

**TO:** Commissioners, Knoxville-Knox County Metropolitan Planning Commission  
**ROM:** Fountain City Town Hall, Inc.  
**DATE:** March 11, 2014  
**RE:** Corridor Overlay—3-13-14 Amendments to the Knoxville Zoning Ordinance.

We appreciate the changes made to the Corridor Overlay. We offer the following requests and comments: Proposed changes to **A, C, D and G** address the need to provide a clear focus for each corridor overlay by directly tying corridor-specific standards, goals, and objectives to the unique characteristics of the corridor.

**A. General Description.**

**First Paragraph Change:**

**FROM:** “Within the City of Knoxville are many roadway corridors that are very significant because they serve as important gateways to the City and its neighborhoods. These corridors also serve as valuable amenities and assets to the City, its residents and its economy. The intent of this section is to preserve, enhance and sustain the value of these corridors and hereby authorize the establishment of corridor overlay districts.”

**TO:** “Within the City of Knoxville are many roadway corridors that are very significant because they serve as important gateways to the City and its neighborhoods. These corridors also serve as valuable amenities and assets to the City, its residents and its economy. The intent of this section is to **identify corridors with significant, unique characteristics not generally found throughout the City and to** preserve, enhance and sustain the value of these corridors and hereby authorize the establishment of corridor overlay districts.”

**Second Paragraph Change:**

**FROM:** “The purpose of these corridor overlay districts is to provide a method to implement the corridor-specific recommendations of approved corridor plans by establishing alternative or additional development standards that achieve the goals and objectives expressed in these plans. These corridor-specific development standards may go beyond single property ownership and underlying zone district boundaries and the standards currently established in the underlying districts.”

**TO:** “The purpose of these corridor overlay districts is to provide a method to implement the corridor-specific recommendations of approved corridor plans by establishing alternative or additional development standards that achieve the goals and objectives expressed in these plans. **The standards, goals and objectives shall directly relate to the identified characteristics unique to the corridor.** These corridor-specific development standards may go beyond single property ownership and underlying zone district boundaries and the standards currently established in the underlying districts.”

*C. Council approved plan for each corridor required.*

**FROM:** “A corridor overlay district may be added to the zoning map with the adoption of an ordinance by City Council. The ordinance creating a corridor overlay district shall be accompanied by a corridor plan which establishes the boundaries of the district, establishes why the area within the district is worthy of special attention, documents recommendations for future development within the district and establishes corridor specific development standards to implement those recommendations. Such corridor specific development standards may provide alternative standards to those currently in place in the underlying districts or supplement other standards currently established in the zoning ordinance.”

**TO:** “*C. Council approved plan for each corridor required.* A corridor overlay district **shall** be added to the zoning map with the adoption of an ordinance by City Council. The ordinance creating a corridor overlay district shall be accompanied by a corridor plan. **The corridor plan shall establish** the boundaries of the district, **establish** why the area within the district is worthy of special attention; **document** recommendations for future development within the district; and **establish** corridor specific development standards to implement those recommendations. Such corridor specific development standards may provide alternative standards to those currently in place in the underlying districts or supplement other standards currently established in the zoning ordinance. **The plan recommendations and standards shall be based on, and directly related to, the specific characteristics worthy of special attention identified for the district. The plan shall include a rationale describing how the recommendations and standards relate to the unique characteristics of the corridor district.**”

*D. District initiation procedures.*

**FROM:** “2. Such resolution shall instruct the staff of the Metropolitan Planning Commission to prepare a corridor district plan, including necessary land use and other background studies.”

**TO:** “2. Such resolution shall **identify the general geographic area to be considered, describe the specific characteristics or conditions of the area worthy of special attention,** and shall instruct the staff of the Metropolitan Planning Commission to prepare a corridor district plan, including necessary land use and other background studies.”

**FROM.** “3. “All property owners within the proposed corridor district and adjacent areas shall be provided an opportunity through public meetings...”

**TO:** “3. All property owners within the proposed corridor district and **the general public** shall be provided an opportunity through public meetings...”

**OPTION 1.** We support the staff’s recommendation regarding the adoption of Option 1.

**NOTE:** If we are going to trust this process for some standards and requirements, we should trust them for all.

**G. Administration.**

**3. b. ADD:** The action of the Metropolitan Planning Commission may be appealed to the Knoxville City Council following the procedures in (Cite appropriate Article and Section) of the zoning ordinance.

**6. Change FROM:** “The planning commission shall approve any revisions or deviations that cannot meet the standards for minor revisions...”

**TO:** “The planning commission **shall consider** any revisions or deviations that cannot meet the standards for minor revisions....”

**7. Change FROM:** “Applications for variances from dimensional requirements that are part of an approved development plan shall not be considered by the City’s Board of Zoning Appeals. Any requests for variances of dimensional requirements shall be made to and acted upon by the City’s Board of Zoning Appeals prior to consideration of a development plan by the planning commission.”

**TO:** “Applications for variances from dimensional requirements that are part of a **City Council adopted Corridor Overlay District shall not be considered by the City’s Board of Zoning Appeals.**”

**Delete** “Any requests for variances of dimensional requirements shall be made to and acted upon by the City’s Board of Zoning Appeals prior to consideration of a development plan by the planning commission.”

**Note:** Corridor Overlay Districts allow the adoption of regulations different from those of the base district. The point of adopting different regulations is to more appropriately address the specific needs of a specific area. The adopted corridor regulations may be less restrictive than those of the base zone.

Why permit an owner to apply for a variance after the adoption of the Corridor Overlay and overlay standards, but prior to consideration of a development plan for a specific parcel of property?

The variance might well be contrary to the purpose and goals of the Corridor Overlay.

Carlene Malone

Charlotte Davis, Co-Chairs, Land Use Committee

#5

To: MPC Commissioners

From: Community Forum, Sue Mauer, Chairperson

Re: November 14, 2013 MPC meeting:

Agenda Item #5, MPC File # 5-A-13-OA Corridor Overlay Zone District  
Agenda Item #7, MPC File # 11-A-13-OA Small Breweries, Wineries, and  
Distilleries

Date: November 13, 2013

Dear Commissioners:

Community Forum is an organization that includes representatives from neighborhoods in Knoxville and Knox County.

The members of the Community Forum unanimously voted to communicate to you their concerns regarding two amendments to the Knoxville Zoning Ordinance, specifically Agenda Item #5, (An Amendment to the City of Knoxville Zoning Ordinance providing a Corridor Overlay Zone District); and Agenda Item #7, (Revisions to the Proposed Amendment to the City of Knoxville Zoning Ordinance regarding definitions and Standards for Small Breweries, Wineries and Distilleries.)

Corridor Overlay Zone District: Agenda Item #5, MPC File #5-A-13-OA

We do not oppose corridor overlays. Our concerns are limited to Article F, Administration. The proposed review process establishes a private review process with the Director of MPC deciding whether or not a "development plan" meets the corridor specific "development standards."

All other overlay districts in the City of Knoxville provide for a public process, including a board, commission or authority that reviews the proposal and approves or denies a Certificate of Appropriateness.

The importance of the review and approval process must be recognized. The review process is where words are translated into real structures and the vision for the corridor is realized or not. The failure to include a public body and public meeting as part of a review process means that the first notice a neighbor might have that a proposal was submitted and reviewed might well be when a bulldozer arrives at the site and begins moving dirt.

Under the proposed private review process, the interested parties are denied an opportunity to give input and to gain understanding. Additionally, since the absence of a public hearing means an absence of any public notice, the public is denied any real

opportunity to appeal any decision. If the public does not know a proposal has been submitted, or that a proposal is being reviewed, or has been approved, how can the public file an appeal?

We request that the Corridor Overlay be amended to include the formation of an appropriate public body to review corridor development proposals.

Small Breweries, wineries and distilleries: Agenda Item #7, MPC File #7-A-13-OA

We request that "Brewpubs" be deleted from the C-1, Neighborhood Commercial District, as a Use on Review. (Article IV, Section 2.2.4, C, 4).

The General description of the C-1 District states: "This district is established to provide areas in which the principal use of land is devoted to the neighborhood store. It is a restricted commercial district, limited to a narrow range of retail, service and convenience goods only and to the first floor of a structure. This district is designed for areas where large commercial operations are undesirable, but where individual proprietary stores are useful and desirable for the neighborhood."

As an example of the intent of the C-1 District, Uses permitted, B 7, specifies that a self-service laundry is limited to 4,000 square feet of gross floor area and further states, "no variance to such maximum floor area shall be granted."

How does a Brewpub with an allowable area of 5,000 square feet, devoted just to the production of malt liquors, fit with the intent of the C-1 District and limitations imposed on other uses?

Please be aware of the fact that C-1 Districts have been placed in our neighborhoods based on the intent of the district. For instance, there are existing C-1 Districts in the middle of Sequoyah Hills, at the Jacksboro Pike/Tazewell Pike corner in the Fountain City community, on Lyons View Pike at Lakeshore Park, etc.

Do you think it is appropriate to have a large "Brewpub" in each of these locations?

Thank you for considering our requests.

Sincerely,

Ms. Sue Mauer  
Chairperson, Community Forum  
8824 Farmington Dr.  
Knoxville, TN 37923  
690-0269

cc: Knoxville City Council