

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

▶ **FILE #:** 7-D-14-SP

AGENDA ITEM #: 26

AGENDA DATE: 7/10/2014

▶ **APPLICANT:** DANIEL HUMPHREYS

OWNER(S): Napier Properties, LLC

TAX ID NUMBER: 94 D C 007,008,011-014

JURISDICTION: Council District 4

STREET ADDRESS: 741 N Broadway

▶ **LOCATION:** West side N. Broadway, east side Fulton Pl., northeast of N. Central St.

▶ **APPX. SIZE OF TRACT:** 40760 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 4 lanes and a center turning lane within 50' of right-of-way, or Fulton Pl., a local street with 15-25' of pavement width within 25' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** MU-SD (Mixed Use Special District) (MU-CC2) and MU (Mixed Use) / C-3 (General Commercial)

▶ **PROPOSED PLAN DESIGNATION:** MU-SD (Mixed Use Special District) (MU-CC1)

▶ **EXISTING LAND USE:** Businesses and parking

▶ **PROPOSED USE:** None listed

EXTENSION OF PLAN DESIGNATION: Yes, extension of MU-SD (MUCC-1) from the south

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Rentals business / MU

South: Bank / MU-SD (MUCC1)

East: N. Broadway - Businesses / MU

West: Businesses / MU-SD (MUCC2)

NEIGHBORHOOD CONTEXT This area just north of downtown Knoxville is developed with a mix of commercial, residential and office uses under C-2 and C-3 zoning.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION # 7-D-14-SP, amending the Central City Sector Plan to MU-SD (Mixed Use Special District) (MU-CC1) and recommend that City Council also adopt the amendment. (See attached resolution, Exhibit A.)**

Mixed uses are appropriate for this site, rather than limiting the uses to commercial only. Central business

uses, as permitted under C-2 zoning, are allowed in the MU-CC1 designated area to the south. This proposal is a logical extension of those uses to the north.

COMMENTS:

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No known improvements have been made recently to area roads. Public water and sewer utilities are available to serve the site. The roads are sufficient to handle the traffic generated by allowing mixed use development to be developed on the subject property.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The sector plan currently designates the subject property for general commercial uses, consistent with the current C-3 zoning. Allowing a mix of uses, including CBD uses, as permitted under the proposed MU-CC1 designation to the sector plan is a logical extension of similar uses from the south.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

Several sites in this general area north of downtown have been redesignated on plan maps and/or rezoned C-2 for CBD development in recent years.

