

▶ **FILE #:** 10-E-17-RZ

AGENDA ITEM #: 45

AGENDA DATE: 10/12/2017

▶ **APPLICANT:** ARTHUR SEYMOUR JR.

OWNER(S): Arthur G. Seymour, Jr.

TAX ID NUMBER: 58 L J PT OF 030 PORTION ZONED O-1 ONLY [View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 5014 N Broadway

▶ **LOCATION:** East side N. Broadway, southwest of Rennoc Rd.

▶ **APPX. SIZE OF TRACT:** 0.79 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 4 lanes and a center turning lane having 53' of pavement width within 100' of right-of-way, or Rennoc Rd., a minor collector street with 17' of pavement width within 45' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **PRESENT ZONING:** O-1 (Office, Medical, and Related Services)

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

▶ **EXISTING LAND USE:** Retail/office

▶ **PROPOSED USE:** Retail

EXTENSION OF ZONE: Yes, extension of C-3 from the west

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Office complex / C-3 (General Commercial)

South: Walgreens / C-3 (General Commercial) and C-6 (General Commercial Park)

East: Rennoc Rd., funeral home, house / O-1 (Office, Medical & Related Services) and R-1 (Low Density Residential)

West: Shopping center, businesses / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT: This area is developed with commercial uses fronting on N. Broadway, zoned C-3 and C-6, with residential and office uses to the rear (east), zoned O-1 and R-1.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE C-3 (General Commercial) zoning.**

C-3 zoning is consistent with both the One Year Plan and sector plan proposals for the property and is logical extension of C-3 zoning from the west to cover the entire subject parcel. The entire parcel is developed with a shopping center with various businesses. This proposed zoning change will bring the entire property into conformance with zoning.

COMMENTS:

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. The proposed C-3 zoning is compatible with the scale and intensity of the surrounding development and zoning pattern.
2. C-3 is a logical extension of zoning from the west, which will establish C-3 zoning over the entire parcel and bring the existing uses into conformance with zoning.
3. The location of the property along a major arterial street in a primarily commercial area makes it appropriate for C-3 uses.
4. The proposal is consistent with the One Year and sector plan proposals for the site, and C-3 is a logical extension of zoning from the south.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The C-3 zone, as described in the zoning ordinance, is for personal and business services and general retail businesses. This zoning category is intended to include areas where commercial development has displaced or is displacing residential development, or is moving in on vacant land. Further, the regulations are designed to guide future change so as to discourage formation of future commercial slums, to preserve the carrying capacity of the streets, and to provide for off-street parking and loading. It is not the intent of this district to encourage the extension of existing strip commercial areas, but rather to provide concentrations of general commercial activities.
2. Based on the above general intent, this site is appropriate for C-3 development.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. The proposal would have no impact on schools. The impact on the street system would depend on the type of commercial development proposed. Water and sewer utilities are in place to serve the site.
2. The proposal is compatible with surrounding development and zoning, so the impact on adjacent properties should be minimal. The request is a logical extension of zoning from the west.
3. The area is developed primarily with commercial businesses which will not be negatively impacted by commercial zoning of this site. No other area of the County will be impacted by this rezoning request.

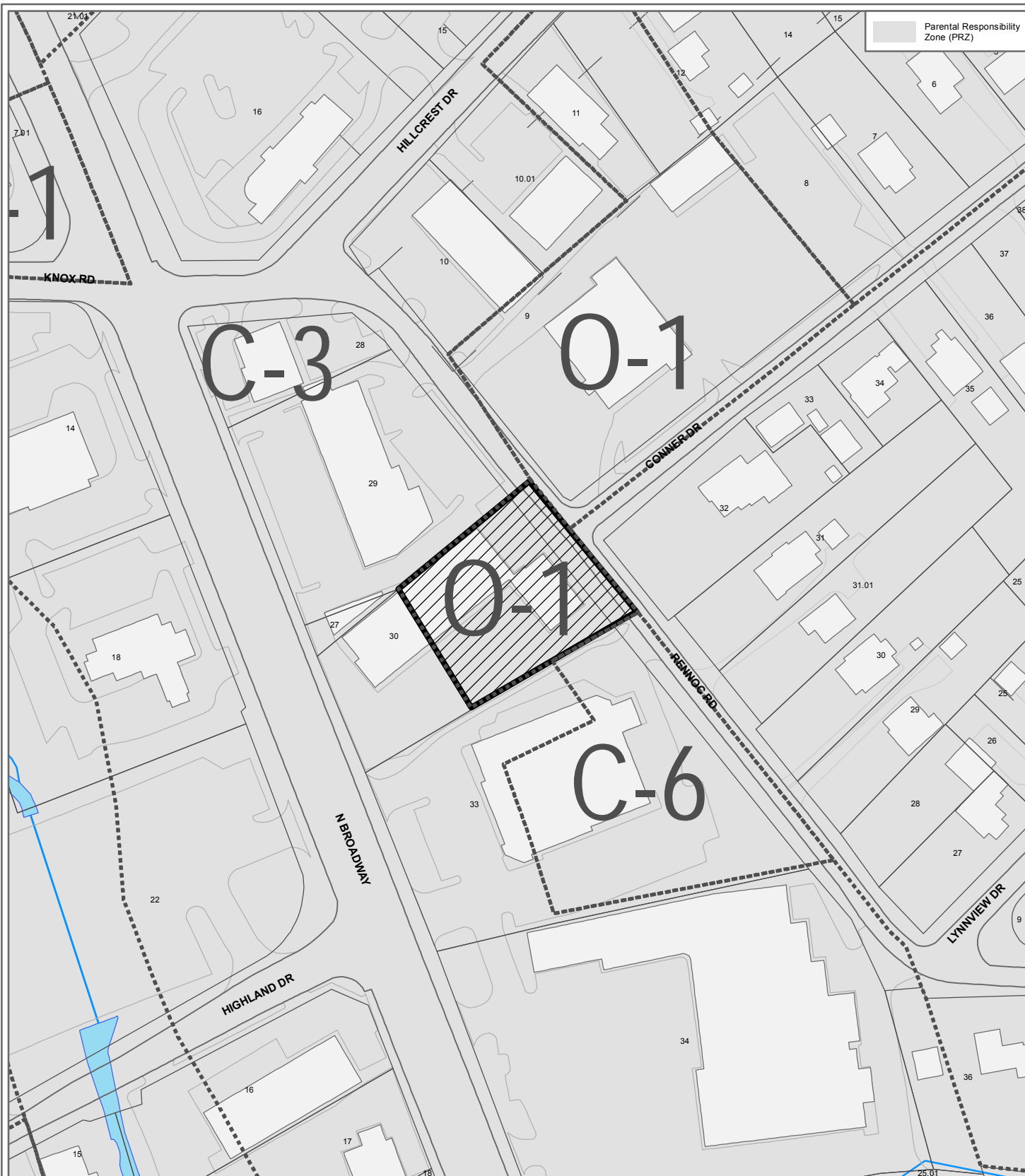
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. Both the North City Sector Plan and the City of Knoxville One Year Plan propose GC (General Commercial) uses for this site, consistent with the proposed C-3 zoning.
2. The site is located within the City of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. The proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 11/7/2017 and 11/21/2017. 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.



**10-E-17-RZ
REZONING**

From: O-1 (Office, Medical, and Related Services)

To: C-3 (General Commercial)

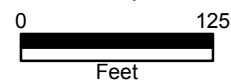


Original Print Date: 9/20/2017 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Seymour Jr., Arthur

Map No: 58

Jurisdiction: City



OYP/SP: GC



KNOXVILLE KNOX COUNTY
MPC
METROPOLITAN
PLANNING
COMMISSION
TELEPHONE
Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865-215-2500
FAX-215-2068
www.knoxmpc.org

REZONING **PLAN AMENDMENT**

Name of Applicant: Arthur Seymour Jr.
Date Filed: 8/24/17 Meeting Date: October 12, 2017
Application Accepted by: Brusseau
Fee Amount: \$1000 File Number: Rezoning 10-E-17-RZ
Fee Amount: _____ File Number: Plan Amendment _____

PROPERTY INFORMATION
Address: 5014 N. Broadway
General Location: E side N. Broadway, S of Rennock Rd.
Parcel ID Number(s): 058LJ030 (portion Zoned 0-1)
Tract Size: 0.79 Acre
Existing Land Use: Retail/Office
Planning Sector: North City
Growth Policy Plan: Inside City
Census Tract: 42
Traffic Zone: 215
Jurisdiction: City Council 4th District
 County Commission _____ District

PROPERTY OWNER **OPTION HOLDER**
PLEASE PRINT
Name: Arthur Seymour Jr.
Company: Frantz, McConnell, & Seymour
Address: 550 West Main Street, Ste 500
City: Knoxville State: TN Zip: 37902
Telephone: (865) 546-9321
Fax: (865) 637-5249
E-mail: ajseymour@fmsllp.com

APPLICATION CORRESPONDENCE
All correspondence relating to this application should be sent to:
PLEASE PRINT
Name: Arthur Seymour Jr.
Company: Frantz, McConnell, & Seymour
Address: 550 West Main Street, Ste 500
City: Knoxville State: TN Zip: 37902
Telephone: (865) 546-9321
Fax: (865) 637-5249
E-mail: ajseymour@fmsllp.com

Requested Change
REZONING
FROM: 0-1
TO: C-3
PLAN AMENDMENT
 One Year Plan _____ Sector Plan
FROM: _____
TO: _____

APPLICATION AUTHORIZATION
I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.
Signature: [Signature]
PLEASE PRINT
Name: Arthur Seymour Jr.
Company: Frantz, McConnell, & Seymour
Address: 550 West Main Street, Ste 500
City: Knoxville State: TN Zip: 37902
Telephone: (865) 546-9321
E-mail: ajseymour@fmsllp.com

PROPOSED USE OF PROPERTY
Retail
Density Proposed _____ Units/Acre
Previous Rezoning Requests: _____