



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION  
PLAN AMENDMENT/REZONING REPORT**

**FILE #:** 4-A-10-RZ **AGENDA ITEM #** 32  
4-A-10-PA **AGENDA DATE:** 4/8/2010

**APPLICANT:** KCDC-CITY OF KNOXVILLE  
**OWNER(S):** CHARIOTS OF HIRE LIMOUSINE

**TAX ID NUMBER:** 95 A A 018  
**JURISDICTION:** Council District 4

**LOCATION:** West side N. Hall of Fame Dr., north of E. Fifth Ave.

**TRACT INFORMATION:** 0.6 acres.

**SECTOR PLAN:** Central City

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

**ACCESSIBILITY:** Access is via N. Hall of Fame Dr., a four-lane minor arterial street with center turn lane and 35' of pavement width within 50' of right-of-way.

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

**WATERSHED:** First Creek

**PRESENT PLAN DESIGNATION/ZONING:** LI (Light Industrial) / I-2 (Restricted Manufacturing and Warehousing)

**PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial) / C-3 (General Commercial)

**EXISTING LAND USE:** Commercial

**PROPOSED USE:** Commercial

**EXTENSION OF PLAN DESIGNATION/ZONING:** No

**HISTORY OF ZONING REQUESTS:** 2010 One Year Plan update proposes MU-SD (CC04) for this site

**SURROUNDING LAND USE, PLAN DESIGNATION,** North: House / MU-SD (CC04)-pending / I-2 (Restricted Manufacturing & Warehousing)

**ZONING** South: Business / MU-SD (CC04)-pending / I-2 (Restricted Manufacturing & Warehousing)

East: N. Hall of Fame Dr. - Lodge / MU-SD (CC04)-pending / I-2 (Restricted Manufacturing & Warehousing)

West: Right-of-way / MU-SD (CC04)-pending / I-2 (Restricted Manufacturing & Warehousing)

**NEIGHBORHOOD CONTEXT:** This area is developed with light industrial and general commercial uses under I-2 and C-3 zoning.

**STAFF RECOMMENDATION:**

- ▶ **ADOPT RESOLUTION # 4-A-10-PA, amending the One Year Plan to MU-SD (Mixed Use Special District), (CC04), and recommend that City Council also adopt the plan amendment. (See attached resolution, Exhibit A.)**

Commercial uses and C-3 zoning are already in place to the north and east of the site. Commercial use of this site is compatible with surrounding development and zoning. The 2010 One Year Plan Update, approved by MPC on March 11, 2010, proposes the above MU-SD (CC04) designation for this site.

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

The recommended C-3 zoning is compatible with surrounding development and zoning and is a logical extension of commercial zoning from the north and east. C-3 zoning is consistent with both the sector plan and the updated 2010 One Year Plan that was approved by MPC on March 11, 2010, which allows consideration of C-3 zoning..

**COMMENTS:**

**CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:**

**NEW ROAD OR UTILITY IMPROVEMENTS:**

Hall of Fame Dr. has been recently improved as part of the I-40 Smart Fix project. Hall of Fame Dr. now has four lanes and a center turn lane and is classified as a minor arterial street.

**ERROR OR OMISSION IN CURRENT PLAN:**

The Central City Sector Plan, as amended by the recently adopted Magnolia Avenue Corridor Plan, shows this property within a mixed use special district (MA6). This district is meant for areas of intense development that will have a boulevard setting, like Hall of Fame Drive and parts of Magnolia Avenue. There will be a front setback of 10 to 25 feet. The minimum height of a structure will be 2 stories and the maximum may range from 3 to 7 stories, depending on location. The allowed uses will be residential, office and commercial/retail. The plan proposes the creation of form code zoning districts in the future, but in the interim, provides specific recommended zones for each subarea of the plan. In the MA6 area, the three recommended zones are C-3, O-3, RP-1 and RP-2 (See attached excerpt from the plan). The One Year Plan currently proposes GC (General Commercial) for the site, consistent with the proposal. However, as part of the 2010 One Year Plan update, staff and MPC recommended a change to that plan to bring it into consistency with the Magnolia Avenue Corridor Plan. Final approval of the 2010 One Year Plan update is still pending final approval by City Council. The requested C-3 zoning is consistent with both the sector plan and the pending One Year Plan proposals.

**CHANGES IN GOVERNMENT POLICY:**

The proposed general commercial designation and C-3 zoning is consistent with the development and zoning pattern in the area.

**CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:**

Traffic trends in the area have changed as a result of the Smart Fix 40 project, which included improvements to this section of Hall of Fame Dr. Development trends may also change because of the improved street, as well as from the implementation of the Magnolia Avenue Corridor Plan policies.

**REZONING REQUIREMENTS:**

**NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:**

1. C-3 is a logical extension of the already established zoning to the north and east of the site.
2. The surrounding area is developed with light industrial and commercial uses under I-2 and C-3 zoning. C-3 zoning is compatible with surrounding development and zoning.
3. C-3 zoning is appropriate at this location along a minor arterial street and is supported by the sector plan.

**CONSISTENCY WITH INTENT AND PURPOSE OF THE 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 EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. C-3 zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.
3. The impact on the street system will be minimal because the use is already in place.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the recommended amendment to MU-SD (CC04), the recommended C-3 zoning is consistent with the City of Knoxville One Year Plan.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. The Central City Sector Plan, as amended by the recently adopted Magnolia Avenue Corridor Plan, shows this property within a mixed use special district (CC04), consistent with C-3 zoning.

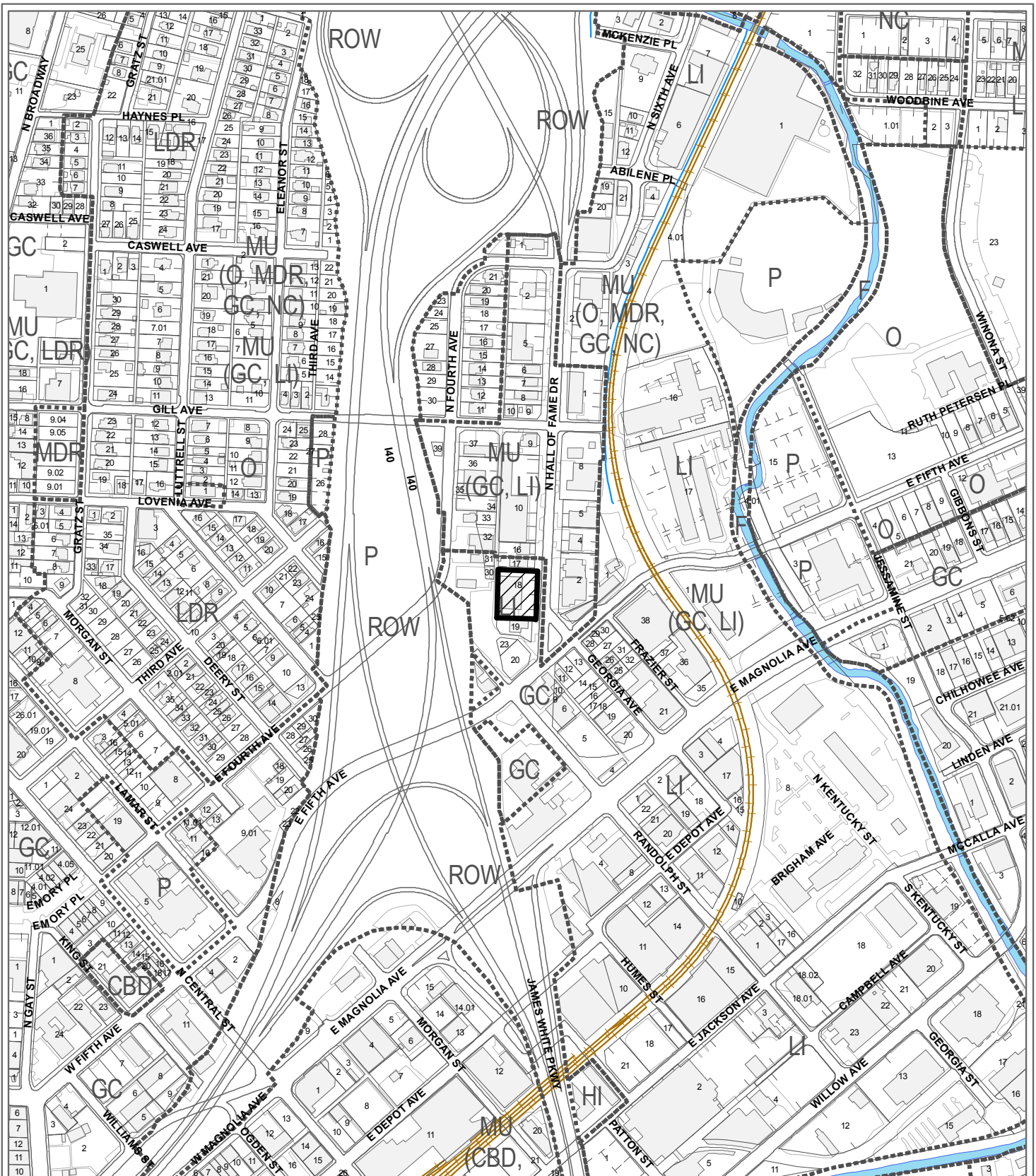
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. New law provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

ESTIMATED TRAFFIC IMPACT: Not calculated.

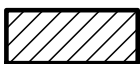
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 5/4/2010 and 5/18/2010. 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.



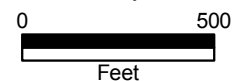
**4-A-10-PA / 4-A-10-RZ  
PLAN AMENDMENT**

From: LI (Light Industrial)  
To: GC (General Commercial)

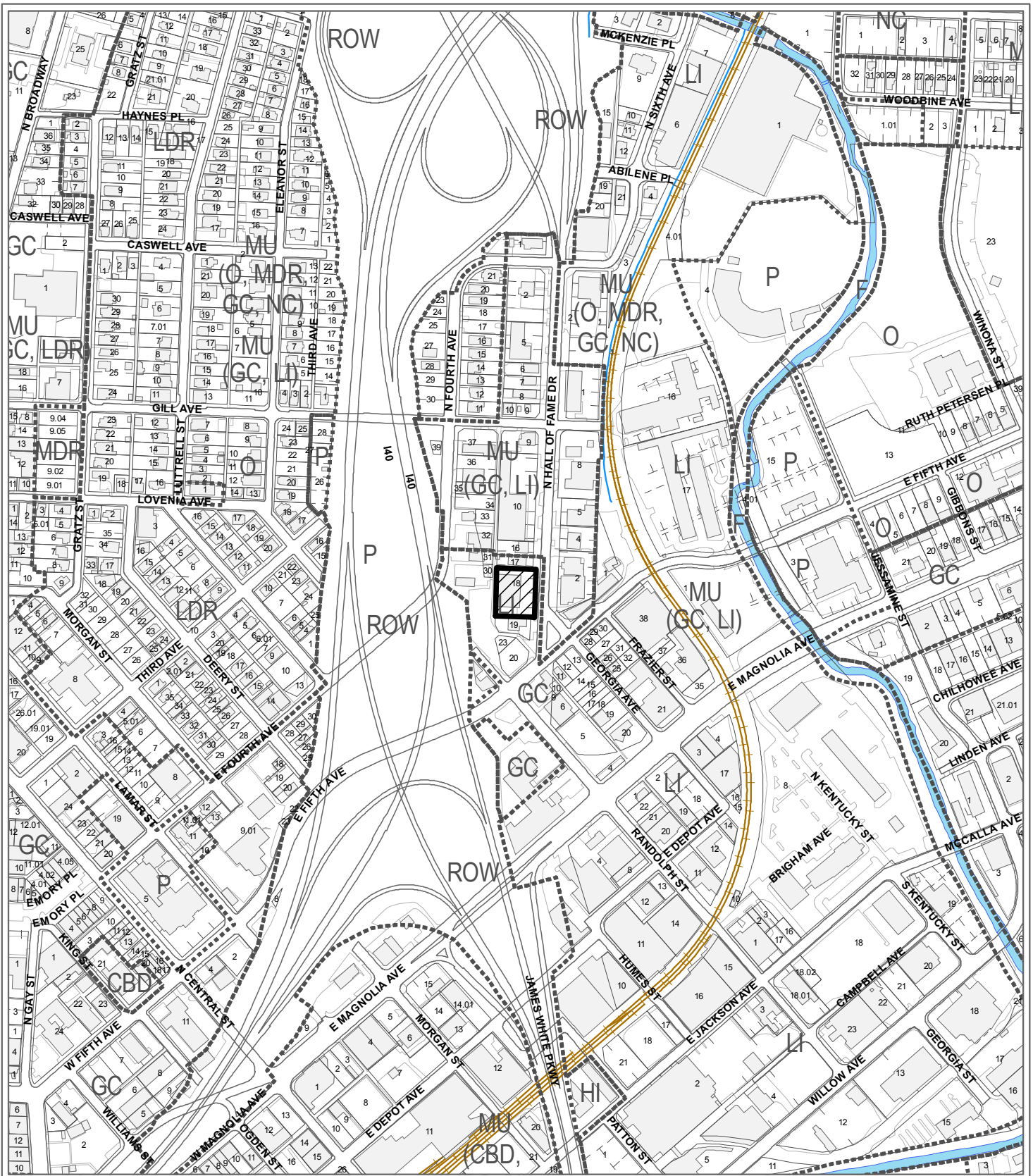


Petitioner: KCDC-City of Knoxville

Map No: 95  
Jurisdiction: City



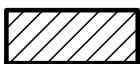
Original Print Date: 3/24/2010  
Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



**4-A-10-RZ / 4-A-10-PA  
PLAN AMENDMENT**

From: I-2 (Restricted Manufacturing and Warehousing)

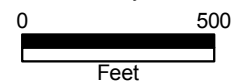
To: C-3 (General Commercial)



Petitioner: KCDC-City of Knoxville

Map No: 95

Jurisdiction: City



Original Print Date: 3/24/2010  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Revised:

**KNOXVILLE-KNOX COUNTY  
METROPOLITAN PLANNING COMMISSION  
A RESOLUTION AMENDING THE CITY OF KNOXVILLE ONE YEAR PLAN**

***WHEREAS**, the Knoxville-Knox County Metropolitan Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and*

***WHEREAS**, the Metropolitan Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

***WHEREAS**, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

***WHEREAS**, the Metropolitan Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the Knoxville One Year Plan, consistent with the requirements of the General Plan; and*

***WHEREAS**, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and*

***WHEREAS**, KCDC-City of Knoxville, has submitted an application to amend the One Year Plan from Light Industrial to General Commercial for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Knoxville One Year Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and*

***WHEREAS**, the Metropolitan Planning Commission, at its regularly scheduled public hearing on April 8, 2010, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, or revised.*

**NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION:**

*SECTION 1: The Planning Commission hereby adopts the revised amendment to the Knoxville One Year Plan, as requested, or revised, with its accompanying staff report and map, file #4-A-10-PA.*

*SECTION 2: This Resolution shall take effect upon its approval.*

*SECTION 3: The Planning Commission further recommends that Knoxville City Council likewise consider this revised amendment to the General Plan 2033.*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

## Appendix A:

### **Recommendations for an Interim Zoning Overlay**

Form code zoning districts will be created in conjunction with stakeholders in several sections along the corridor. That process takes time; therefore form districts for the whole corridor cannot reasonably be created at once. An interim zoning overlay is an alternative that is recommended to guide new development and building reuse that are in keeping with the plan's goals of creating pedestrian-friendly streets and expanding options for the use of land, including vertical mixed use.

The following zones are recommended for each of the subareas while the form code is being developed. It is recommended that the City's One-Year Plan be amended following adoption of this Magnolia Avenue Corridor Plan to foster the flexibility to achieve the plan's goals. The map that is entitled "Land Use Plan: Proposals for Form Code Concepts" contains the references to specific areas (for example, MA 2, MA3, etc )

#### **Magnolia Avenue 2 Area (MA 2)**

- O-3 Office Park District
- RP-1 and RP-2 Planned Residential Districts

#### **Magnolia Avenue 3 Area (MA 3)**

- C-1 Neighborhood Commercial District

#### **Magnolia Avenue 4 Area (MA 4)**

- C-2 Central Business District
- I-2 Restricted Manufacturing and Warehousing District

#### **Magnolia Avenue 5 Area (MA 5)**

- C-6 General Commercial Park District
- I-2 Restricted Manufacturing and Warehousing District
- O-3 Office Park District
- RP-1 and RP-2 Planned Residential Districts

#### **Magnolia Avenue 6 Area (MA 6)**

- C-3 General Commercial District
- O-3 Office Park District
- RP-1 and RP-2 Planned Residential Districts

#### **Magnolia Avenue 7 Area (MA 7)**

- C-3 General Commercial District
- O-3 Office Park District
- RP-1 and RP-2 Planned Residential Districts