

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

▶ **FILE #:** 3-C-14-RZ
 3-A-14-SP

AGENDA ITEM #: 36
AGENDA DATE: 3/13/2014

▶ **APPLICANT:** EDWARD MCALISTER
 OWNER(S): Ed McAlister

TAX ID NUMBER: 108 A A 015

JURISDICTION: Council District 6

STREET ADDRESS: 523 Walker St

▶ **LOCATION:** West side Walker St., north of Sutherland Ave.

▶ **TRACT INFORMATION:** 0.25 acres.

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Walker St., a local street with 19' of pavement width within 35' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** O (Office) / R-2 (General Residential)

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

▶ **EXISTING LAND USE:** Vacant lot

▶ **PROPOSED USE:** Parking

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of C plan designation and C-3 zoning from the south

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, North: House / O / R-2 (General Residential)

PLAN DESIGNATION, South: Parking lot / C / C-3 (General Commercial)

ZONING East: Walker St. - House and business / O / R-2 (General Residential) and C-3 (General Commercial)

West: Auto service business / O / I-2 (Restricted Manufacturing & Warehousing)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of commercial, light industrial and residential uses under C-3, C-6, I-2 and R-2 zoning.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION # 3-A-14-SP, amending the Central City Sector Plan to C (Commercial) and**

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

Commercial uses will be compatible with the scale and intensity of surrounding development and zoning. The proposal is consistent with the current One Year Plan designation.

► **RECOMMEND that City Council APPROVE C-3 (General Commercial) zoning, subject to the following conditions:**

1. No vehicular access shall be provided from Walker St. All vehicular access to the site shall come through adjacent parcels from Sutherland Ave.
2. If not already in place, a Type 'A' landscape screen shall be installed along the north and east property lines of the parcel. See attached document illustrating Type 'A' landscape screening.

With the above recommended condition, the proposed rezoning will be compatible with surrounding development and zoning.

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 recently made to any of the roads surrounding this site. Public water and sewer utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The One Year Plan currently designates the site for Mixed Uses, limited to general commercial or medium density residential uses, consistent with the proposal. Amendment of the sector plan designation for this site would bring it into consistency with the One Year Plan and proposed C-3 zoning.

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

Property on the east (opposite side) of Walker St. across from the subject property is zoned C-3 and designated for commercial on the One Year Plan. This proposed plan amendment is an extension of commercial uses to a similar depth back from Sutherland Ave. as exists on the opposite side of Walker St.

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

The adjacent property to the south is zoned commercial and used for parking for nearby businesses, so commercial use of this site would be a compatible extension of that use.

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-3 zoning for the subject property is an extension of commercial zoning from two sides.
2. C-3 zoning uses are compatible with the surrounding land use and zoning pattern.
3. The site is located next to established commercial uses along the north side of Sutherland Ave.

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. With the recommended conditions on the rezoning, the impact of commercial use of this property to adjacent residential uses will be minimized. Landscape screening will be required on the north and east sides to screen the parking lot from residential properties. Vehicular access to the site will not be allowed from Walker St., reducing the traffic impact on Walker St.
2. The proposal is compatible with the surrounding land uses and zoning pattern.
3. The proposal will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.

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. With the recommended amendment to the Central City Sector Plan to general commercial, C-3 zoning would be consistent with the plan.
2. The City of Knoxville One Year Plan proposes Mixed Uses, limited to GC and MDR, consistent with C-3 zoning.
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.

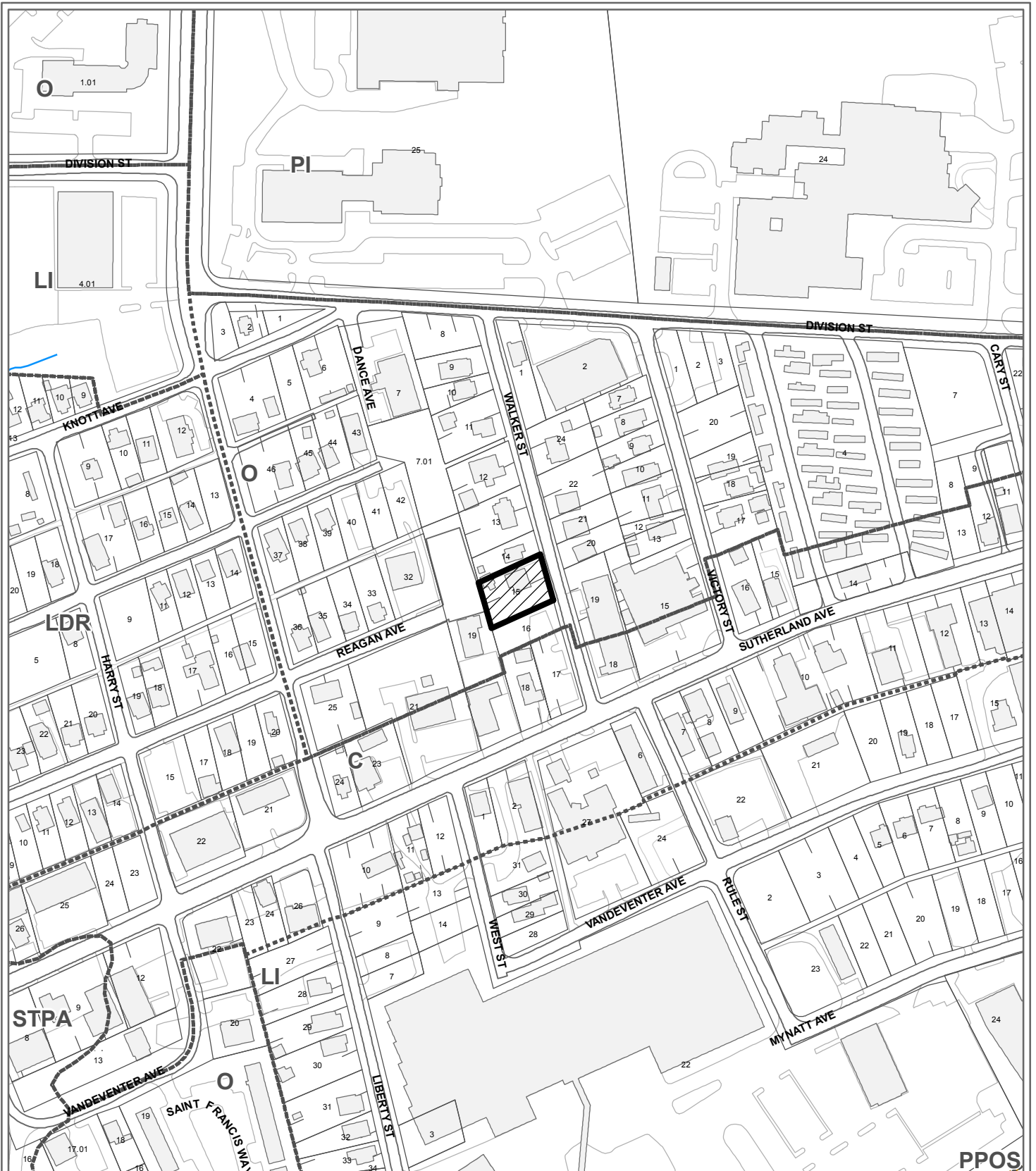
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

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 required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 4/15/2014 and 4/29/2014. 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.



**3-A-14-SP / 3-C-14-RZ
CENTRAL CITY SECTOR PLAN AMENDMENT**

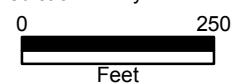


From: O (Office)
To: C (Commercial)

Original Print Date: 2/24/2014 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: McAlister, Edward

Map No: 108
Jurisdiction: City





**3-C-14-RZ
REZONING**

From: R-2 (General Residential)

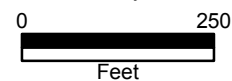
To: C-3 (General Commercial)



Petitioner: McAlister, Edward

Map No: 108

Jurisdiction: City



Original Print Date: 2/24/2014
 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

**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, Edward McAlister, has submitted an application to amend the Sector Plan from Office to Commercial, 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 March 13, 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 #3-A-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



KGIS - 606 Main St - Suite 150 - Knoxville, TN 37902 - www.kgis.org

Printed: 3/6/2014 at 9:55 AM

Disclaimer: KGIS makes no representation or warranty as to the accuracy of this map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

Type "A" Screen: Dense

APPROPRIATE LOCATION: Boundaries of commercial and industrial developments adjoining residential areas

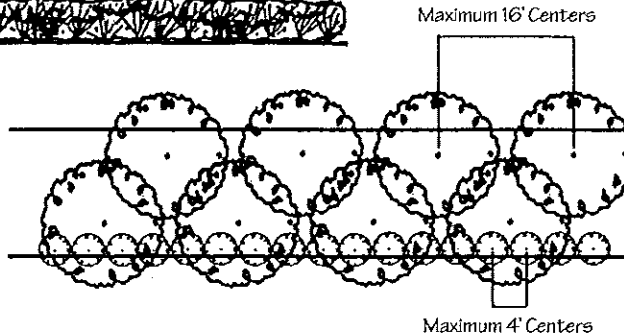
NOTE: Landscape buffer strips should be a minimum of 15 feet in width, and sown with grass or ground cover for their full width, allowing for mulch at the base of plantings.

- Two offset rows of deciduous or evergreen canopy trees with a 6 ft. high continuous dense evergreen hedge, fence, wall or earth berm

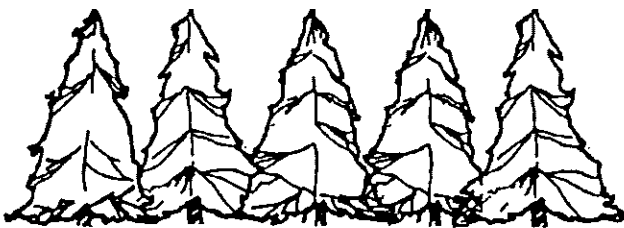


TREE HEIGHT
Installed: 8 ft.
Mature: 40 ft.

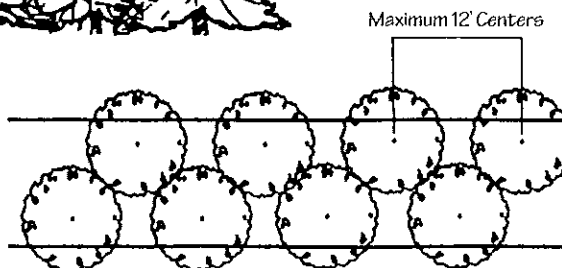
SHRUB HEIGHT
Installed: 4 ft.
Mature: 6 ft.



- Two offset rows of evergreen trees with branches touching the ground



TREE HEIGHT
Installed: 8 ft.
Mature: 30 ft.



INTRODUCTION

Landscape screening reduces the impact of intense development upon adjacent land uses by providing visual separation, reducing the transmission of glare and air pollution, and limiting access. Screening also promotes the aesthetic appeal of a neighborhood and promotes higher property values.

This series of design guidelines defines several types of landscape screen. Each type is applicable to a certain intensity of conflict between adjacent land uses. Each screen type is illustrated by several planting schemes with an equivalent height, density and opacity of landscaping.

MPC uses these guidelines to illustrate desirable levels of screening appropriate to various site planning situations. Creative alternatives which achieve a comparable effect are encouraged.

For more information:

MPC
Development Services
Suite 403
City County Building
400 Main Street
Knoxville, TN 37902
Phone: 865 215-2500
Fax: 865 215-2068
Web: www.knoxmpc.org

The contents of these guidelines are advisory and are intended to supplement, but not replace, the requirements of the Knoxville Zoning Ordinance and the Knox County Zoning Ordinance.