

▶ **FILE #:** 8-N-08-RZ

AGENDA ITEM #: 72

AGENDA DATE: 8/14/2008

▶ **APPLICANT:** METROPOLITAN PLANNING COMMISSION

OWNER(S): FIRST TENNESSEE BANK FOUNTAIN CITY PARKING LOT
SRI REAL ESTATE PROPERTIES LLC

TAX ID NUMBER: 58 K C 007.01 & 007.02

JURISDICTION: City Council District 5

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

▶ **APPX. SIZE OF TRACT:** 1.85 acres

SECTOR PLAN: North City

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

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.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED:

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

▶ **ZONING REQUESTED:** PC-1 (Retail and Office Park)

▶ **EXISTING LAND USE:** Parking lot and drive-in restaurant

▶ **PROPOSED USE:** Parking lot and drive-in restaurant

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.

SURROUNDING LAND USE AND ZONING: North: Cedar Ln. - Office / O-1 (Office, Medical and Related Services)

South: Knox Rd. - Business / C-3 (General Commercial)

East: N. Broadway - Residences and business / R-1 (Low Density Residential) and C-3 (General Commercial)

West: Knox Rd. - Business and church / C-3 (General Commercial) and R-2 (General Residential)

NEIGHBORHOOD CONTEXT: This site is located on N. Broadway within the Fountain City business area, developed under various commercial and office zones.

STAFF RECOMMENDATION:

▶ **APPROVE PC-1 (Retail & Office Park) zoning.**

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.

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.

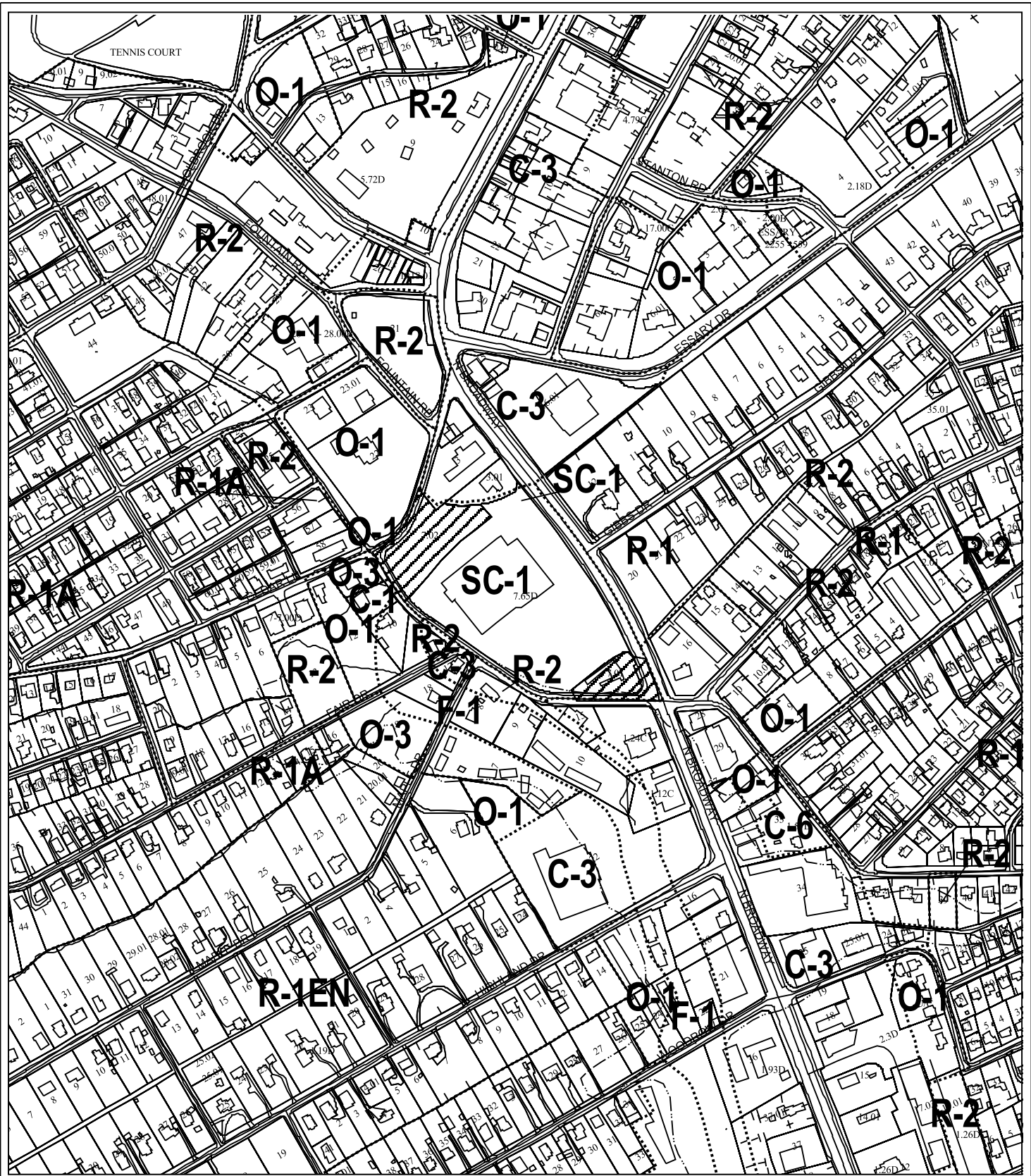
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

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.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 9/9/2008 and 9/23/2008. 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.



**8-N-08-RZ
REZONING**

Petitioner: Metropolitan Planning Commission

Map No: 058

Jurisdiction: City



From: SC-1 (Neighborhood Shopping Center District)

To: PC-1 (Retail and Office Park District)

Original Print Date: 07/21/08

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902