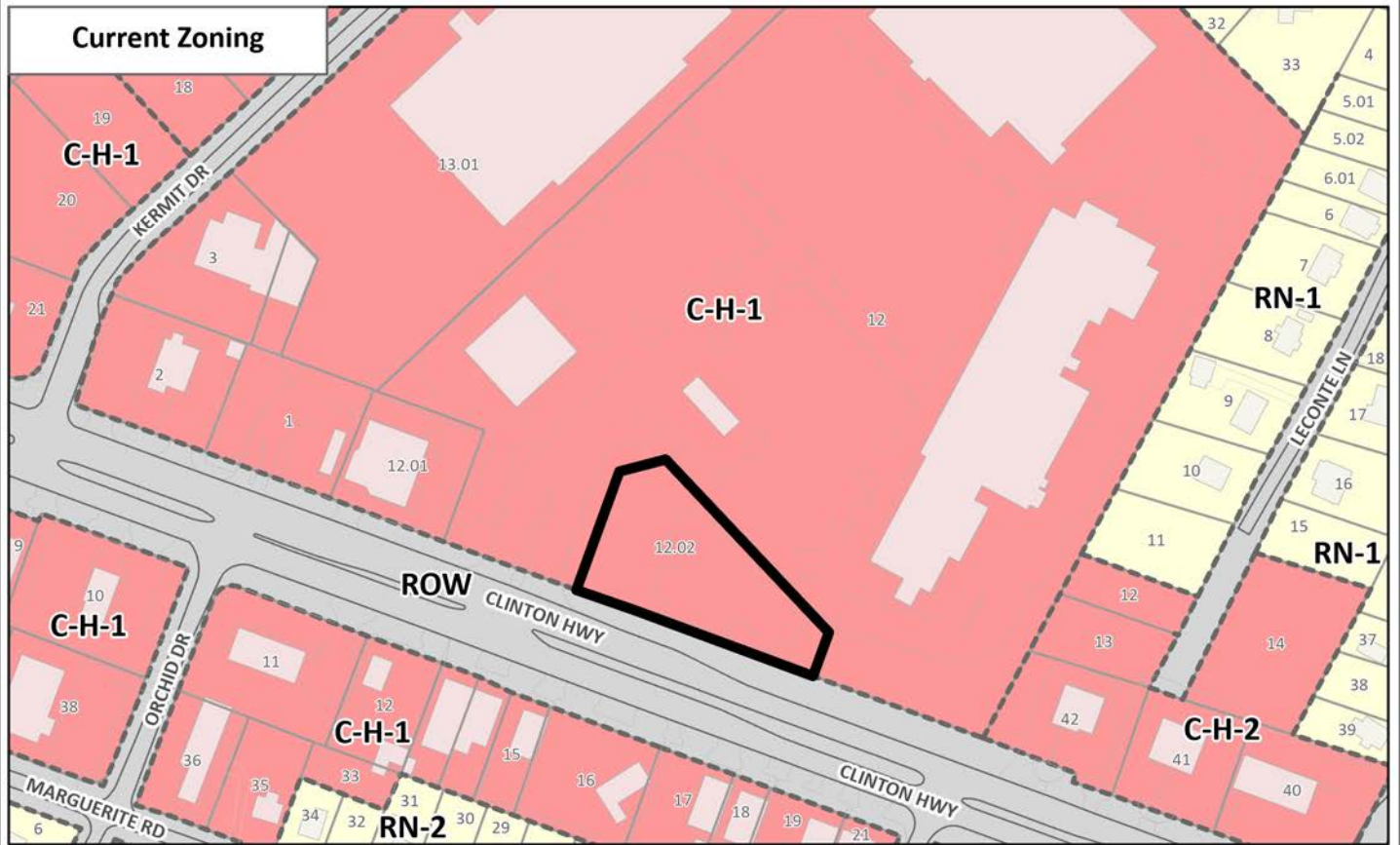
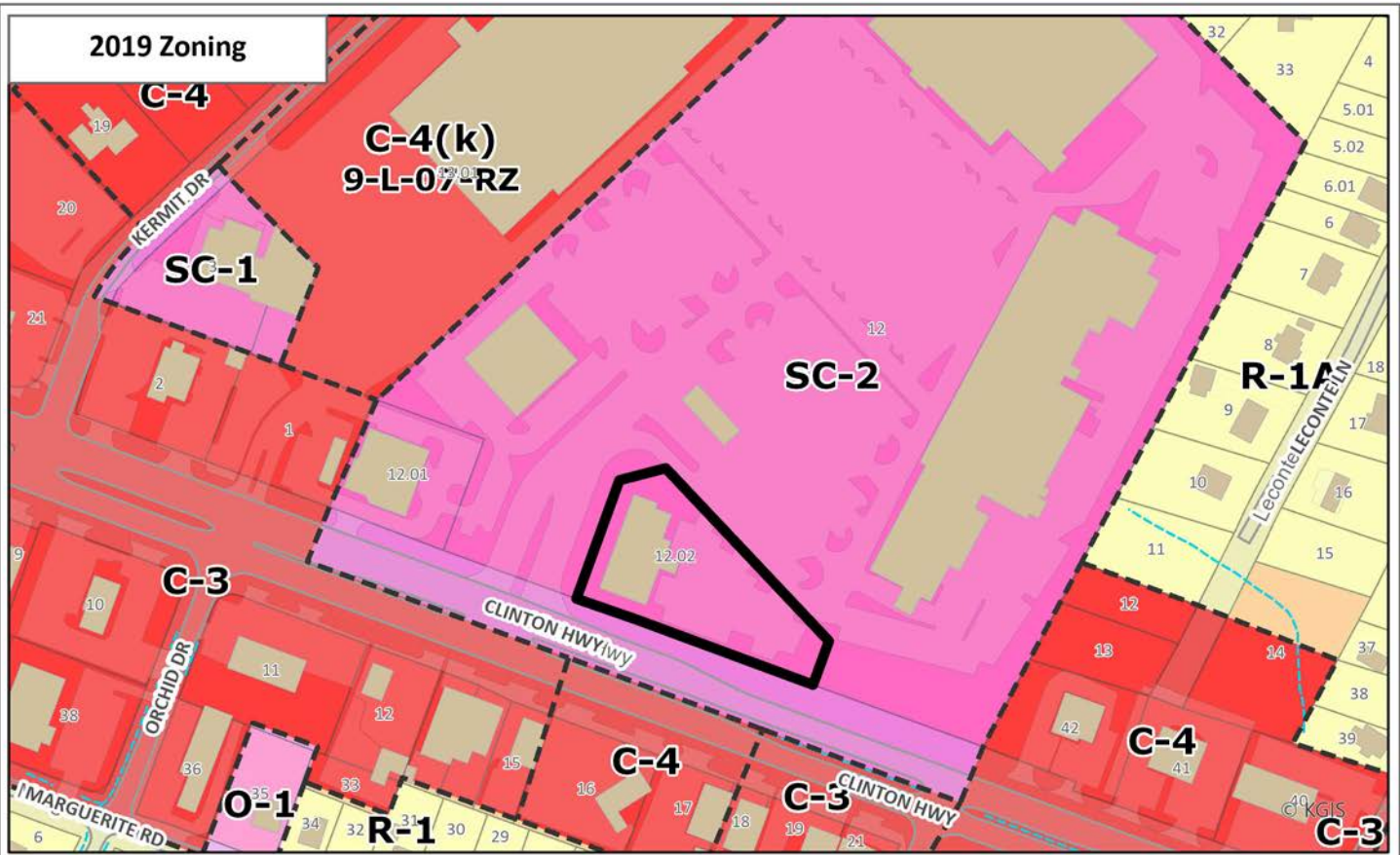
CONTEXTUAL MAPS 1


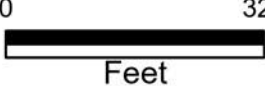
1-E-24-SU



Case boundary





Zoning of Property Prior to Adoption of Current Zoning Ordinance	1-E-23-SU
 Case boundary	 0 320 Feet





Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

Rado Nedkov

Applicant Name

Affiliation

11/27/2023

Date Filed

1/11/2024

Meeting Date (if applicable)

1-E-24-SU

File Number(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

Rado Nedkov CEI Engineering Associates, Inc

Name / Company

3030 Lbj Fwy Ste 920 Dallas TX 75234

Address

610-329-5772 / RNEDKOV@CEIENG.COM

Phone / Email

CURRENT PROPERTY INFO

Clinton TN LLC

Owner Name (if different)

280 Chestnut St Newark NJ 07105

Owner Address

Owner Phone / Email

0 CLINTON HWY

Property Address

68 N E 012.02

Parcel ID

0.98 acres

Tract Size

Part of Parcel (Y/N)?

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

Clinton Hwy and Kermit Dr

General Location

City

Council District 5

C-H-1 (Highway Commercial)

Agriculture/Forestry/Vacant Land

County District

Zoning District

Existing Land Use

Northwest City

Planning Sector

MU-CC (Mixed Use Community Center)

Sector Plan Land Use Classification

N/A (Within City Limits)

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input checked="" type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) Request for removal of SC-2 Shopping Center previously approved planned dis	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Total Number of Lots Created	
Additional Information	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input type="checkbox"/> Zoning Change	Proposed Zoning	Pending Plat File Number
<input type="checkbox"/> Plan Amendment		
Proposed Plan Designation(s)		
Proposed Density (units/acre) Previous Zoning Requests		
Additional Information		

STAFF USE ONLY

PLAT TYPE

Staff Review Planning Commission

ATTACHMENTS

Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- COA Checklist (Hillside Protection)
 Design Plan Certification (Final Plat)
 Site Plan (Development Request)
 Traffic Impact Study
 Use on Review / Special Use (Concept Plan)

Fee 1	Total
\$1,600.00	
Fee 2	
Fee 3	

AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Applicant Signature	Rado Nedkov	11/27/2023
	Please Print	Date

Property Owner Signature	Clinton TN LLC	11/27/2023
	Please Print	Date



Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - SP
 - OYP
- Rezoning

Rado Nedkov

Applicant Name		Affiliation
11/26/2023	January 11, 2024	File Number(s)
Date Filed	Meeting Date (if applicable)	1-E-24-SU

CORRESPONDENCE *All correspondence related to this application should be directed to the approved contact listed below.*

Applicant
 Property Owner
 Option Holder
 Project Surveyor
 Engineer
 Architect/Landscape Architect

Rado Nedkov	CEI Engineering Associates, Inc
Name	Company
3030 LBJ Freeway Suite 920	Dallas TX 75234
Address	City State ZIP
610-329-5772	RNEDKOV@CEIENG.COM
Phone	Email

CURRENT PROPERTY INFO

Clinton TN LLC	280 Chestnut St Newark, NJ 07105	Lydia@brookwoodcap
Property Owner Name (if different)	Property Owner Address	Property Owner Phone
5156 Clinton Hwy	068NE01202	
Property Address	Parcel ID	
KUB	KUB	N
Sewer Provider	Water Provider	Septic (Y/N)

STAFF USE ONLY

General Location	Tract Size
<input type="checkbox"/> City <input type="checkbox"/> County District	Zoning District Existing Land Use
Planning Sector	Sector Plan Land Use Classification
	Growth Policy Plan Designation

DEVELOPMENT REQUEST

- Development Plan Use on Review / Special Use Hillside Protection COA
 Residential Non-Residential

Home Occupation (specify) _____

Removal of SC-2 Shopping Center previous approved planned district

Other (specify) _____

Related City Permit Number(s)

**1979-05-25
Ordinance**

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Unit / Phase Number Combine Parcels Divide Parcel

Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

Zoning Change

Proposed Zoning _____

Plan Amendment Change

Proposed Plan Designation(s) _____

Pending Plat File Number

Proposed Density (units/acre) _____

Previous Rezoning Requests _____

Other (specify) _____

STAFF USE ONLY

PLAT TYPE

- Staff Review Planning Commission

ATTACHMENTS

- Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- Design Plan Certification (*Final Plat*)
 Use on Review / Special Use (*Concept Plan*)
 Traffic Impact Study
 COA Checklist (*Hillside Protection*)

Fee 1		Total
0405	\$1,600.00	
Fee 2		\$1,600.00
Fee 3		

AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct:

1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent


Applicant Signature

Rado Nedkov

Please Print

11/26/2023

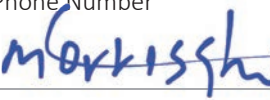
Date

610-329-5772

Phone Number

RNEDKOV@CEIENG.COM

Email


Property Owner Signature

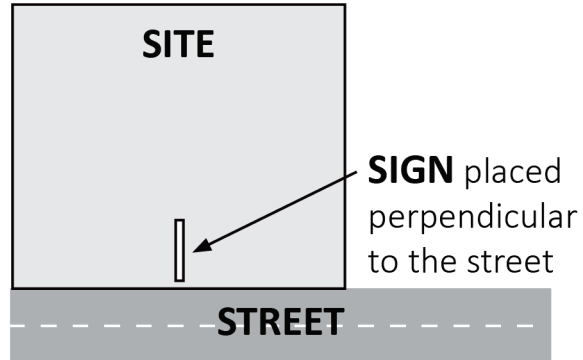
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11/27/2023, SG
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Date Paid

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission public hearing** and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

_____ 12/29/2023 _____ and _____ 01/12/2024 _____
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Rado Nedkov

Date: 11/27/2023

File Number: 1-E-24-SU

- Sign posted by Staff
- Sign posted by Applicant