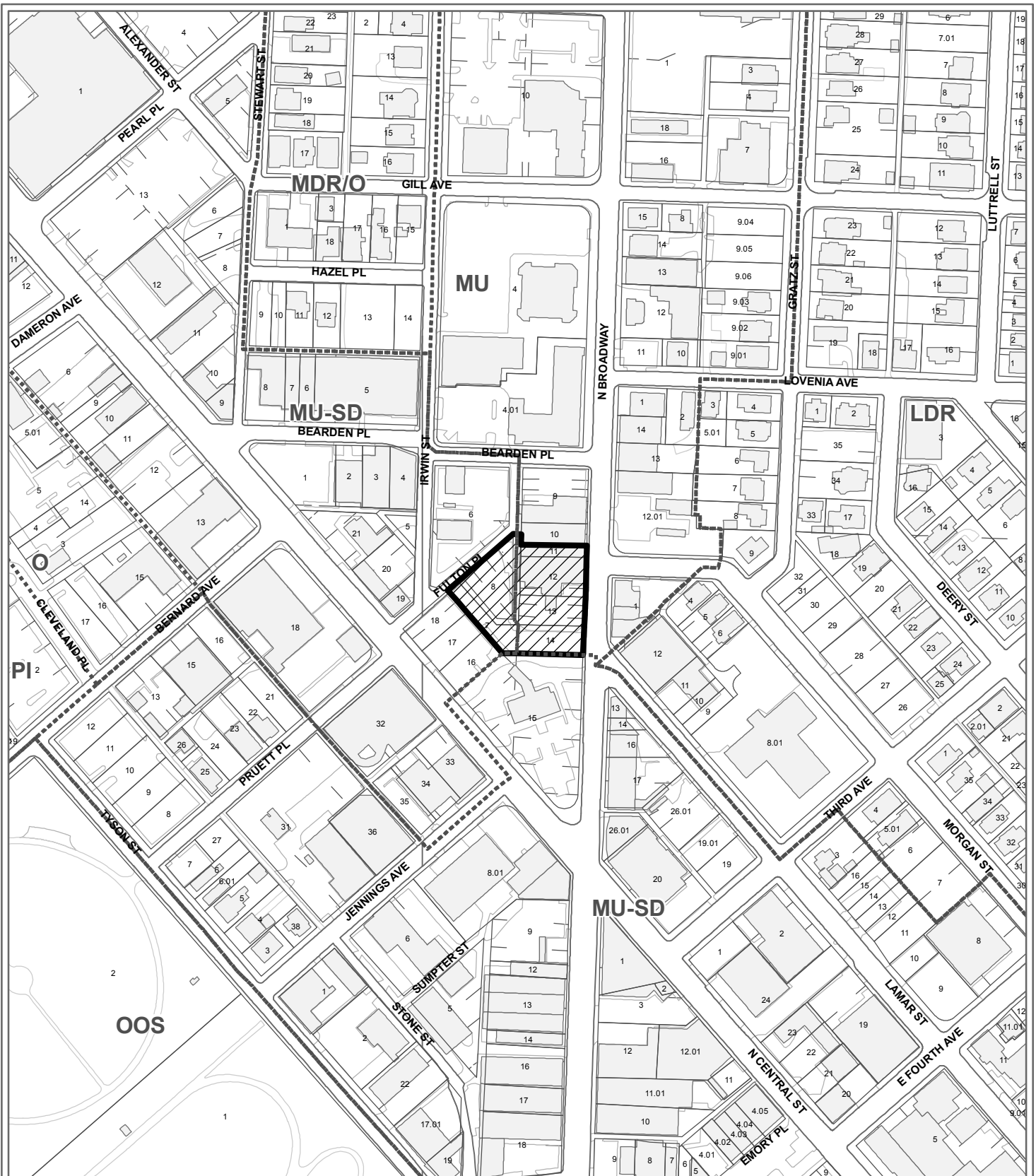
TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

The adjacent property to the south is already designated for MU-CC1 uses. Several properties in the general area are already zoned C-2. The proposal is an extension of the plan designation from the south and a continuation of rezonings to C-2 in the area.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 8/5/2014 and 8/19/2014. 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.



**7-D-14-SP
CENTRAL CITY SECTOR PLAN AMENDMENT**

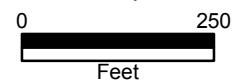
From: MU-SD (Mixed Use Special District) (MU-CC2) and MU (Mixed Use)
 To: MU-SD (Mixed Use Special District) (MU-CC1)



Petitioner: Humphreys, Daniel

Map No: 94

Jurisdiction: City



Original Print Date: 6/23/2014
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE CENTRAL CITY SECTOR 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 Central City Sector 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**, Daniel Humphreys has submitted an application to amend the Sector Plan from Mixed Use Special District (MU-CC2) and MU to Mixed Use Special District (MU-CC1), for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Central City Sector 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 July 10 2014, 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, and/or amended.*

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 Central City Sector Plan, with its accompanying staff report and map, file #7-D-14-SP.

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

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

▶ **FILE #:** 7-D-14-RZ
 7-C-14-PA

AGENDA ITEM #: 26
AGENDA DATE: 7/10/2014

▶ **APPLICANT:** DANIEL HUMPHREYS
 OWNER(S): Napier Properties, LLC

TAX ID NUMBER: 94 D C 007,008,011-014

JURISDICTION: Council District 4

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▶ **LOCATION:** West side N. Broadway, east side Fulton Pl., northeast of N. Central St.

▶ **TRACT INFORMATION:** 40760 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 4 lanes and a center turning lane within 50' of right-of-way, or Fulton Pl., a local street with 15-25' of pavement width within 25' 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:** MU (Mixed Use) - (GC-General Commercial, CBD-Central Business District) / C-2 (Central Business District)

▶ **EXISTING LAND USE:** Businesses and parking

▶ **PROPOSED USE:** None listed

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of MU (GC, CBD) from the south

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Rentals business / GC / C-3 (General Commercial)

South: Bank / MU (GC, CBD) / C-3 (General Commercial)

East: N. Broadway - Businesses / GC / C-3 (General Commercial)

West: Businesses / GC / C-3 (General Commercial) and C-2 (Central Business)

NEIGHBORHOOD CONTEXT: This area just north of downtown Knoxville is developed with a mix of commercial, residential and office uses under C-2 and C-3 zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE MU (Mixed Uses) (GC-General Commercial, CBD-Central**

Business District) One Year Plan designation.

The recommended mixed use designation for this site is an extension of the same designation from the south.

▶ RECOMMEND that City Council APPROVE C-2 (Central Business) zoning.

C-2 zoning for the subject property will allow redevelopment of the site for mixed uses, including residential. The proposal is similar to already approved tracts of C-2 zoning in the area that were previously zoned C-3.

COMMENTS:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these.)

A. AN ERROR IN THE PLAN - The One Year Plan designates the site for general commercial uses, consistent with the current C-3 zoning in place. However, the site is adjacent to other sites designated for mixed uses, including central business, to the south.

B. A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA - No known improvements have been made in the vicinity of this site. The existing infrastructure supports the proposed C-2 development.

C. A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN - Several properties in the immediate area have been rezoned from C-3 to C-2 to allow for mixed use development. This amendment is an extension of central business uses from the south.

D. NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT - The sector plan, as amended by the Broadway-Central-Emory Place Small Area Plan, adopted in 2007, designates the adjacent parcels to the south for mixed use, including CBD. The proposal is an appropriate extension of that designation to the north.

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. C-2 zoning for the subject property will allow redevelopment of the building for mixed uses, including residential, as proposed by the associated sector plan amendment that is recommended for approval (7-D-14-SP).
2. This proposal is similar to other tracts of C-2 zoning in the area that were previously zoned C-3.
3. The site is located within a mixed use special district (MU-SD) of the Central City Sector Plan. The recommended sector plan change is from the MU-CC2 district to the MU-CC1 district. The adjacent properties to the south are currently designated as MU-CC1, so the proposal is an extension of that designation from the south.

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

1. 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.
2. Based on the above general intent, this area is appropriate for C-2 zoning.

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 is compatible with the surrounding land uses and zoning pattern.
2. The proposal will not have any direct or indirect adverse effects in the surrounding area or any other part of the County.
3. This proposal is similar to other C-2 rezonings that have been approved recently in the surrounding area, just north of downtown Knoxville.

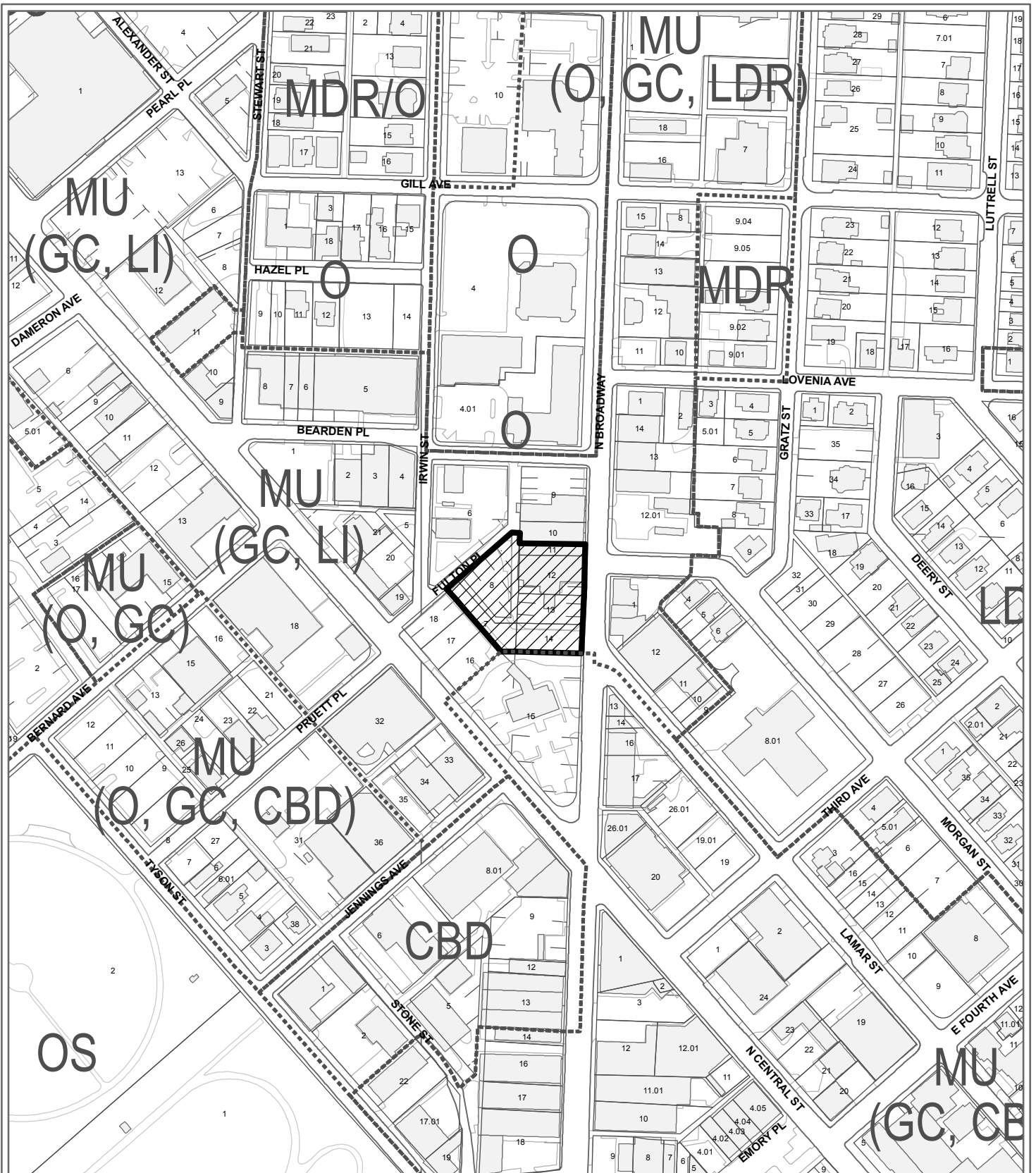
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Central City Sector Plan, as recommended to be amended to MU-SD (MU-CC1), proposes mixed uses for the site, consistent with the request for C-2 zoning. The associated sector plan amendment is also on this agenda for MPC's consideration (7-D-14-SP).
2. With the recommended amendment to the City of Knoxville One Year Plan map to MU (GC, CBD), the proposed C-2 zoning is consistent with the plan.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

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**7-C-14-PA / 7-D-14-RZ
PLAN AMENDMENT**

Petitioner: Humphreys, Daniel

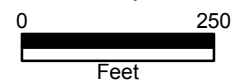


From: GC (General Commercial)

To: MU (Mixed Use) - (GC-General Commercial, CBD-Central Business District)

