

# CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

WEST CITY SECTOR PLAN AMENDMENT



File Number: 10-D-18-SP                      Related File Number:  
Application Filed: 8/30/2018              Date of Revision:  
Applicant: FRANK SPARKMAN

## PROPERTY INFORMATION

General Location: South side Midland Ave., west of Dryad St.  
Other Parcel Info.:  
Tax ID Number: 107 N E 011                      Jurisdiction: City  
Size of Tract: 0.34 acres  
Accessibility: Accessed via Midland Ave., a local road with 18' of pavement width within a 50' right of way.

## GENERAL LAND USE INFORMATION

Existing Land Use: Vacant  
Surrounding Land Use:  
Proposed Use: Professional Office Building                      Density:  
Sector Plan: West City                      Sector Plan Designation: MDR  
Growth Policy Plan: Urban Growth Area (Inside City Limits)  
Neighborhood Context: Mixed use area with low and medium density residential, office, and commercial developments.

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

Street: 3900 Midland Ave  
Location:  
Proposed Street Name:  
Department-Utility Report:  
Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: R-2 (General Residential)  
Former Zoning:  
Requested Zoning: O-1 (Office, Medical, and Related Services)  
Previous Requests: 4-B-08-RZ R-2 to O-1  
Extension of Zone: Yes, the MU-SD to the north permits office uses  
History of Zoning: None noted for this site. Request last year for O-1 immediately to the west  
None noted for the site. Request immediately to the west was approved with conditions (1-0-RZ-17)

## PLAN INFORMATION (where applicable)

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

## **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:

Jeff Archer

Staff Recomm. (Abbr.):

RECOMMEND City Council APPROVE O (Office) designation.

Staff Recomm. (Full):

The West City Sector Plan was adopted in 2007 and uses MDR designation as a buffer between the Bearden mixed area to the north and the LDR area along the south side of Lyons View Pike. However, in 2017 MPC and City Council approved a plan amendment application (1-1-17-SP) for the adjoining parcel (107NE012) to the west to amend the plan from MDR to O.

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 zoning and development pattern for this area is well established and appropriate as is.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

Sector plan designation of MDR and O have similar impacts on the surrounding area and are often used interchangeably within sector plans. Since this area has both office uses and residential uses, O and MDR could both be used.

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

In 2017, the parcel immediately to the west (Parcel #107NE012) had a sector plan amendment from MDR to O. The amendment was approved by MPC and City Council. The requested amendment is consistent with a change to the 2007 West City Sector Plan.

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

No trends in development, population of traffic have emerged that would reveal the need for a plan amendment at this particular location.

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:

Approved

Meeting Date: 10/11/2018

Details of Action:

Summary of Action:

Adopt Resolution # 10-D-18-SP, amending the West City Sector Plan to O (Office) and recommend City Council also adopt the sector plan amendment.

Date of Approval:

10/11/2018

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?:  Action Appealed?:

## **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 11/6/2018

**Ordinance Number:**

**Disposition of Case:** Approved

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Date of Legislative Action, Second Reading:** 11/20/2018

**Other Ordinance Number References:** O-166-2018

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

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**