

▶ **FILE #:** 4-P-18-RZ

**AGENDA ITEM #:** 53

**AGENDA DATE:** 4/12/2018

▶ **APPLICANT:** JIM ODLE FOR FIRAZ Z. TUMAZEH

OWNER(S): Firaz (Frank) Z. Tumazeh

TAX ID NUMBER: 81 M S 005 & 006

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 933 N Broadway

▶ **LOCATION:** West side N. Broadway, north side Silver Pl.

▶ **APPX. SIZE OF TRACT:** 13700 square feet

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via N. Broadway, a major arterial street with 36' of pavement width, including 2 travel lanes a center turn lane, within 50' of right-of-way, or Silver Place, a local street with 23' of pavement width within 40' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT ZONING:** C-4 (Highway and Arterial Commercial)

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

▶ **EXISTING LAND USE:** Automobile sales lot

▶ **PROPOSED USE:** To be determined

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

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Business / C-4 (Highway & Arterial Commercial)

South: Silver Place, KCDC parking lot / O-1 (Office, Medical & Related Services)

East: N. Broadway, retail business / C-4 (Highway & Arterial Commercial)

West: Residences / O-1 (Office, Medical & Related Services)

NEIGHBORHOOD CONTEXT: This site is located just north of downtown along N. Broadway, in an area developed with office and commercial uses under O-1, C-3 and C-4 zoning.

**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 north to cover the entire subject parcel. C-3 is a less intense commercial zoning than C-4 and allows consideration of residential uses, if so desired.

**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 north, which will establish consistent C-3 zoning over the entire commercially zoned area containing two buildings and surface parking.
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 north.

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 and offices, which will not be negatively impacted by the rezoning 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 5/8/2018 and 5/22/2018. 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.



**4-P-18-RZ  
REZONING**

From: C-4 (Highway and Arterial Commercial)  
To: C-3 (General Commercial)



Petitioner: Jim Odle for Firaz Z. Tumazeh

Map No: 81

Jurisdiction: City



Original Print Date: 3/19/2018 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

REZONING PLAN AMENDMENT

Name of Applicant: Jim Odle for Firaz Z. Tumazeh Date Filed: Feb. 27, 2018 Meeting Date: 4/12/2018 Application Accepted by: M. Payne Fee Amount: 1200.00 File Number: Rezoning 4-P-18-RZ Fee Amount: File Number: Plan Amendment



935 PROPERTY INFORMATION Address: 933 N Broadway General Location: Broadway @ Silver Place Parcel ID Number(s): 081MS006 081MS005 Tract Size: 13,700 sq ft Existing Land Use: Car Lot Planning Sector: Central City Growth Policy Plan: City Census Tract: 66 Traffic Zone: 92 Jurisdiction: City Council 4th District

PROPERTY OWNER OPTION HOLDER PLEASE PRINT Name: Firaz (Frank) Z. Tumazeh Company: Address: 2309 Mitchell St. City: Knoxville State: TN Zip: 37917 Telephone: Fax: E-mail:

APPLICATION CORRESPONDENCE All correspondence relating to this application should be sent to: PLEASE PRINT Name: Jim Odle Company: OYSK3 architects Address: 1545 Western Ave City: Knoxville State: TN Zip: 37921 Telephone: 865-523-8200 Fax: 865-523-8266 E-mail: jim@oysk3architects.com

Requested Change REZONING FROM: C-4 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: James B. Odle PLEASE PRINT Name: Jim Odle, Architect Company: oysk3 architects Address: 1545 Western Ave City: Knoxville State: TN Zip: 37921 Telephone: 865/803-4237 E-mail: jim@oysk3architects.com

PROPOSED USE OF PROPERTY to be determined Density Proposed Units/Acre Previous Rezoning Requests:





## REQUIRED SIGN POSTING AGREEMENT FORM


For all rezoning, plan amendment, concept plan, use on review, BZA variance, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC/BZA Administrative Rules and Procedures. When applicable, MPC staff will provide the sign(s) to post on the subject property at the time of application.

The sign(s) must be posted in a location that is clearly visible from the nearest adjacent street. If the property has more than one street frontage, then the sign(s) should be placed along the higher classified street. MPC staff may recommend a preferred location for the sign(s) to be posted at the time of application.

The sign(s) must be posted no later than two weeks prior to the scheduled MPC/BZA hearing and must remain in place until after the meeting. The applicant is responsible for ensuring that the signs remain posted throughout the two-week period prior to the public hearing. Failure to maintain the signs during this time period may be cause for postponement of the application until the next scheduled meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted no later than two weeks prior to the next MPC/BZA meeting.

MPC staff will provide the first sign(s) for no additional charge as part of the application fees. If the sign(s) are lost or stolen and need to be replaced, then the applicant will be responsible for picking up a new sign from the MPC offices. The applicant will be charged a replacement fee for additional sign(s) consistent with the agency's cost of purchasing each sign.

I hereby agree to post the sign(s) provided on the subject property on or before 3/29/2018, consistent with the guidelines provided above; and remove the sign(s) within one week after the MPC/BZA public hearing.

Signature:   
Printed name: Jim Odle  
Date: 2/27/2018  
MPC/BZA File #: 4-P-18-RZ