

# CASE SUMMARY

**APPLICATION TYPE: PLAN AMENDMENT**  
**ONE YEAR PLAN AMENDMENT**



**File Number:** 1-E-21-PA      **Related File Number:** 1-C-21-RZ  
**Application Filed:** 11/23/2020      **Date of Revision:**  
**Applicant:** BENJAMIN C., MULLINS OBO HILTON CAPITAL GROUP

## **PROPERTY INFORMATION**

**General Location:** South of Merchant Dr. between Clinton Hwy & Pleasant Ridge Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 80 J B 021, 023 & 024 (PARTS OF)      **Jurisdiction:** City  
**Size of Tract:** 21.98 acres  
**Accessibility:** Access is via Merchant Drive, a minor arterial street with 33 feet of pavement width and 65 feet of right-of-way.

## **GENERAL LAND USE INFORMATION**

**Existing Land Use:** Agriculture/forestry/vacant  
**Surrounding Land Use:**  
**Proposed Use:**      **Density:**  
**Sector Plan:** Northwest City      **Sector Plan Designation:** LDR (Low Density Residential)  
**Growth Policy Plan:** Within City Limits  
**Neighborhood Context:** This area is primarily a mix of low density and medium density residential uses between two commercial nodes, one at the intersection with Clinton Highway, and a smaller scale commercial area at the intersection with Pleasant Ridge Road.

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

**Street:** 2400 2600 Merchant & 5291 Oakhill Dr.  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## **ZONING INFORMATION (where applicable)**

**Current Zoning:** C-N (Neighborhood Commercial) / AG (Agricultural) / HP (Hillside Protection) on 2400 Merchants Drive; AG (Agricultural) / HP (Hillside Protection) on the remaining properties.  
**Former Zoning:**  
**Requested Zoning:** RN-5 (General Residential Neighborhood) / HP (Hillside Protection)  
**Previous Requests:** 4-J-14-RZ  
**Extension of Zone:** No  
**History of Zoning:** 4-J-14-RZ: Withdrawn - A-1 & C-1 to RP-1 up to 5.99 du/ac

## **PLAN INFORMATION (where applicable)**

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

Requested Plan Category: MDR/O (Medium Density Residential/Office) / 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.:

**PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge: Liz Albertson

Staff Recomm. (Abbr.): Approve MDR (Medium Density Residential) / HP (Hillside Protection) land use designation because it is compatible with the surrounding development.

Staff Recomm. (Full):

Comments: ONE YEAR PLAN AMENDMENT REQUIREMENTS:  
CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these.)

AN ERROR IN THE PLAN:

1. The current One Year Plan and Sector Plan along this segment of Merchant Drive does not recognize the existing C-N (Neighborhood Commercial) zoning.
2. The requested area for plan amendment is limited mostly to the less topographically challenged portions of the site and MDR is appropriate at this location because it is serviced by transit and sidewalks and within the Parental Responsibility Zone for two schools.

A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA:

1. A variety of housing types adjacent to transit is supported by the principles of the One Year Plan and Sector Plan. The south side of Merchant Drive between Clinton Highway and Pleasant Ridge Road has pockets of MDR (Medium Density Residential) primarily in the less slope constrained portions of the area.

A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN:

1. The original sector plan did not anticipate that the HP (Hillside Protection) overlay zone would be adopted to limit the disturbance area for future development of the site.
2. The HP overlay zone allows for the site to be developed but for the disturbance area to be limited based on the slope characteristics of the property. The slope analysis for 1-C-21-RZ / 1-E-21-PA / 1-E-21-SP yields a maximum disturbance area of 19.47 acres for the entire 21.98 acres of the site. Any new development would need to fit within the disturbance limits of slope analysis, thereby reducing the impact of the development of the property.

NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY KNOXVILLE-KNOX COUNTY PLANNING) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT:

1. Growth trends and projections document a continued rise in population, the related increased need for housing, and a missing middle housing option that exists between single family residential homes and apartments in Knoxville and Knox County. The MDR/HP plan amendment allows for consideration of additional residential density at this location.

ADDITIONAL CONSIDERATIONS:

1. This property is within the Parental Responsibility Zone for both Northwest Middle and Norwood Elementary schools and is located between two commercial nodes. Merchant Drive is serviced by transit at this location and an expansion of the adjacent MDR (Medium Density Residential) / HP (Hillside Protection) is warranted to meet the demand for a variety of housing types in this area that is well served by infrastructure.

Action: Approved as Modified

Meeting Date: 3/11/2021

**Details of Action:** Approve MDR/O (Medium Density Residential/Office) / HP (Hillside Protection) land use designation because it is compatible with the surrounding development.

**Summary of Action:**

**Date of Approval:** 3/11/2021

**Date of Denial:**

**Postponements:** 1/14/2021

**Date of Withdrawal:**

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

## ***LEGISLATIVE ACTION AND DISPOSITION***

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 4/20/2021

**Date of Legislative Action, Second Reading:** 5/4/2021

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:** Approved

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

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**