

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

CENTRAL CITY SECTOR PLAN AMENDMENT



File Number: 1-B-21-SP

Related File Number:

Application Filed: 8/15/2020

Date of Revision:

Applicant: TIM HOWELL

PROPERTY INFORMATION

General Location: South of Knott Avenue, west of Pilkay Road

Other Parcel Info.:

Tax ID Number: 107 D A 01801 OTHER: 107DJ003-007 & 107DJ013 Jurisdiction: City

Size of Tract: 2.05 acres

Accessibility: This property has frontage along Knott Avenue and Pilkay Road, both of which are classified as local roads. Knott Avenue terminates at Third Creek in front of this property. It has a pavement width of 16 feet inside a right-of-way that varies in width from 42 to 64 feet. Pilkay Road has a pavement width of approximately 15.5 ft inside a 33-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Agricultural/forestry/vacant

Surrounding Land Use:

Proposed Use: Density:

Sector Plan: Central City Sector Plan Designation: TDR (Traditional Neighborhood Residential) / SP (

Growth Policy Plan: N/A

Neighborhood Context: Third Creek runs adjacent to this property and forms a natural barrier visually and physically from the property to the west. The rest of the surrounding neighborhood is single family residential homes with smaller lots averaging approximately 5,000 square feet.

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

Street: 0 Knott Avenue, 0 Pilkay Road, & 3415 Pilkay Road

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-2 (Single-Family Residential Neighborhood) / F (Floodplain Overlay)

Former Zoning:

Requested Zoning: RN-6 (Multi-Family Residential Neighborhood) / F (Floodplain Overlay)

Previous Requests:

Extension of Zone: No

History of Zoning: None noted for this property

PLAN INFORMATION (where applicable)

Current Plan Category: TDR (Traditional Neighborhood Residential) / SP (Stream Protection)

Requested Plan Category: HDR (High Density Residential) / SP (Stream 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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Michelle Portier

Staff Recomm. (Abbr.): Deny the HDR (High Density Residential) designation because it does not meet any of the criteria for a plan amendment and is not consistent with surrounding development; retain the SP (Stream Protection) designation.

Staff Recomm. (Full):

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

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. There have been no changes to conditions to warrant amending the sector plan to the HDR land use classification.

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

1. No new roads, transit stops, or additional utilities have been introduced in this area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There are no obvious or significant errors or omissions in the plan that would warrant amending the sector plan to the HDR land use classification.

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

1. The apartment complex to the west was developed in the early 2000s. And while it is adjacent on the map, it feels separate from the neighborhood housing the requested properties due to the stream and abundant vegetation that provide both a physical and visual barrier.

2. The parcel to the west with the apartment complex is designated as MDR (Medium Density Residential) in the Central City Sector Plan and the One Year Plan. MDR capped density at 24 du/ac in the city for the former zoning ordinance under which the complex to the west was developed. The applicant is requesting 40 du/ac, which is almost twice that of the density that was allowed in the MDR land use class at that time. That complex was built out at a density of 10.25 du/ac, and its entrance is directly off of Sutherland Avenue.

OTHER CONSIDERATIONS:

1. The property does meet all of the location criteria for the HDR land use class as specified in the Land Use Classification Table, which is utilized by both the One Year Plan and Central City Sector Plan.

2. The HDR land use classification is out of character with the existing subdivision.

State law regarding amendments of the general plan (which includes 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:

- 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.

- 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: Denied

Meeting Date: 7/8/2021

Details of Action:

Summary of Action: Deny the HDR (High Density Residential) designation because it does not meet any of the criteria for a plan amendment and is not consistent with surrounding development; retain the SP (Stream Protection) designation.

Date of Approval:

Date of Denial: 7/8/2021

Postponements: 1/14/2021, 4/8/2021

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Date of Legislative Action:

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: