

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

NORTHWEST 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-C-13-SP

Related File Number:

Application Filed: 8/26/2013

Date of Revision:

Applicant: CRAIG ALLEN

PROPERTY INFORMATION

General Location: South side Middlebrook Pike, east side N. Gallaher View Rd.

Other Parcel Info.:

Tax ID Number: 106 P A 037

Jurisdiction: City

Size of Tract: 3.95 acres

Accessibility: Access is via N. Gallaher View Rd., a minor arterial street with 4 lanes and a center turn lane within a large right-of-way of varied width. The property does not have frontage on Middlebrook Pike.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant residential

Surrounding Land Use:

Proposed Use: Self storage facility

Density:

Sector Plan: Northwest City **Sector Plan Designation:** LDR, STPA & SLPA

Growth Policy Plan: Urban Growth Area (Inside City Limits)

Neighborhood Context: The southeast quadrant of the intersection of Middlebrook Pike and N. Gallaher View Rd. is developed with residential uses under R-1E zoning.

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

Street: 962 N Gallaher View Rd

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1E (Low Density Exclusive Residential)

Former Zoning:

Requested Zoning: C-6 (General Commercial Park)

Previous Requests: None noted

Extension of Zone: No

History of Zoning: A request for O-1 zoning was denied by MPC in 2004 (7-U-04-RZ).

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential), SLPA (Slope Protection Area) & STPA (Stream Protection Area)

Requested Plan Category: C (Commercial), SLPA (Slope Protection Area) & STPA (Stream Protection Area)

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 GC (General Commercial) sector plan designation.

Staff Recomm. (Full):

The site has limited access, is surrounded by residential uses, and has slope constraints. Commercial uses are not appropriate at this location.

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 in the vicinity of this site. The development pattern for this and surrounding sites is well established as low density residential. The commercial designated site to the west has long been established, is smaller and more level, and is not surrounded by low density residential uses.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The Northwest City Sector Plan appropriately designates this site for low density residential uses, consistent with the surrounding area.

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

There has been no change in public/government policy that warrants the requested amendment to the sector plan. A request for the less intense O-1 zoning was denied for this property back in 2004. Nothing has changed since then when staff recommended denial of O-1 zoning.

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

The development pattern for this and surrounding sites is well established as low density residential, and there are no reasons to amend the plan for this site only. Access to the site from Gallaher View Rd. is limited. Development of commercial uses would likely require significant grading to the slope-constrained 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 (Withdrawn)

Meeting Date: 11/14/2013

Details of Action:

Summary of Action:

Withdraw at the request of the applicant.

Date of Approval:

Date of Denial:

Postponements: 10/10/13

Date of Withdrawal:

11/14/2013

Withdrawn prior to publication?: Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 12/10/2013

Date of Legislative Action, Second Reading: 12/19/2013

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: