

# CASE SUMMARY

**APPLICATION TYPE: PLAN AMENDMENT**

**NORTH 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-14-SP  
**Application Filed:** 6/20/2014  
**Applicant:** GEORGE HAMILTON

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

## PROPERTY INFORMATION

**General Location:** Northwest side Garden Dr., southwest of Jacksboro Pike  
**Other Parcel Info.:**  
**Tax ID Number:** 48 M H 021 **Jurisdiction:** City  
**Size of Tract:** 25000 square feet  
**Accessibility:** Access is via Garden Dr., a minor collector street with 20' of pavement width within 50' of right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant lot  
**Surrounding Land Use:**  
**Proposed Use:** Multi-dwelling residential **Density:**  
**Sector Plan:** North City **Sector Plan Designation:** Low Density Residential  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This area is developed with a mix of attached and detached residential development under R-1, R-1A and R-2 zoning.

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

**Street:** 3501 Garden Dr  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** R-1A (Low Density Residential)  
**Former Zoning:**  
**Requested Zoning:** R-2 (General Residential)  
**Previous Requests:** None noted  
**Extension of Zone:** No  
**History of Zoning:** A general rezoning from R-2 to R-1A was approved in 1994 for about 3 acres along the north side of Garden Dr., which included the subject property (11-EE-94-RZ).

## 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.):** DENY the request to amend the North City Sector Plan map to MDR (Medium Density Residential).

**Staff Recomm. (Full):** The current sector plan proposes low density residential uses and slope protection for this and the majority of nearby properties along the north side of Garden Dr. Medium density residential uses would be inappropriate within this block. This low density residential designation should be maintained on the subject property.

**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 changes have occurred in the area that are significant enough to warrant a change on the sector plan map for the subject property.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The sector plan currently designates the site for low density residential uses, consistent with the current R-1A zoning of the property. This designation is appropriate based on the zoning and development pattern in the area.

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

In 1994, a general rezoning from R-2 to R-1A, which included the subject property, was approved by MPC and City Council (11-EE-94-RZ). The approval of a low density residential zoning district, R-1A, reinforces the proposal that low density residential uses are preferred for this area, instead of the medium density development that could have occurred under the previous R-2 zoning.

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

The North City Sector Plan was updated in June of 2007 and did not propose any change to the proposed land uses for this site. No significant changes have occurred in the area since then. The sector plan proposes low density residential uses and slope protection for the site.

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

**Meeting Date:** 11/13/2014

**Details of Action:**

**Summary of Action:** DENY the request to amend the North City Sector Plan map to MDR (Medium Density Residential).

**Date of Approval:**

**Date of Denial:** 11/13/2014

**Postponements:** 10/9/14

**Date of Withdrawal:**

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

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

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 12/9/2014

**Date of Legislative Action, Second Reading:** 12/23/2014

**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:**