

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

NORTHWEST CITY SECTOR PLAN AMENDMENT



File Number: 1-E-21-SP Related File Number:
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: N/A
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 Dr. & 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:
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History of Zoning: 4-J-14-RZ: Withdrawn - A-1 & C-1 to RP-1 up to 5.99 du/ac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: SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

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.

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

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

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION 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.
3. 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.
4. 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.

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

1. Creating options for a variety of housing types in walkable areas around schools and along transit routes encourages neighborhood connectivity and meets a growing demand for housing in the City. This area is within the Parental Responsibility Zone for both Northwest Middle and Norwood Elementary school and is located between two commercial nodes. Sidewalks are along Merchant Drive and it is serviced by transit. The characteristics of this area warrant reconsideration to MDR (Medium Density Residential) / HP (Hillside Protection) at this location.

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: 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, 2/11/2021

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:**

pp'd on 4/6/2021

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