

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 12-B-20-RZ **Related File Number:**
Application Filed: 10/26/2020 **Date of Revision:**
Applicant: TAYLOR FORRESTER OBO NORTHSORE MARKET INVESTOR, LLC

PROPERTY INFORMATION

General Location: East side of Thunderhead Rd., West side of Town Center Blvd., South side of Boardwalk Blvd.
Other Parcel Info.:
Tax ID Number: 154 09813 **Jurisdiction:** City
Size of Tract: 9.53 acres
Accessibility: Access would be off of Town Center Boulevard or Broadway Boulevard. Town Center Boulevard is a local road with a pavement width of approximately 22 feet in each direction of travel inside a 105-foot right-of-way. Broadway Boulevard is a local road and has a pavement width of 11 feet in each direction of travel inside an 80-foot right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: **Density:** N/A
Sector Plan: Southwest County **Sector Plan Designation:** MU-CC
Growth Policy Plan: Within City limits
Neighborhood Context: This was formerly the TC-1 (Town Center) zone prior to the adoption of the new zoning ordinance. It is a mixed use node near the intersection of S. Northshore and Pellissippi Parkway containing single family residential, multifamily residential, big box and small scale retail, and commercial uses.

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

Street: 2002 Thunderhead Rd.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-R-2 (Regional Commercial) / C (Previously approved planned district designation)
Former Zoning:
Requested Zoning: C-G-3 (General Commercial)
Previous Requests: 2-I-89-RZ, 6-AA-00-RZ, 4-Q-01-RZ
Extension of Zone: No
History of Zoning: A rezoning request from RA (Low Density Residential) and A (Agricultural) to CA (General Business) was denied in 1989 (2-I-89-RZ); the property was zoned R-1 upon its annexation in 2000 (6-AA-00-RZ), and rezoned from R-1 to TC-1 in 2001 (4-Q-01-RZ).

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Michelle Portier

Staff Recomm. (Abbr.):

Approve C-G-3 (General Commercial) zoning because it would allow development more consistent with the surrounding area.

Staff Recomm. (Full):

*This property includes a previously approved planned district designation (C) that was requested to be removed earlier in the meeting.

Comments:

This area was zoned TC-1 (Town Center District 1) prior to adoption of the new zoning ordinance on January 1, 2020. There is no zoning equivalent to TC-1 in the new zoning ordinance, and the properties in this area were rezoned to C-R-2, likely because the zone’s intent was the closest to the site design and land uses of the approved master plan. However, the master plan for this site has remained in effect.

The new zoning map now identifies parcels with an approved plan in any of the former planned districts and they are treated like a parcel in an overlay district. The applicant has requested to remove the overlay designation from this property in a separate request. If that request is denied and the previously approved plan remains in effect on the property, the former TC-1 zoning and Northshore Town Center master plan would still be effective.

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 GENERALLY:

1. Due to the differences between the dimensional requirements of the previous TC-1 and newly adopted C-R-2 zone (see Exhibit B), sites constructed under C-R-2 zoning would not be consistent with the surrounding development with regard to setbacks. The C-G-3 dimensional requirements are closer to the master plan’s setbacks for medium density residential development and would promote development more consistent with the surrounding area on this parcel.
2. Approved changes to the Northshore Town Center road network resulted in inconsistencies between the road configuration and parcel boundaries of the master plan and the actual build-out since the master plan was not updated with that approval.

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

1. The proposed amendment to C-G (General Commercial) zoning is intended to provide for a heterogeneous mix of retail, personal service, office, and residential uses within and along Knoxville’s commercial nodes and corridors. The C-G District is intended to promote mixed-use development in a pedestrian-oriented environment that recalls the City’s traditional business districts, and offers flexibility in the creation of integrated commercial, office and residential spaces. The C-G District is divided into three levels of intensity related to the overall form and design of the development; however, uses are the same across all levels. This zone is intended primarily for indoor commercial uses with limited exceptions per special use approval.
2. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.
 - a. However, for clarification purposes, staff notes that multifamily developments are allowed by right in the existing C-R-2 zone and the requested C-G-3 zone.
 - b. Other uses allowed in the C-G zones are very similar to, though slightly less intense than, those

allowed in the C-R zones.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. Since the allowed uses in the C-G and C-R zones are very similar (with C-G being slightly less intense), no adverse impacts are expected from rezoning this property to C-G-3.
2. The C-G-3 zone has site design and building design standards (Section 5.4) similar to those of C-R-2, so no adverse impacts stemming from the difference in zones are expected from the design of the site or buildings.
3. Dimensional standards for development in the C-G-3 and C-R-2 zones are similar, but slightly different (see Exhibit B).
4. The requested C-G-3 zone is more compatible with the residential development to the west than the existing C-R-2 zone in terms of the built-out pattern of development. The buildings are closer to the street like the build-to zone required in the C-G-3 zone.

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 C-G-3 zone is consistent with the Southwest County Sector Plan's MU-CC (Mixed Use-Community Center) land use designation, which allows C-G zoning.
2. The MU-CC designation does not allow C-R zoning, so rezoning this property would bring these properties into compliance with the sector plan.

Action: Approved **Meeting Date:** 3/11/2021

Details of Action:

Summary of Action: Approve C-G-3 (General Commercial) zoning because it would allow development more consistent with the surrounding area.

Date of Approval: 3/11/2021 **Date of Denial:** **Postponements:** 12/10/2020,
1/14/2021,
2/11/2021

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 10/19/2021

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Withdrawn

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: