CASE SUMMARY

APPLICATION TYPE: REZONING

File Number: 8-N-08-RZ Related File Number:

Application Filed: 7/17/2008 **Date of Revision:**

Applicant: METROPOLITAN PLANNING COMMISSION



Suite 403 \bullet City County Building 4 0 0 M a i n S t r e e t Knoxville, Tennessee 37902 8 6 5 \bullet 2 1 5 \bullet 2 5 0 0 F A X \bullet 2 1 5 \bullet 2 0 6 8 w w w \bullet k n o x m p c \bullet o r g

PROPERTY INFORMATION

General Location: Southeast side Cedar Ln., northeast side Knox Rd., southwest side N. Broadway

Other Parcel Info.:

Tax ID Number: 58 K C 007.01 & 007.02 Jurisdiction: City

Size of Tract: 1.85 acres

Accessibility: Access is via N. Broadway, a major arterial street with five lanes within 95' of right of way, Knox Rd., a

minor collector street with 33' of pavement width within 50' of right of way, or Cedar Ln., a minor arterial

street with 22' of pavement width within 40' of right of way.

GENERAL LAND USE INFORMATION

Existing Land Use: Parking lot and drive-in restaurant

Surrounding Land Use:

Proposed Use: Parking lot and drive-in restaurant Density:

Sector Plan: North City Sector Plan Designation: MU-NC6

Growth Policy Plan: Urban Growth Area (Inside City Limits)

Neighborhood Context: This site is located on N. Broadway within the Fountain City business area, developed under various

commercial and office zones.

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

Street:

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: SC-1 (Neighborhood Shopping Center)

Former Zoning:

Requested Zoning: PC-1 (Retail and Office Park)

Previous Requests: MPC approved PC-1 on adjacent parcel on July 10, 2008 (7-M-08-RZ).

Extension of Zone: Yes, extension of PC-1 zone from parcel 7 between the two subject parcels.

History of Zoning: Parcel 7 was approved by MPC for PC-1 zoning on 7/10/08 (7-M-08-RZ). Final approval by City

Council is still pending, due to be heard on 8/12/08 and 8/26/08.

PLAN INFORMATION (where applicable)

Current Plan Category:

10/2/2008 05:17 PM Page 1 of 3

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.:

MPC ACTION AND DISPOSITION

Planner In Charge: Michael Brusseau

Staff Recomm. (Abbr.): APPROVE PC-1 (Retail & Office Park) zoning.

Staff Recomm. (Full): Approval of PC-1 zoning brings these sites under one zone with the adjacent proposed Kroger site,

consistent with the One Year Plan and sector plan proposals for the site. The property owners were

notified and agree with the rezoning.

Comments: NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The proposal is compatible with the scale and intensity of the surrounding land uses and zoning patterns.

2. PC-1 zoning is compatible with other properties in the immediate area that are zoned C-3 and O-1.

- 3. The previous application by The Kroger Co. on parcel 7 (7-M-08-RZ) did not include these parcels and staff indicated that it may initiate a general rezoning application for these remnant parcels. This proposal eliminates the remnant SC-1 zoning, which is inappropriate for these sites, considering the uses and size of these parcels. This will also bring the entire NC-6 designated area into consistency with the One Year Plan and sector plan.
- 4. The PC-1 zone requires use on review approval of the development plan prior to construction. This will give MPC staff the opportunity to review plans and address issues such as access, setbacks, landscaping, lighting layout, and traffic circulation, as well as other development concerns. More importantly, PC-1 zoning would allow staff to adequately address the impact on surrounding residential properties, and provide the opportunity for review by the general public. The applicant will also be expected to meet the general guidelines for development from the recently adopted North City Sector Plan. The site is designated as a mixed use special district (NC-6) on the sector plan as well as the One Year Plan.

THE EFFECTS OF THE PROPOSAL

- 1. Public water and sewer utilities are available to serve the site.
- 2. The proposal will have no impact on schools.
- 3. The recommended PC-1 zoning is compatible with surrounding development and will have minimal impact on adjacent properties. Potential impacts to adjacent residences can be addressed through the required use on review process.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1. PC-1 zoning is compatible with the City of Knoxville One Year Plan and the recently updated North City Sector Plan, which both designate this site as a mixed use special district (NC-6). The NC-6 designation lists PC-1 as the recommended zoning for this site.
- 2. This request may lead to future rezoning requests in the immediate area, as this property and others are located within the Fountain City commercial area along N. Broadway.
- 3. This proposal eliminates the remnant SC-1 zoning, which is inappropriate for these sites, considering the uses and size of these parcels. This will also bring the entire NC-6 designated area into consistency with the One Year Plan and sector plan.

MPC Action: Approved MPC Meeting Date: 8/14/2008

Details of MPC action:

Summary of MPC action: PC-1 (Retail and Office Park)

Date of MPC Approval: 8/14/2008 Date of Denial: Postponements:

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

10/2/2008 05:17 PM Page 2 of 3

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 10/7/2008 Date of Legislative Action, Second Reading: 10/21/2008

Ordinance Number: Other Ordinance Number References:

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

If "Other":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

10/2/2008 05:17 PM Page 3 of 3