

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 2-D-18-RZ                      **Related File Number:**  
**Application Filed:** 12/27/2017                      **Date of Revision:**  
**Applicant:** FORT SANDERS PARTNERS

## PROPERTY INFORMATION

**General Location:** Northwest side N. Broadway, south of Curtis Ln.  
**Other Parcel Info.:**  
**Tax ID Number:** 48 N B PART OF 01201    **OTHER:** PORTION ZONED C-6 (    **Jurisdiction:** City  
**Size of Tract:** 4.3 acres  
**Accessibility:** Access is via N. Broadway, a major arterial street with 4 lanes and a center median within 120' of right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Any use permitted in the C-6 zoning district                      **Density:**  
**Sector Plan:** North City                      **Sector Plan Designation:**  
**Growth Policy Plan:**  
**Neighborhood Context:** This site is located along N. Broadway, which is generally developed with commercial uses under C-3 zoning. Residential uses are generally located behind the commercial businesses, but there are a few that have direct frontage on N. Broadway, The residential uses in the area are zoned EN-1, R-1 and R-2.

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

**Street:**  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** C-6 (General Commercial Park) with conditions  
**Former Zoning:**  
**Requested Zoning:** C-6 (General Commercial Park) with no or revised conditions  
**Previous Requests:** Rezoned C-6 with conditions in 2003 (1-J-03-RZ)  
**Extension of Zone:** Yes, the site is already zoned C-6 with conditions  
**History of Zoning:** Property was rezoned from C-3 to C-6 with conditions in 2003 (1-J-03-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:** Michael Brusseau

**Staff Recomm. (Abbr.):** RECOMMEND that City Council APPROVE the removal of the zoning conditions on the C-6 (General Commercial Park) zoned portion of the subject property.

**Staff Recomm. (Full):** Two of the four previous rezoning conditions approved in 2003 were related to the required installation of a traffic signal at the intersection of Jacksboro Pike and N. Broadway. The applicant has submitted a traffic impact study that analyzed the intersection and concluded that the traffic signal is not warranted at this time. MPC and City Engineering staffs concur with the findings of the study, so staff is recommending that the condition be removed.

**Comments:** Another condition from 2003 was to limit the uses to uses permitted in the C-3 zone. The City of Knoxville Law Department has opined that conditions that limit uses are not appropriate, so that condition is recommended to be removed as well. The final condition was related to signage. This condition was included prior to the update of the City's sign ordinance. Staff is of the opinion that the permissible signage under the new sign code would be appropriate at this location, eliminating the need for that condition as well.

The applicant has postponed this request since February, 2018, in order to work with the City of Knoxville and TDOT to determine whether the installation of a new traffic signal at the intersection of Jacksboro Pike and N. Broadway is still warranted, as referenced in existing zoning conditions 2 and 3. (See attached case summary from 2003 rezoning.) A traffic impact study by Cannon & Cannon, dated August 24, 2018, analyzing the need for a traffic signal at the intersection, was submitted and reviewed by MPC and City staff to reassess whether or not the signal is needed. Staff agrees with the conclusion of the study that the traffic signal is not warranted at this time. The section of the traffic impact study that includes the traffic signal warrant analysis and staff comments/responses is attached.

The City of Knoxville One Year Plan was amended in 2003 to allow GC (General Commercial) uses on the site, consistent with the existing C-6 zoning. C-6 zoning requires administrative plan review and approval by MPC staff prior to issuance of building permits for new construction, building expansion or major site improvements. As part of this review, the developer will be expected to meet requirements of TDOT, MPC and City Engineering staffs in regards to access to the site and other necessary improvements.

**Action:** Approved **Meeting Date:** 9/13/2018

**Details of Action:**

**Summary of Action:** RECOMMEND that City Council APPROVE the removal of the zoning conditions on the C-6 (General Commercial Park) zoned portion of the subject property.

**Date of Approval:** 9/13/2018 **Date of Denial:** **Postponements:** 2/8/18-8/9/2018

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

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 10/9/2018 **Date of Legislative Action, Second Reading:** 10/23/2018

**Ordinance Number:** 0-153-2018 **Other Ordinance Number References:** 0-153-2018

**Disposition of Case:**       Approved

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Disposition of Case, Second Reading:**       Approved

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**