

CASE SUMMARY

APPLICATION TYPE: REZONING

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

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www.knoxmpc.org

File Number: 1-J-03-RZ **Related File Number:** 1-D-03-PA
Application Filed: 12/10/2002 **Date of Revision:**
Applicant: JESS PROPERTIES
Owner:

PROPERTY INFORMATION

General Location: West side N Broadway, south of Curtis Ln.
Other Parcel Info.:
Tax ID Number: 48 N B 5, 11 OTHER: 12 FOR ZONING ONLY **Jurisdiction:** City
Size of Tract: 4 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Residence and vacant land
Surrounding Land Use:
Proposed Use: Retail **Density:**
Sector Plan: North City **Sector Plan Designation:**
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context:

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 5901 N Broadway
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1 (Single Family Residential)
Former Zoning:
Requested Zoning: C-3 (General Commercial)
Previous Requests: Property was denied Office and O-1 zoning n 1990's
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category:
Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

Surveyor:

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

MPC ACTION AND DISPOSITION

Planner In Charge: Ken Pruitt

Staff Recomm. (Abbr.): APPROVE C-6 (General Commercial Park) zoning (applicant has requested C-3 zoning), consistent with the recommendation to approve the plan amendment and subject to the following conditions:

Staff Recomm. (Full):

1. Uses for the property shall be limited to those permitted under C-3 zoning.
2. Access to the site from N. Broadway shall be limited to the intersection of N. Broadway and Jacksboro Pike, the location of a proposed traffic signal.
3. An occupancy permit for the first completed building on the property shall not be issued until a proposed traffic signal for the N. Broadway/Jacksboro Pike intersection has been installed and has been made operational.
4. Regarding free-standing signs, the property shall be limited to one monument sign for the N. Broadway frontage, subject to the requirements of the Knoxville Zoning Ordinance.

With the above conditions, the subject property can be developed commercially, with minimal impact on nearby properties and the area road network. The C-6 zone requires site plan review by the MPC staff, which provides the opportunity to develop a plan that addresses building placement, property access and circulation, and buffer treatments for neighboring properties.

Comments: NEED AND JUSTIFICATION FOR THE PROPOSAL

1. This predominantly vacant site is at the north end of a commercial strip along N. Broadway that terminates at Jacksboro Pike. Commercial properties to the south and east have been developed under C-3 and C-4 zoning.
2. The property abuts a stable, low density residential area to the west, which is accessed by Curtis Lane, Ridgewood Road, and Eldridge Road.
3. Previous requests for General Commercial and C-4 zoning were denied for this location in 1995. At that time, the property involved was larger and extended further into the stable residential area to the west than what is now proposed. The C-3 zone is also less intense than C-4, which allows automobile sales and other uses that require outdoor display of merchandise. The C-6 zone, as recommended, requires staff review and approval of a site plan that can address how the property is to be developed.

EFFECT OF THE PROPOSAL

1. Additional demands on sewer and water services should be minimal, and there should be no demands on area school capacity. The city has proposed to signalize the N. Broadway/Jacksboro Pike intersection during the 2004-2005 fiscal year, and the applicant has expressed the willingness to participate in the cost of this improvement. (See attached memos from the applicant and City Engineering regarding the traffic signal.)
2. This request for commercial zoning fronts on N. Broadway. A buffer of residentially zoned property will remain between this site and other residential properties to the west and north. A site plan can be developed under C-6 zoning that can minimize the impacts of commercial development on adjacent and nearby properties.
3. The C-6 zone will help to stabilize the north end of this commercial strip that extends from the south. Vacant property to the north of this site is limited, so commercial development beyond this point is not anticipated and should not be encouraged.

CONFORMITY OF THE PROPOSAL WITH ADOPTED PLANS

1. The North City Sector Plan designates this property primarily for low density residential development. Slope protection is shown along the property's western edge. Rezoning this site to commercial would be a logical extension of commercial zoning from the south and east.

2. This proposal is consistent with the current level of sewer and water services, and no additional demands will be placed on area schools. The city has proposed a traffic signal at the N. Broadway/Jacksboro Pike intersection, and the applicant is willing to participate in the installation.
3. Commercial development beyond this point should not be encouraged. Development under C-6 should result in this site becoming the new terminus for commercial development extending from the south.

MPC Action: Approved as Modified

MPC Meeting Date: 6/12/2003

Details of MPC action: Revised by applicant adding the following two conditions:1) That the front part of the property be rezoned C-6 with access only to Broadway and no access to Madonna Circle or Curtis Lane. And 2) That the back portion of the property be rezoned Open Space (the applicant will record a conservation easement on this property after closing on the property).

Summary of MPC action: APPROVE C-6 (General Commercial Park) and OS-1 (Open Space Preservation) subject to 6 conditions (as revised by the applicant)*

Date of MPC Approval: 6/12/2003

Date of Denial:

Postponements: 1/9/2003-2/13/2003

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: City Council

Date of Legislative Action: 7/8/2003

Date of Legislative Action, Second Reading: 7/22/2003

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: