

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

NORTHWEST COUNTY SECTOR PLAN 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: 1-A-12-SP **Related File Number:** 1-D-12-RZ
Application Filed: 11/28/2011 **Date of Revision:**
Applicant: SAGEBRUSH CAPITAL

PROPERTY INFORMATION

General Location: Southwest side Middlebrook Pike, southeast of Bob Kirby Rd.
Other Parcel Info.:
Tax ID Number: 104 21103 **Jurisdiction:** County
Size of Tract: 10 acres
Accessibility: Access is via Middlebrook Pike, a major arterial street with 4 lanes and a center median within 145' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Walden Legacy Apartment Community, Phase II **Density:** 19 du/ac
Sector Plan: Northwest County **Sector Plan Designation:** Low Density Residential and Slope Protection
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This section of Middlebrook Pike has a mix of uses including apartments, detached houses and businesses under A, PR, CA and PC zoning.

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

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

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
Former Zoning:
Requested Zoning: PR (Planned Residential)
Previous Requests: None noted
Extension of Zone: No
History of Zoning: None noted for this site. Adjacent site to southeast was changed to MDR and SLPA and PR zoning at 1-12 du/ac in 2003. MPC staff had recommended denial of MDR and a PR density of up to 5 du/ac, but MPC and County Commission approved as requested.

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential) & SLPA (Slope Protection Area)

Requested Plan Category: HDR (High Density Residential) & SLPA (Slope Protection Area)

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.): ADOPT RESOLUTION # 1-A-12-SP, amending the Northwest County Sector Plan to MDR (Medium Density Residential) and SLPA (Slope Protection) and recommend that County Commission also adopt the amendment. (Applicant requested HDR.) (See attached Exhibit A.)

Staff Recomm. (Full): Medium density residential development is consistent with much of the adjacent development and zoning in the area. There is an established, multi-dwelling residential development to the southeast of this site. Medium density residential is compatible with the surrounding development and zoning pattern, but the requested high density residential is not. If development is limited on the steep slopes within the SLPA (Slope Protection Area), as recommended, then the resulting development will be clustered in the less constrained areas of the site and will appear more dense than the overall site density would indicate.

Comments: SECTOR PLAN REQUIREMENTS:
CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:
NEW ROAD OR UTILITY IMPROVEMENTS:
This section of Middlebrook Pike was improved in the early 2000's from a two-lane to a four-lane section. This major arterial street is sufficient to handle the additional traffic that would be generated by low to medium density residential development.
ERROR OR OMISSION IN CURRENT PLAN:
The current sector plan proposes slope protection and low density residential uses for this site. Medium density residential uses for this site would be an extension from the southeast, but the slope protection on the majority of the site should be maintained, so the residential density must be limited.
CHANGES IN GOVERNMENT POLICY:
No changes in government policy impact this request. The adjacent site to the southeast was approved for a sector plan amendment and rezoned PR at up to 12 du/ac in 2003 (10-P-03-RZ/10-A-03-SP). MPC staff had recommended denial of MDR and approval of PR at up to 5 du/ac, but MPC and County Commission approved as requested. The use on review for the apartment development was approved by MPC in 2004 (1-B-04-UR).
CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:
The property to the southeast is zoned for and developed with medium density residential uses. The established 236 unit apartment development maximizes the allowable density of up to 12 du/ac for that site. The recommended MDR and SLPA for the subject property is a logical extension of that sector plan designation and this is the primary reason for staff's recommendation to approve MDR and SLPA to the subject property.

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. New law 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.

Action: Approved

Meeting Date: 1/12/2012

Details of Action:

Summary of Action: ADOPT RESOLUTION # 1-A-12-SP, amending the Northwest County Sector Plan to MDR (Medium Density Residential) and SLPA (Slope Protection) and recommend that County Commission also adopt the amendment. (Applicant requested HDR.) (See attached Exhibit A.)

Date of Approval: 1/12/2012 **Date of Denial:** **Postponements:**

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 2/27/2012 **Date of Legislative Action, Second Reading:**

Ordinance Number: **Other Ordinance Number References:**

Disposition of Case: **Disposition of Case, Second Reading:**

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**