

# CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

NORTH CITY SECTOR PLAN AMENDMENT



File Number: 4-E-24-SP                      Related File Number:  
Application Filed: 2/12/2024              Date of Revision:  
Applicant: GARY KOONTZ

## PROPERTY INFORMATION

General Location: West side of N Broadway, north of Ridgewood Road  
Other Parcel Info.:  
Tax ID Number: 48 N C 020 01                      Jurisdiction: City  
Size of Tract: 20452 square feet  
Accessibility: Access is via N Broadway Avenue, a major arterial with a 63-ft pavement width within a 94-ft right-of-way.

## GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land  
Surrounding Land Use:  
Proposed Use:    Density:  
Sector Plan: North City                      Sector Plan Designation: LDR (Low Density Residential), HP (Hillside Protec  
Growth Policy Plan: N/A (Within City Limits)  
Neighborhood Context: This stretch of N Broadway Avenue is in the Fountain City area and contains a mix of uses including commercial businesses, offices, and single and multifamily residential. To the south, N Broadway Avenue becomes a major commercial corridor.

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

Street: 5531 N BROADWAY  
Location:  
Proposed Street Name:  
Department-Utility Report:  
Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)  
Former Zoning:  
Requested Zoning: C-H-2 (Highway Commercial)  
Previous Requests:  
Extension of Zone: Yes, this is an extension from the north side.  
History of Zoning: 9-E-81-RZ: Rezone request from R-1 (Low Density Residential) to C-1 ((Neighborhood Commercial) was denied in 1981; 10-E-95-RZ: Rezone request from R-1 to C-1 was denied in 1995; 2-F-98-RZ: R-1 to C-4 (Highway and Arterial Commercial) was denied in 1998; 7-B-99-RZ: R-1 to C-4 was tabled in 1999.

**PLAN INFORMATION (where applicable)**

**Current Plan Category:** LDR (Low Density Residential), HP (Hillside Protection)

**Requested Plan Category:** GC (General Commercial), HP (Hillside Protection)

**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:** Samiul Haque

**Staff Recomm. (Abbr.):** Approve the sector plan amendment to the GC (General Commercial) land use classification because this is an extension of this classification and compatible with the surrounding development conditions. The HP (Hillside Protection) designation would be retained.

**Staff Recomm. (Full):** The HP (Hillside Protection) designation would be retained.

**Comments:** PURSUANT TO THE GENERAL PLAN, PLANNING FRAMEWORK CHAPTER, THE PLANNING COMMISSION RESERVES THE AUTHORITY TO RECOMMEND LAND USE PLAN CHANGES BASED ON SUBSTANTIALLY CHANGED CONDITIONS. SUBSTANTIALLY CHANGED CONDITIONS INCLUDE (may meet any of these):

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. No known new roads or utilities have been introduced to this area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There are no apparent errors or omissions in the North City Sector Plan with regard to the subject property. However, the GC classification can be considered here since this will be an extension of this classification from the north side.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS.

1. There are no known changes in government policy pertaining to this area. However, approval of the GC district for this area served by KUB and KAT would be consistent with the General Plan's development policy 5.2 that encourages development to be concentrated in areas with adequate utilities and infrastructure.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

1. This section of N Broadway Avenue has a mix of commercial, office, public-quasi public uses with a few residential uses mixed in. Further south, N Broadway Avenue becomes a major commercial corridor. The annual average daily traffic count (AADT) for this corridor was between 29,000 to 35,000 during 2020-22, and the traffic-carrying capacity of this 4-lane arterial street is adequate for the requested commercial land use.

State law regarding amendments of the general plan (which includes Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

- The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
- The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

**Action:** Approved

**Meeting Date:** 4/11/2024

**Details of Action:**

**Summary of Action:** Approve the sector plan amendment to the GC (General Commercial) land use classification because this is an extension of this classification and compatible with the surrounding development conditions. The HP (Hillside Protection) designation would be retained.

**Date of Approval:** 4/11/2024

**Date of Denial:**

**Postponements:**

**Date of Withdrawal:**

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

***LEGISLATIVE ACTION AND DISPOSITION***

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 5/14/2024

**Date of Legislative Action, Second Reading:** 5/28/2024

**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:**