

▶ **FILE #:** 9-F-12-RZ

AGENDA ITEM #: 36

AGENDA DATE: 9/13/2012

▶ **APPLICANT:** C & T CLINTON EMORY PARTNERSHIP

OWNER(S): Miles E. Cullom, Jr.

TAX ID NUMBER: 67 018

JURISDICTION: County Commission District 7

▶ **LOCATION:** North side Clinton Hwy., west side Powell Dr.

▶ **APPX. SIZE OF TRACT:** 4.63 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Powell Dr., a major arterial street with 58' of pavement width within 80' of right-of-way.

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

WATERSHED: Beaver Creek

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

▶ **ZONING REQUESTED:** CA (General Business) & CA (General Business) / F (Floodway)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Retail

EXTENSION OF ZONE: Not extension of CA, but is an extension of commercial zoning from the south

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Vacant land, floodway / A (Agricultural) & F (Floodway)
 South: Drug store / CB (Business & Manufacturing)
 East: Vacant land / CB (Business & Manufacturing)
 West: Floodway / CA (General Business)/F (Floodway)

NEIGHBORHOOD CONTEXT: This property is located along the new Powell Dr. connector from Clinton Hwy. to Emory Rd. in Powell. There are commercial businesses along Clinton Hwy. to the south, zoned CB.

STAFF RECOMMENDATION:

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RECOMMEND that County Commission APPROVE CA (General Business) and CA (General Business) / F (Floodway) zoning.
 The proposed CA and CA/F zones are consistent with the recently updated North County Sector Plan's proposal for mixed uses and will allow uses compatible with the surrounding land uses and zoning pattern. There is a large CB zoned area adjacent to the site to the south along Clinton Hwy.

COMMENTS:

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. CA zoning is an extension of commercial zoning from the south and is compatible with the scale and intensity of the surrounding development and zoning pattern in the area.
2. The proposed CA zoning is consistent with the recently updated North County Sector Plan proposal for the site.
3. The site is located near the future intersection of two major arterial streets adjacent to commercial development and zoning. Powell Dr. is slated to be extended to connect with Emory Rd. in Powell and serve as the new State Road 131 that will handle the majority of the traffic between downtown Powell and Clinton Hwy. This location is appropriate for commercial development.

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

1. The requested CA zoning district is for general retail business and services, but not for manufacturing or for processing materials.
2. Based on the above description, this site is appropriate for CA 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 develop the site with retail uses. CA zoning allows retail development as a permitted use. This site is appropriately located for commercial development, as it is not in close proximity to any residential uses and is located at a future major intersection of two arterial streets.
2. The impact on the street system will depend on the type of commercial use that is established. There will be no impact on the school system.
3. 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.
4. 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 recently updated North County Sector Plan designates the area containing the subject property within a mixed use special district (MU-NC01), which proposes this area for new development and allows consideration of CA 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 CA or other non-residential zoning on surrounding properties that are located within the mixed use special district.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 10/22/2012. 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.