

# CASE SUMMARY

**APPLICATION TYPE: PLAN AMENDMENT**

**EAST 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:** 10-A-13-SP                      **Related File Number:**  
**Application Filed:** 8/8/2013                      **Date of Revision:**  
**Applicant:** JESSE C. PATTERSON

## PROPERTY INFORMATION

**General Location:** Southeast side Edgewood Ave., east of Whittle Springs Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 70 P D 002, 003 & 004                      **Jurisdiction:** City  
**Size of Tract:** 0.5 acres  
**Accessibility:** Access is via Edgewood Ave., a minor collector street with 20' of pavement width within 45-50' of right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Residential and vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Residential                      **Density:**  
**Sector Plan:** East City                      **Sector Plan Designation:** Low Density Residential  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** Edgewood Ave. is developed with primarily residential uses under R-1, R-1A and R-2 zoning, except for at its intersection with Whittle Springs Rd., where there are some businesses, zoned O-1 and C-1.

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

**Street:** 2514 Edgewood Ave  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** C-1 (Neighborhood Commercial)  
**Former Zoning:**  
**Requested Zoning:** R-2 (General Residential)  
**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:** MDR (Medium Density Residential)

## **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 # 10-A-13-SP, amending the East City Sector Plan to MDR (Medium Density Residential) and recommend that City Council also adopt the amendment. (See attached resolution, Exhibit A.)

Staff Recomm. (Full):

Medium density residential uses will be compatible with the scale and intensity of surrounding development and zoning. The site is located along Edgewood Ave., a residential street, and is adjacent to residential dwellings on two sides.

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 made to any of the roads surrounding this site. Public water and sewer utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The property is currently designated for neighborhood commercial uses, consistent with the current C-1 zoning. However, the site is located along Edgewood Ave., a residential street with adjacent residential development. The site has been zoned C-1 for many years and has yet to be used for any commercial use. There is a house located on one of the subject parcels, which is non-conforming with the current C-1 zoning.

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

Edgewood Ave. is primarily developed with residential uses, under R-2 or C-3 zoning, with the exception of a few properties to the west, which are at the intersection of Whittle Springs Rd. C-1 uses should generally not be located on a residential street, unless at an intersection.

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

Despite being zoned for many years for commercial uses, no commercial development has occurred at this location. The established residential uses have remained and, because of the access only from a residential street, the land use designation should be changed to reflect the residential uses and zoning of the surrounding area.

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:

Denied (Withdrawn)

Meeting Date: 10/10/2013

Details of Action:

**Summary of Action:** Withdrawn at the request of the applicant at the meeting.  
**Date of Approval:** **Date of Denial:** **Postponements:**  
**Date of Withdrawal:** 10/10/2013 **Withdrawn prior to publication?:**  **Action Appealed?:**

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

**Legislative Body:**  
**Date of Legislative Action:** **Date of Legislative Action, Second Reading:** 11/26/2013  
**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:**