



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

FILE #: 9-C-09-RZ **AGENDA ITEM #** 33
11-A-09-PA **AGENDA DATE:** 1/14/2010

POSTPONEMENT(S): 11/12/09

APPLICANT: CITY OF KNOXVILLE
OWNER(S): CITY OF KNOXVILLE

TAX ID NUMBER: 94 M C 023 094MG041, 094LJ00102

JURISDICTION: Council District 1

LOCATION: Northwest side Cumberland Ave., northeast of Eleventh St.

TRACT INFORMATION: 14.46 acres.

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access to the site is from Clinch Ave., a minor collector street, Cumberland Ave., a major arterial street, or Eleventh St., a minor collector street.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

PRESENT PLAN DESIGNATION/ZONING: CBD (Central Business District) / C-2 (Central Business District)

PROPOSED PLAN DESIGNATION/ZONING: PP (Public Parks and Refuges) / OS-1 (Open Space Preservation) / D-1 (Downtown Design Overlay) and Design Guidelines

EXISTING LAND USE: Park

PROPOSED USE: Park with extension of D-1 guidelines for consistency across World's Fair Park

EXTENSION OF PLAN DESIGNATION/ZONING: Not an extension of plan designation or zoning, but it is an extension of the D-1 overlay from the east

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Hotel and Western Ave. - CBD - C-2 (Central Business) / D-1 (Downtown Design Overlay)

South: Cumberland Ave., University of Tennessee facilities - CBD - C-2 (Central Business)

East: Knoxville Convention Center - CBD - C-2 (Central Business) / D-1 (Downtown Design Overlay)

West: Eleventh St., UT facilities -O, HDR, MU, P - CBD - C-2 (Central Business), O-1 (Office, Medical & Related Services) and O-2 (Civic & Institutional)

NEIGHBORHOOD CONTEXT: These parcels contain World's Fair Park, which is located between the downtown central business district and the Ft. Sanders neighborhood and

STAFF RECOMMENDATION:

- ▶ **ADOPT resolution #11-A-09-PA, amending the Knoxville One Year Plan to PP (Public Parks and Refuges) and recommend that City Council also adopt the One Year Plan amendment. (See attached Exhibit A.)**

The proposed plan amendment is consistent with the current use of the site as a public park. The plan amendment to PP will bring the One Year Plan into consistency with the sector plan, which proposes PPOS (Public Parks and Open Space) for this site.

- ▶ **RECOMMEND that City Council retain the existing underlying C-2 (Central Business) zoning district and approve the D-1 (Downtown Design Overlay) district.**

Changing the zoning of World's Fair Park to OS-1, as requested by City Council, complicates the status of many existing and any proposed structures and uses on these parcels.

COMMENTS:

In order to consider OS-1 zoning, a One Year Plan amendment had to be added to the rezoning application, as OS-1 is not a permissible zone within the current central business designation. The PP (Public Parks and Refuges) designation is the most appropriate for the current use of the property.

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN

A. NEW ROAD OR UTILITY IMPROVEMENTS - The roads are sufficient and the utilities are in place to serve this site.

B. ERROR OR OMISSION IN CURRENT PLAN - World's Fair Park, a public park facility owned by the City of Knoxville, is located on the subject property. The current plan designates the site for Central Business uses, as it is on the edge of the downtown central business district.

C. CHANGES IN GOVERNMENT POLICY - Over the last ten years, numerous City owned parks have been requested to be rezoned to OS-1, similar to this request.

D. CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS - None of these factors are relevant to this particular plan request.

On September 10, 2009, MPC considered a request from the City Administration to consider extending the D-1 (Downtown Design Overlay) district to encompass all of the City's property in World's Fair Park. MPC recommended approval of this request. On 10/6/09, City Council, upon considering the City Administration's request, referred the matter back to MPC with a request to consider changing the underlying base zoning of World's Fair Park from C-2 (Central Business) district to OS-1 (Open Space) district. At the November 12, 2009 MPC meeting, the City requested and was granted a 60 day postponement to this January 14, 2010 MPC meeting. The stated rationale for requesting the change of basic underlying zoning was that City Council in the past had made a special effort to rezone the parks within the city to OS-1. OS-1 zoning is established to provide areas in which the principal use of land is devoted to open space and/or the preservation and protection of park and recreation lands. The current use of the property is compatible with the description of OS-1 zoning. However, OS-1 zoning may preclude other civic-minded uses that would be appropriate for the park. Application of the D-1 overlay to the World's Fair Park site will require the City to acquire Certificates of Appropriateness from the Downtown Design Review Board for future development, if applicable, to meet design guidelines.

Consideration of OS-1 as the base zoning district requires the amendment of the City's One Year Plan to PP (Public Parks and Refuges). For this reason, a request to amend the One Year Plan designation for the site is on the agenda.

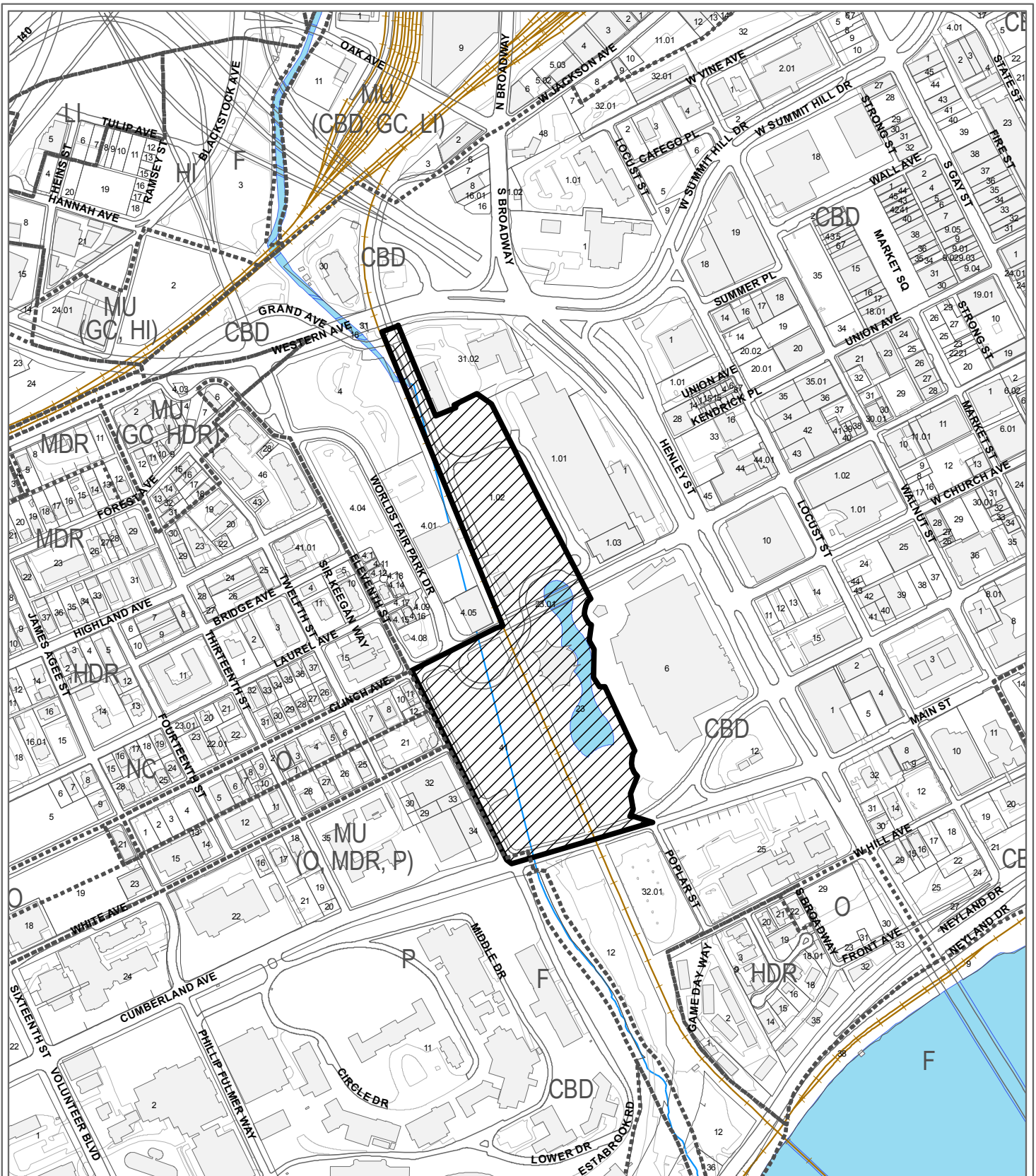
The OS-1 zone district has a very limited list of permitted uses more appropriate for large natural areas worthy of preservation, required setbacks that are appropriate for rural lands, and does not allow signs other than for sale/rent and parking signs. The C-2 zoning district has a broad, very flexible, list of uses, very limited setback requirements, and allows a variety of signs that are appropriate for an urban space. Retaining the C-2 underlying zoning district for the balance of World's Fair Park would eliminate any questions about existing uses and structures on the property and permit flexible future use of the area. Accommodating the existing uses and structures on the property would be complicated by changing the underlying zoning to OS-1.

In downtown and surrounding areas, many parks retain a residential or commercial zoning designation. Krutch Park is zoned C-2, Volunteer Landing is zoned O-2, Caswell Park is zoned O-2 and R-2, Morningside Park is zoned R-3, James Agee Park is zoned R-3, and Montcastle Park is zoned O-2. Cal Johnson Park, Fort Dickerson, Tyson Park and First Creek Park are zoned OS-1.

ESTIMATED TRAFFIC IMPACT: Not calculated.

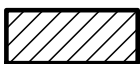
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 2/9/2010 and 2/23/2010. 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.



**11-A-09-PA / 9-C-09-RZ
PLAN AMENDMENT**

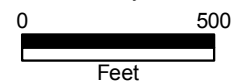
From: CBD (Central Business District)
To: PP (Public Parks and Refuges)



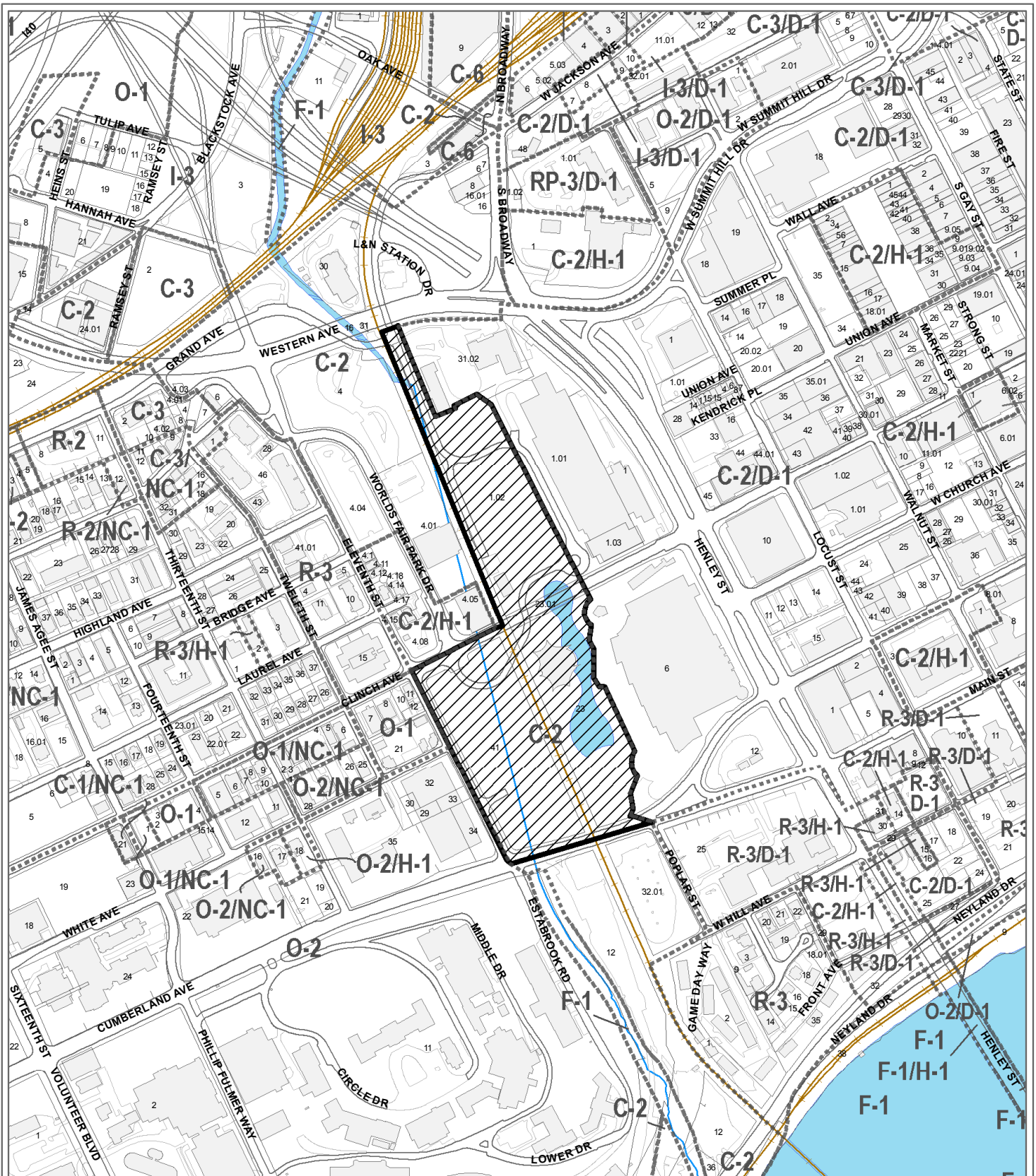
Petitioner: City of Knoxville

Map No: 94

Jurisdiction: City



Original Print Date: 10/26/2009 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**9-C-09-RZ
REZONING**

From: C-2 (Central Business District)

To: C-2 (Central Business District) / D-1 (Downtown Design Overlay) and Design Guidelines



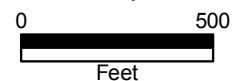
Original Print Date: 8/24/2009
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: City of Knoxville

Map No: 94

Jurisdiction: City



**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, the City of Knoxville has submitted an application to amend the One Year Plan from Central Business District to Public Parks and Refuges 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 January 14, 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 #11-A-09-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