

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

NORTH CITY 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-B-10-SP
Application Filed: 11/25/2009
Applicant: M & T, LLC

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: Southeast end Fennel Rd., southeast of Elyria Dr., northeast of Central Avenue Pike
Other Parcel Info.:
Tax ID Number: 69 I A PART OF 027.01 OTHER: MAP ON FILE AT MPC **Jurisdiction:** City
Size of Tract: 3.4 acres
Accessibility: Access is via Fennel Rd., a local street with 18' of pavement width with 45' of right of way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Duplexes and multi-dwelling residential **Density:**
Sector Plan: North City **Sector Plan Designation:** Low Density Residential and Hillside Protection
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This area is developed with a mix of low density and medium density residential development under R-2 zoning and some commercial, office and light industrial development under C-3, C-6, O-1, I-2 and I-3 zoning.

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

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

ZONING INFORMATION (where applicable)

Current Zoning:
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone: Yes, extension of MDR from the southeast
History of Zoning: MPC approved a one year plan amendment to GC and rezoning to C-6 on 7/8/04 (7-I-04-RZ/7-E-04-PA). Staff had recommended denial of both requests.

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential) and HP (Hillside Protection)

Requested Plan Category: MDR (Medium Density Residential) and HP (Hillside Protection)

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-B-10-SP, amending the North City Sector Plan to MDR (Medium Density Residential) and recommend that City Council also adopt the sector plan amendment. (See attached resolution, 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, attached residential development to the southeast of this site. Medium density residential is a less intense land use than the current general commercial proposal.

Comments: CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:
NEW ROAD OR UTILITY IMPROVEMENTS:
No known improvements have been made to the roads or utility facilities in the area. However the proposed use is less intense than the current designated use.
ERROR OR OMISSION IN CURRENT PLAN:
The current sector plan proposes low density residential uses for this site, not recognizing the current C-6 zoning or the previous R-2 zoning. If adopted, this recommended plan amendment would bring the sector plan into consistency with the One Year Plan and zoning of the property.
CHANGES IN GOVERNMENT POLICY:
The property was formerly zoned R-2, which allows medium density residential development with no plan approval requirement by MPC. If MDR is approved on the sector plan, then a planned residential zone could be established, which is the preferred zoning for residential development.
CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:
The property to the southeast is zoned and developed with medium density residential uses. The Central Avenue Pike corridor has been developing with more intense uses over the years, mainly commercial. This site is located less than a mile from the I-75/Merchant Dr. interstate interchange.

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: 1/14/2010

Details of Action:

Summary of Action: MDR (Medium Density Residential and HP (Hillside Protection)

Date of Approval: 1/14/2010

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: 2/9/2010

Ordinance Number:

Disposition of Case: Approved

If "Other":

Amendments:

Date of Legislative Appeal:

Date of Legislative Action, Second Reading: 2/23/2009

Other Ordinance Number References:

Disposition of Case, Second Reading: Approved

If "Other":

Amendments:

Effective Date of Ordinance: