

CASE SUMMARY

APPLICATION TYPE: REZONING

KNOXVILLE-KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N

T E N N E S S E E

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File Number: 9-N-06-RZ **Related File Number:**
Application Filed: 8/11/2006 **Date of Revision:**
Applicant: BROADWAY LEVCAL, LLC
Owner:

PROPERTY INFORMATION

General Location: Southwest side N. Broadway, northeast side Knox Rd., southwest of Cedar Ln.
Other Parcel Info.:
Tax ID Number: 58 K C 007 **Jurisdiction:** City
Size of Tract: 7.95 acres
Accessibility: Access is via Broadway, a 5-lane major arterial street, and Knox Rd., a minor collector street with 22' of pavement within a 50' right of way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant retail store (former Target)
Surrounding Land Use:
Proposed Use: Retail business **Density:**
Sector Plan: North City **Sector Plan Designation:** Commercial and STPA
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This developed site is located on a major arterial street within the center of the Fountain City commercial area.

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

Street: 5225 N Broadway
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: SC-1 (Neighborhood Shopping Center)
Former Zoning:
Requested Zoning: C-3 (General Commercial)
Previous Requests: None noted
Extension of Zone: Yes, properties to the north and south are zoned C-3.
History of Zoning: None noted.

PLAN INFORMATION (where applicable)

Current Plan Category:
Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

Surveyor:

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:

Kelley Schlitz

Staff Recomm. (Abbr.):

APPROVE PC-1 (Retail & Office Park) (Applicant requested C-3).

Staff Recomm. (Full):

Retail and office uses are appropriate along this section of Broadway near the center of the Fountain City commercial area. The proposal is an extension of commercial designation from the north and south.

The applicant is requesting to rezone the subject property from SC-1 to C-3. The existing SC-1 (Neighborhood Shopping Center District) zoning designation requires a shopping center with not less than 5 or more than 20 shops and stores. The former occupant of this property was the Target retail store. Given that Target was the only tenant located on the property, it did not conform to the SC-1 zoning regulations. Since the applicant is not yet aware of how many potential users will locate to this property, a less restrictive commercial zoning designation is being requested.

The request for C-3 (General Commercial) zoning would allow the applicant to develop the property with commercial uses without requiring 5 or more users on that property. However, since the PC-1 (Retail & Office Park) zoning district would also not restrict the number of users and allow most uses permitted under the C-3 zoning designation, staff is recommending PC-1 instead of the C-3 rezoning requested. The PC-1 zone would also require site plan review and therefore allow MPC staff an opportunity to review development plans and address issues related to the development's design and access to N. Broadway and Knox Rd. This will help to reduce the potential negative impact on nearby residential properties from this visible property in Fountain City.

Comments:

NEED AND JUSTIFICATION

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 SC-1, C-3 & O-1.
3. PC-1 zoning is a logical extension of commercial zoning from the north and south. 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 an opportunity for review by the general public.

EFFECT OF THE PROPOSAL

1. Public water and sewer utilities are available in the area to serve the site.
2. The proposal will have no impact on schools.
3. Regarding access to the subject property, since the previous tenant was a big box retailer, this property is able to accommodate more intensive traffic circulation patterns.
4. 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 and C-3 zoning are compatible with the North City One Year Plan which proposes general commercial for this site.
2. This site is located within the Planned Growth Area Growth Policy Plan map.
3. This request may lead to future rezoning requests in the immediate area, as this property and others are located near the center of the Fountain City commercial area.

MPC Action: Approved

MPC Meeting Date: 9/14/2006

Details of MPC action:

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

Date of MPC Approval: 9/14/2006

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: 12/19/2006

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Denied (Withdrawn)

Disposition of Case, Second Reading:

If "Other": Postponed

If "Other":

Amendments:

Amendments:

Withdrawn

Date of Legislative Appeal:

Effective Date of Ordinance: