

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

▶ **FILE #:** 4-E-10-RZ **AGENDA ITEM #** 36
 4-C-10-PA **AGENDA DATE:** 4/8/2010

▶ **APPLICANT:** R. SCOTT CARPENTER / 846 NORTH CENTRAL LLC
 OWNER(S): 846 NORTH CENTRAL LLC

TAX ID NUMBER: 94 D C 005, 019, 020
 JURISDICTION: Council District 4

▶ **LOCATION:** Northeast side N. Central St., northwest side Fulton Pl., west side Irwin St.

▶ **TRACT INFORMATION:** 0.3 acres.

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via N. Central St., a minor arterial street with 4 lanes and 42' of pavement width within 70' of right-of-way, Fulton Pl., a local street with 20' of pavement width within 25' of right-of-way, or Irwin St., a local street with 25' of pavement width within 30' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

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

▶ **PROPOSED PLAN DESIGNATION/ZONING:** CBD (Central Business District) / C-2 (Central Business District)

▶ **EXISTING LAND USE:** Commercial

▶ **PROPOSED USE:** Office/retail

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
 North: Business / GC / C-3 (General Commercial)
 South: Fulton Pl. - Parking lot / GC / C-3 (General Commercial)
 East: Irwin St. - Business / GC / C-3 (General Commercial)
 West: N. Central St. - Business / GC / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT: This section of N. Central St. is developed with various businesses under C-3 zoning.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION # 4-C-10-PA, amending the One Year Plan to CBD (Central Business District)**

and recommend that City Council also adopt the plan amendment. (See attached resolution, Exhibit A.)

The central business designation allows mixed uses, which is consistent with the Broadway-Central-Emory Place Small Area Plan, which calls for rezoning the Central Corridor to a mixed-use district, to create higher-intensity uses, such as offices, medium density residential or retail.

- **RECOMMEND that City Council APPROVE C-2 (Central Business) zoning, subject to 2 conditions.**
- 1. Any redevelopment of the site will be subject to development plan approval by MPC as a use on review.**
 - 2. The maximum building height shall be 45 feet.**

C-2 zoning is compatible with the current use of this property, as well as with the scale and intensity of surrounding development. The proposal is consistent with the sector plan. With the recommended conditions, staff will get the opportunity to review a plan to ensure compliance with the policies of the Broadway-Central-Emory Place Small Area Plan.

COMMENTS:

ONE YEAR PLAN REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

NEW ROAD OR UTILITY IMPROVEMENTS:

N. Central St. may be improved at some point in the future with the development of a form based zoning code for the area.

ERROR OR OMISSION IN CURRENT PLAN:

The Central City Sector Plan, as amended by the recently adopted Broadway-Central-Emory Place Small Area Plan, shows this property within a mixed use area, which will be placed under form based zoning, but does not specify which zones are appropriate in the interim before the form based codes are approved. The Broadway-Central-Emory Place Small Area Plan specifies that the Central Corridor be rezoned for mixed uses (see attached excerpt from the plan).

CHANGES IN GOVERNMENT POLICY:

When the form based zoning is developed for the Central St. corridor, it will allow a mix of uses, subject to meeting certain development form requirements, such as height and build-to lines. The CBD designation is more consistent with the form-based policies than the existing general commercial designation.

CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:

Traffic trends in the area may change with the implementation of the redevelopment portion of the Broadway-Central-Emory Place Small Area Plan. Development trends may also change because of the improved street, as well as from the implementation of the form based zoning code in the future.

REZONING REQUIREMENTS:

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

- C-2 zoning is compatible with the scale and intensity of the surrounding development and zoning.
- Other properties in the area have been rezoned to C-2 as a result of individual requests by property owners in the area. The closest C-2 zoning is less than 500 feet to the south.
- C-2 zoning allows a wider range of uses than C-3, including residential. C-2 is the primary zoning used for downtown business district development. The area containing this site is within the Central Corridor on the Broadway-Central-Emory Place Small Area Plan, which encourages rezoning to a mixed-use district.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

- The C-2 zoning district, with complementary office, medical, civic, residential and historical areas, forms the metropolitan center for commercial, financial, professional, governmental and cultural activities. The intent is to protect and improve the central business district for the performance of its primary functions. In addition, uses are discouraged which do not require a central location or would create friction in the performance of functions that should be centralized.
- Based on the above general intent, this area is appropriate for C-2 zoning.

THE EFFECTS OF THE PROPOSAL:

- Water and sewer utilities are in place to serve this site.
- The proposal will have no impact on schools and a minimal impact on the street system.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Central City Sector Plan, as amended by the Broadway-Central-Emory Place Small Area Plan, proposes mixed uses for this site.
2. With the recommended amendment to CBD, C-2 zoning is consistent with the City of Knoxville One Year Plan.
3. Approval of this request could lead to future requests for C-2 zoning on other parcels in the area along N. Central St. These requests will need to be reviewed on a case-by-case basis according to their own merits. Since C-2 zoning does not require on-site parking, the availability of off-site parking will have to be considered as part of any future requests.

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.



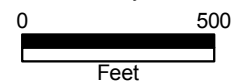
**4-C-10-PA / 4-E-10-RZ
PLAN AMENDMENT**

From: GC (General Commercial)
To: CBD (Central Business District)



Petitioner: R. Scott Carpenter / 846 North Central LLC

Map No: 94
Jurisdiction: City



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



**4-E-10-RZ
REZONING**

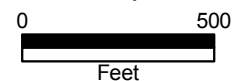
From: C-3 (General Commercial)
To: C-2 (Central Business District)



Petitioner: R. Scott Carpenter / 846 North Central LLC

Map No: 94
Jurisdiction: City

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



**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**, R. Scott Carpenter/846 North Central LLC, has submitted an application to amend the One Year Plan from General Commercial to Central Business District 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-C-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.

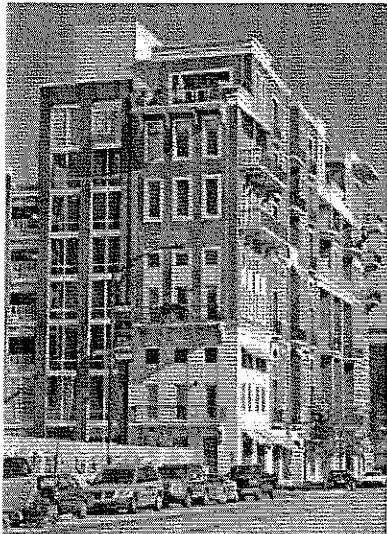
Date

Chairman

Secretary

Freeway Buffer

The blocks between Fifth Avenue and I-40 border the freeway viaduct. The lots along the freeway could be used to create a buffer zone to protect the mixed-use district from the noise and view of the Interstate. The zoning might be more flexible there; for example, greater building height could be allowed. Uses such as structured parking or office buildings would be appropriate.



Greater building height could be allowed along I-40

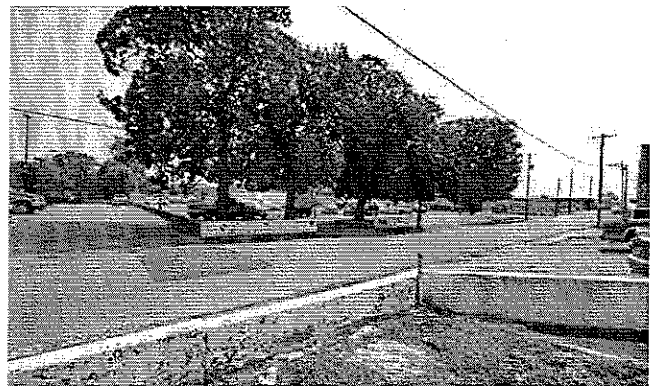
Old Gray Cemetery

Old Gray Cemetery abuts the area. Like Knoxville High School, it has an important historic value, and could attract more visitors. Essentially, it is a vast green space, which could be the focus for surrounding residential development, such as apartment buildings on Tyson Street. Historically appropriate lighting is being partially extended into the cemetery; additional decorative lighting is warranted.

Central Corridor

Central Street is mostly zoned General Commercial (C-3). In order to revitalize this area and make it more attractive, it should be rezoned to a mixed-use district, to create higher-intensity uses such as offices, medium-density residential or retail.

In order to facilitate the redevelopment, storage and semi-industrial uses should only be considered on the interior side of blocks, not facing the street. This is another area where mixed-use design principles should be followed. The lot coverage could be smaller than in the area designated for extension of downtown, and one-story buildings should be allowed. In order to create a pedestrian friendly environment, a furnishing zone should be added on both sides of the street, with trees, well-designed light poles and benches.



Inappropriate land uses such as large parking lots or fleet storage should be avoided.



A mixed-use corridor

Illustration courtesy of Urban Design Associates