

▶ **FILE #:** 9-N-06-RZ

**AGENDA ITEM #:** 88

**AGENDA DATE:** 9/14/2006

▶ **APPLICANT:** **BROADWAY LEVCAL, LLC**  
 OWNER(S): DAYTON HUDSON CORPORATION

TAX ID NUMBER: 58 K C 007

JURISDICTION: City Council District 5

▶ **LOCATION:** **Southwest side N. Broadway, northeast side Knox Rd., southwest of Cedar Ln.**

▶ **APPX. SIZE OF TRACT:** **7.95 acres**

SECTOR PLAN: North City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

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.

UTILITIES: Water Source: Knoxville Utilities Board  
 Sewer Source: Knoxville Utilities Board

▶ **PRESENT ZONING:** **SC-1 (Neighborhood Shopping Center)**

▶ **ZONING REQUESTED:** **C-3 (General Commercial)**

▶ **EXISTING LAND USE:** **Vacant retail store (former Target)**

▶ **PROPOSED USE:** **Retail business**

EXTENSION OF ZONE: Yes, properties to the north and south are zoned C-3.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Financial Institution / SC-1 (Neighborhood Shopping Center) & C-3 (General Commercial)

South: Restaurant & Offices / SC-1 (Neighborhood Shopping Center) & C-3 (General Commercial)

East: Residential / R-1 (Single Family Residential)

West: Residential & Offices / R-2 (General Residential), R-1A (Low Density Residential), & O-1 (Office, Medical & Related Services)

NEIGHBORHOOD CONTEXT: This developed site is located on a major arterial street within the center of the Fountain City commercial area.

**STAFF RECOMMENDATION:**

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

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.

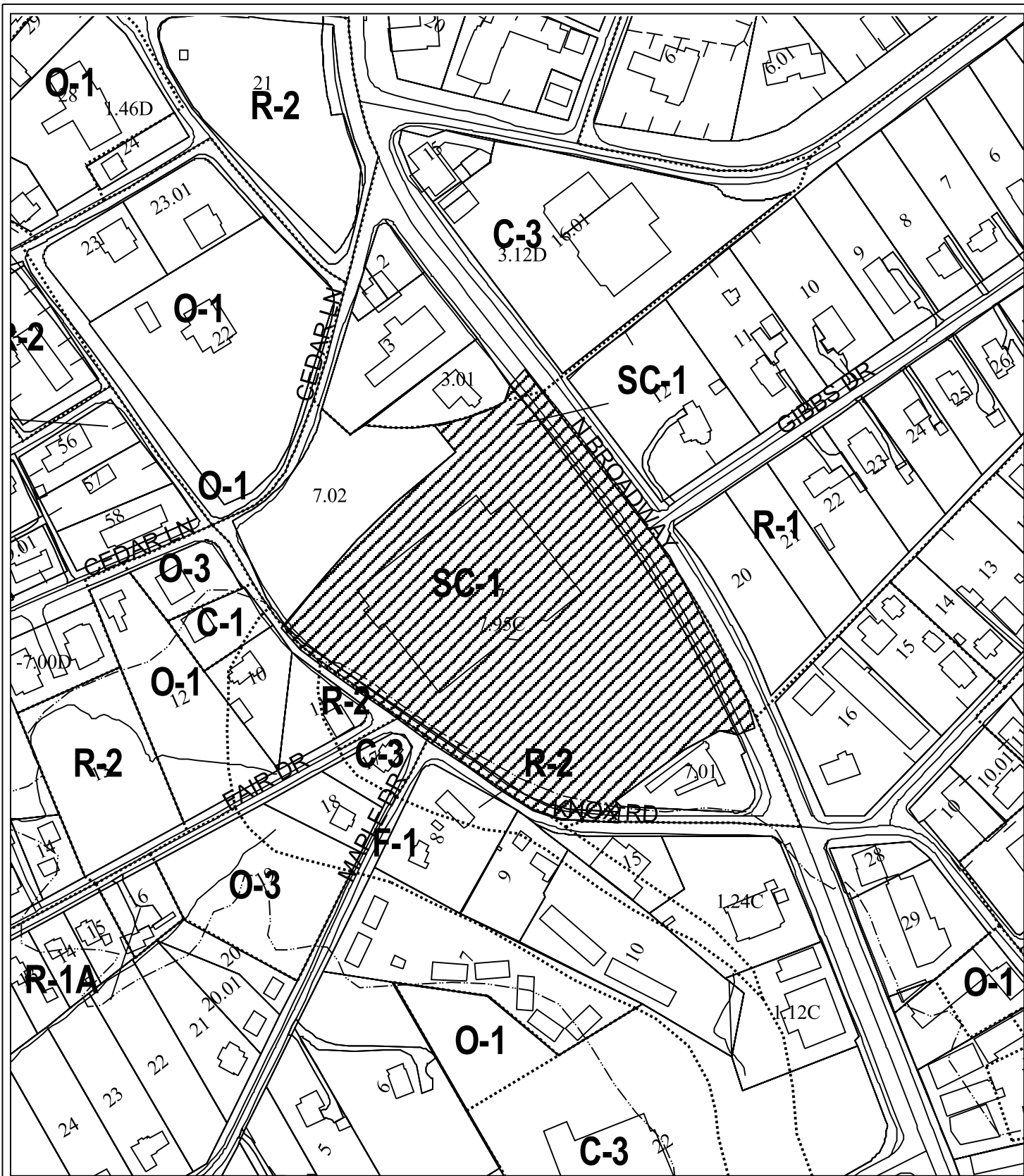
**EFFECT OF THE PROPOSAL**

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.

If approved, this item will be forwarded to Knoxville City Council for action on 10/10/2006 and 10/24/2006. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



9-N-06-RZ  
REZONING



From: SC-1 (Neighborhood Shopping Center)  
To: C-3 (General Commercial)

Original Print Date: 08/24/06 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Broadway Levcal, LLC

Map No: 58

Jurisdiction: City