Map No: 94

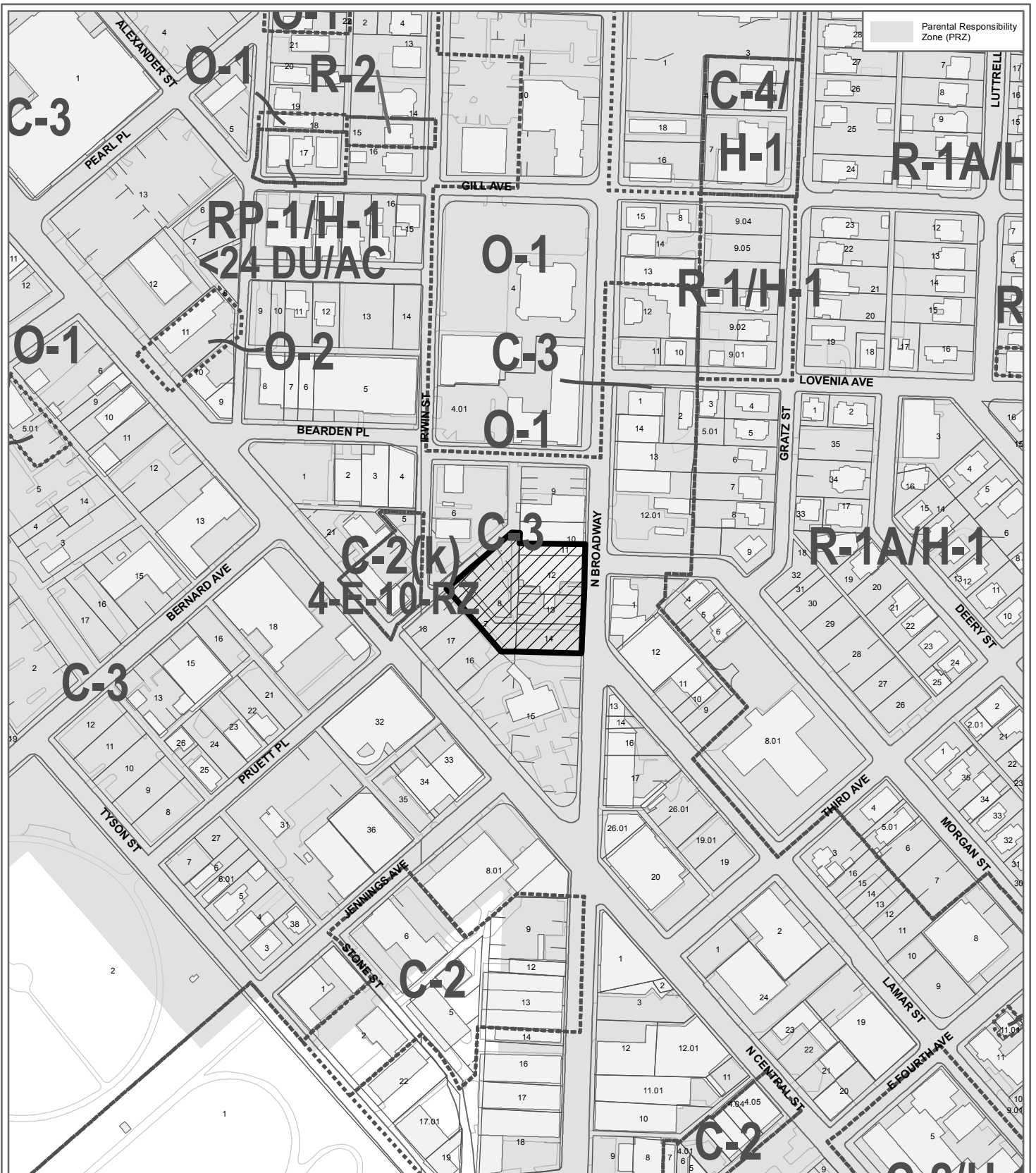
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**7-D-14-RZ
REZONING**

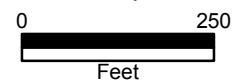
From: C-3 (General Commercial)
To: C-2 (Central Business District)



Petitioner: Humphreys, Daniel

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