

CASE SUMMARY

APPLICATION TYPE: REZONING

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

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

File Number: 9-C-09-RZ **Related File Number:** 11-A-09-PA
Application Filed: 7/21/2009 **Date of Revision:** 10/8/2009
Applicant: CITY OF KNOXVILLE

PROPERTY INFORMATION

General Location: Northwest side Cumberland Ave., northeast of Eleventh St.
Other Parcel Info.:
Tax ID Number: 94 M C 023 OTHER: 094MG041, 094LJ00102 **Jurisdiction:** City
Size of Tract: 14.46 acres
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.

GENERAL LAND USE INFORMATION

Existing Land Use: Park
Surrounding Land Use:
Proposed Use: Extension of D-1 guidelines for consistency across World's Fair Park **Density:**
Sector Plan: Central City **Sector Plan Designation:** PPOS
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: These parcels contain World's Fair Park which is located between the downtown central business district and the Ft. Sanders neighborhood and UT.

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

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-2 (Central Business District)
Former Zoning:
Requested Zoning: OS-1 (Open Space Preservation) / D-1 (Downtown Design Overlay)
Previous Requests: None noted
Extension of Zone: Yes, extension of D-1 overlay from the east
History of Zoning: None noted

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.:

MPC ACTION AND DISPOSITION

Planner In Charge:

Michael Brusseau

Staff Recomm. (Abbr.):

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

Staff Recomm. (Full):

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 request was postponed to 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.

Comments:

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.

Action:

Approved

Meeting Date: 1/14/2010

Details of Action:

Summary of Action: C-2 (Central Business) / D-1 (Downtown Design Overlay)

Date of Approval: 1/14/2010 **Date of Denial:** **Postponements:** 11/12/09

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 5/4/2010

Date of Legislative Action, Second Reading: 5/18/2010

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

Referred back to MPC to consider OS-1 Open Space Preservation

Date of Legislative Appeal:

Effective Date of Ordinance: