

CASE SUMMARY

APPLICATION TYPE: REZONING

ONE YEAR PLAN AMENDMENT



File Number: 4-C-20-RZ **Related File Number:** 4-D-20-PA
Application Filed: 2/18/2020 **Date of Revision:**
Applicant: TAYLOR D. FORRESTER

PROPERTY INFORMATION

General Location: East side of N. Broadway Avenue, north of Gibbs Drive
Other Parcel Info.:
Tax ID Number: 58 E J 01202 **Jurisdiction:** City
Size of Tract: 0.79 acres
Accessibility: Access would be from the adjacent property at the corner of N. Broadway Avenue and Gibbs Drive. An access easement is shown on the plat approximately 75 ft from the intersection of Broadway and Gibbs and provides access off of N. Broadway Avenue. Broadway Avenue is a major collector with a pavement width of 53 feet and a right-of-way width of approximately 93 feet.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant parcel
Surrounding Land Use:
Proposed Use: **Density:** N/A
Sector Plan: North City **Sector Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan: Within City Limits
Neighborhood Context: N. Broadway Avenue consists mostly of office and commercial uses along its length. In the immediate vicinity is a big box grocery store, a bank, and several strip malls. Fountain City Park is on the west side of Broadway to the north. Gibbs Historic neighborhood is adjacent to these properties to the east.

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

Street: 0 N. Broadway Ave.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-1 (Single-Family Residential Neighborhood)
Former Zoning:
Requested Zoning: O (Office)
Previous Requests: 11-M-83-RZ, 6-J-94-RZ, 7-K-99-RZ (7-G-99-PA)
Extension of Zone: No
History of Zoning: General rezoning: from R-2 (General Residential) to R-1A (Low Density Residential) in December, 1983 and from R-1A to R-1 (Low Density Residential) in July, 1994. Rezoning request of this and the adjacent parcel to C-1 was denied in November, 1999.

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)

Requested Plan Category: O (Office)

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.): Deny O (Office) zoning because it is not consistent with the North City Sector Plan designation and could cause adverse impacts for neighboring residential properties.

Staff Recomm. (Full):

Comments: 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/COUNTY GENERALLY:

1. This parcel and the adjacent parcel, 2805 Gibbs Drive, were recently subdivided. However, this subdivision would not qualify as a substantial change warranting a rezone.
2. Amending this parcel would likely apply pressure to the area for the neighboring residential parcel to flip to Office zoning as well.

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

1. The proposed amendment to O zoning is intended to provide for an environment of low intensity office and service uses, mixed with residential uses. The O District may additionally serve as a transition between single-family residential areas and more intensely developed commercial or industrial areas within the City of Knoxville.
2. Rezonings 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.

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. Almost half of the property is in a 100-year floodplain.
2. There is no direct access to this parcel from Broadway Avenue; an access easement allows access off the adjoining property, which is not ideal for commercial properties.
3. Due to the stream that runs along the northwest property line, this property is separated from the adjacent commercial uses. It sits higher than the commercial properties, and the floodplain is on the part of the parcel closer to the stream. This increases the likelihood that a new structure would be situated closer to the residential properties than the commercial ones.
4. N. Broadway Avenue is a major arterial and has developed as a commercial corridor. Typically, office use on an arterial would be appropriate and would provide a transitional buffer between the commercial uses along the arterial and the residential uses behind that frontage parcel. However, in this case, that frontage parcel is in a residential zone and contains a single family home that forms the entry to the subdivision. That fact, plus the separation from other commercial uses by the stream, make the office use inappropriate at this location.

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. Office zoning is not consistent with the existing LDR (Low Density Residential) designation for this corner of the intersection.
2. The adjacent residential properties may be adversely impacted by the proposed O (Office) District

zoning and an additional building at this location.

Action: Denied

Meeting Date: 6/11/2020

Details of Action:

Summary of Action: Denied O (Office) zoning because it is not consistent with the North City Sector Plan designation and could cause adverse impacts for neighboring residential properties.

Date of Approval:

Date of Denial: 6/11/2020

Postponements: 4/9/2020

Date of Withdrawal:

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Date of Legislative Action:

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: