

CASE SUMMARY

APPLICATION TYPE: ORDINANCE AMENDMENT

KNOXVILLE-KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N

T E N N E S S E E

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File Number: 5-A-13-OA

Related File Number:

Application Filed: 2/26/2013

Date of Revision:

Applicant: METROPOLITAN PLANNING COMMISSION (REFERRED BACK BY CITY COUNCIL)

PROPERTY INFORMATION

General Location:

Other Parcel Info.:

Tax ID Number: 999 999

Jurisdiction:

Size of Tract:

Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use:

Surrounding Land Use:

Proposed Use:

Density:

Sector Plan:

Sector Plan Designation:

Growth Policy Plan:

Neighborhood Context:

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street:

Location:

Proposed Street Name:

Department-Utility Report:

Reason: Amendments to the City of Knoxville Zoning Ordinance regarding creating a corridor overlay zone district

ZONING INFORMATION (where applicable)

Current Zoning:

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.: Amendments to the City of Knoxville Zoning Ordinance regarding creating a corridor overlay zone district

MPC ACTION AND DISPOSITION

Planner In Charge: Mark Donaldson

Staff Recomm. (Abbr.): Staff recommends that the planning commission recommend to City Council approval of the proposed new corridor overlay zone district as shown in Exhibit A, with Option 1 regarding alternative standards.

Staff Recomm. (Full):

Comments:

At the May 2013 MPC meeting staff initiated a proposed amendment to the City of Knoxville Zoning Ordinance to add a new corridor overlay zone district at Article IV, Section 5.6. City Council subsequently conducted a workshop, considered the proposed district at a Council meeting and then referred it back to MPC with several suggested changes. After making changes to address the issues identified by City Council, MPC recommended approval of a revised amendment at its November 2013 meeting. City Council considered the revised amendment in January 2014 and referred it back to MPC with four additional issues.

BACKGROUND

The need for this type of overlay district was discussed in recently adopted East County, South County and South City sector plan updates. This approach was also discussed by the City administration and City Council members for the Washington Pike corridor which will soon undergo significant improvement and for the Chapman Highway corridor in light of the recent action terminating the continuation of the James White Parkway.

This overlay district would allow the consideration and approval of corridor specific development standards that could be tailored to the characteristics of any specific highway corridor and reflect the consideration and input of planners, property owners and interested citizens through an approved plan for the corridor.

ANALYSIS

City Council in January listed four preferences for consideration by the planning commission:

1. Approval of development projects within the corridor overlay district should be made by a board, committee or commission rather than by staff.
2. There should be a higher level of consensus from property ownership within the proposed corridor overlay boundary than the 51% threshold in the previous draft.
3. There should be a larger minimum area required to create a district than the 5 acres proposed in the previous draft.
4. Any corridor specific alternative standards should not be allowed to change maximum requirements established elsewhere in the zoning regulations.

Approval Authority. This version of the amendment requires development plan approval by the planning commission for any new development within a corridor overlay district. MPC staff does not support the creation of a new board, committee or commission for this purpose. The planning commission is best positioned and fully capable of this sort of review. Staff should be allowed to approve minor adjustments to approved plans as currently provided for in the planned residential districts and in several of the overlay districts.

Minimum indication of consensus. Somewhere between 51% and 100% there is a number that will give City Council comfort that there is some agreement from property owners to create a new corridor overlay. The previous version established 51% of property owners or land area owned as the minimum acceptable level. This version of the amendment requires acceptance of the corridor plan and proposed standards by 60% of the owners and owners of 60% of the land within the proposed boundary as a minimum threshold.

Minimum area of land within corridor boundary. This version proposes the same 5 acre minimum of area as the previous version. The character of corridors often changes from block to block (N. Central

Street and Happy Holler is an example) and five acres represents a fairly typical pattern of block development with properties of 150 feet of depth on both sides of a 660 foot long block. Staff considered larger areas but settled on the 5 acre size as a minimum threshold.

Maximum standards not to be changed. The primary purpose of the overlay district is to create a method to approve alternative development standards from those already in place, many of which pose a barrier to redevelopment in a manner that is desired. City Council expressed a desire to keep all previously established maximum standards in place. Because amendments to the sign regulations are currently being discussed by Council, maximum detached sign height and sign area were mentioned as examples of existing regulations that should not be changed through a corridor overlay district. There aren't a lot of maximum requirements established in the zoning regulations, but there are examples of other maximum regulations that pose serious barriers to redevelopment, particularly along the city's more urban corridors. Here are a couple of examples in which providing an alternative maximum standard could foster more redevelopment in places that can support development at a higher intensity:

- The maximum lot coverage requirement in the C-3 zone district is 75%. Achieving this standard would prevent redevelopment in the manner of many of our urban corridors, such as along N. Central and portions of Kingston Pike in Bearden.
- The maximum floor area ratio in the C-4 zone district is 1.6 : 1. This would allow only a two story building on 80 percent of a lot, or a three story building on little more than half a lot.
- Maximum lot coverage in the O-1 district is 35%. This promotes a suburban development pattern and many of the city's corridors are currently developed in a more urban pattern.
- Maximum height of buildings, except for a specified list of uses, in the O-1 zone district is 45 feet. This prevents a privately developed office building from developing in the same manner as a public office building in this district.

Three options are provided to address the issue of alternative maximum standards: 1) specify that all standards are subject to alteration; 2) specify that all maximum standards are off the table for consideration of alternative standards; and 3) specify only sign height and sign area as standards that cannot be changed.

Action: Approved **Meeting Date:** 3/13/2014

Details of Action:

Summary of Action: Recommend to City Council approval of the proposed new corridor overlay zone district as shown in Exhibit A, with Option 1 regarding alternative standards.

Date of Approval: 3/13/2014 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 12/23/2014

Date of Legislative Action, Second Reading: 1/20/2015

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Postponed

Disposition of Case, Second Reading: Tabled

If "Other": Postponed until 8-20-2013, referred back to MPC 1-7-14, 4/15 pp to 7/8/14, 7-22 pp to 1-20-2015

If "Other":

Amendments:

Amendments:

Referred back to MPC for modifications resulting from City Council workshop 1-7-14

Date of Legislative Appeal:

Effective Date of Ordinance: