

# CASE SUMMARY

**APPLICATION TYPE: PLAN AMENDMENT**

**SOUTH 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-14-SP  
**Application Filed:** 11/8/2013  
**Applicant:** NANCY UPCHURCH

**Related File Number:**  
**Date of Revision:**

## PROPERTY INFORMATION

**General Location:** North side Higgins Ave., southwest side Tomlinson St., northwest of Young High Pike  
**Other Parcel Info.:**  
**Tax ID Number:** 123 A C 024 **Jurisdiction:** City  
**Size of Tract:** 0.4 acres  
**Accessibility:** Access is via Tomlinson St., a local street with 22' of pavement width within 40' of right-of-way, or Higgins Ave., a local street with 15' of pavement width within 45' of right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Offices  
**Surrounding Land Use:**  
**Proposed Use:** Vacant building **Density:**  
**Sector Plan:** South City **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This area is developed with residential uses under R-1A and R-2 zoning. To the east, along Young High Pike toward Chapman Hwy., there is C-3 zoning with businesses.

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

**Street:** 301 Higgins Ave  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** R-2 (General Residential)  
**Former Zoning:**  
**Requested Zoning:** O-1 (Office, Medical, and Related Services)  
**Previous Requests:** None noted  
**Extension of Zone:** No  
**History of Zoning:** None noted

## PLAN INFORMATION (where applicable)

**Current Plan Category:** LDR (Low Density Residential)  
**Requested Plan Category:** O (Office)

## **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-14-SP, amending the South City Sector Plan to O (Office) and recommend that City Council also adopt the amendment. (See attached resolution, Exhibit A.)

Staff Recomm. (Full):

Office uses will be compatible with the scale and intensity of surrounding development and zoning. The site is already developed with an office/commercial building, and there is C-3 zoning to the east. Establishment of office uses at this location will serve as a transition between current and future commercial uses to the east along Young High Pike and residential uses to the west.

Comments:

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No known improvements have been recently made to any of the access streets to the site, but they are adequate to serve the proposed office uses. Public water and sewer utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan does not recognize the C-3 zoning to the east along Young High Pike. However, that C-3 zoning is in place and is appropriate along Young High Pike, which is a major collector street, within a commercial node to the east at the intersection with Chapman Hwy., a major arterial street. If the C-3 zoned area was reflected on the plan, the subject property would be a logical location for transitional office uses, as proposed.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

With establishment of C-3 zoning to the east, office uses and zoning are appropriate for the subject property as a transitional area between commercial and residential uses.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

No new trends have emerged to justify the need for a plan amendment. The C-3 zoning pattern to the east has long been established in this area, making this site appropriate for transitional office uses.

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. The law now 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: 1/9/2014

Details of Action:

Summary of Action:

ADOPT RESOLUTION # 1-B-14-SP, amending the South City Sector Plan to O (Office) and recommend that City Council also adopt the amendment.

Date of Approval: 1/9/2014

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: 2/4/2014

Date of Legislative Action, Second Reading: 2/18/2014

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: