

# CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

SOUTHWEST COUNTY SECTOR PLAN AMENDMENT



**File Number:** 11-C-18-SP                      **Related File Number:** 8-E-18-RZ  
**Application Filed:** 10/23/2018                      **Date of Revision:**  
**Applicant:** KNOX COUNTY COMMISSION / SCOTT DAVIS

## PROPERTY INFORMATION

**General Location:** Southeast side Westland Dr., northeast of Heritage Lake Way  
**Other Parcel Info.:**  
**Tax ID Number:** 144 03004                      **Jurisdiction:** City  
**Size of Tract:** 19.13 acres  
**Accessibility:** Access is via Westland Dr., a minor arterial street with 38' pf pavement width with 80' of right-of-way, or Heritage Lake Blvd., a local boulevard street with two 17' wide lanes within 80-90' of right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Apartments  
**Surrounding Land Use:**  
**Proposed Use:** Apartments                      **Density:** 14 du/ac  
**Sector Plan:** Southwest County                      **Sector Plan Designation:** LDR (Low Density Residential)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** The area west of the I-140/Westland Dr. interchange has been developed with commercial, office, and low to medium density residential development.

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

**Street:** 1105 Lake Heritage Way  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PR (Planned Residential) at 1-5 du/ac  
**Former Zoning:**  
**Requested Zoning:** PR (Planned Residential) at up to 14 du/ac  
**Previous Requests:** PR (Planned Residential) at up to 14 du/ac  
**Extension of Zone:** No  
**History of Zoning:** On 9/24/18, a Sector Plan Amendment (8-A-18-SP) and Rezoning request referred back to MPC by County Commission . In 1999, the overall 100 acre PR parcel was approved for a density increase from 3 du/ac to 5 du/ac (6-M-99-RZ)

## PLAN INFORMATION (where applicable)

**Current Plan Category:** LDR (Low Density Residential)

Requested Plan Category: HDR (High 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.:

**PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge: Jeff Archer

Staff Recomm. (Abbr.): ADOPT RESOLUTION # 11-C-18-SP, amending the Southwest County Sector Plan to MU-SD (Mixed Use Special District) designation and recommend that County Commission also adopt the sector plan amendment (See attached resolution, Exhibit A).

Staff Recomm. (Full): On August 9, 2018, MPC recommended denial of the Rezoning request from PR (Planned Residential) of 5 du/ac to PR of 14 du/ac based on the denial of the Sector Plan Amendment from LDR to HDR. On 9/24/18, Knox County Commission postponed the rezoning request and sent the sector plan request back to MPC for reconsideration, with Knox County Commission now as the applicant.

Staff considered two land use designations for this site, HDR (High Density Residential) designation and MDR (Medium Density Residential), but both presented their own issues. The HDR allows too high of a density, permitting densities of greater than 24 du/ac and is reserved for urban areas within the City that are flat, have good transit service and a network of interconnecting sidewalks. Use of HDR in the County would be a shift in public policy and could encourage additional requests in areas that do not have adequate infrastructure or services. The MDR designation permits densities of up to 12 du/ac when there are no sidewalks or transit available, but the MDR designation would not permit the density requested by the applicant.

After meeting with the applicant and neighborhood representative, staff reconsidered the sector plan designation to reflect the existing development and to designate the area MU-SD (Mixed Use Special District) and setting a maximum residential density of 14 du/ac, reflecting the existing density of Heritage Lake Apartments. The MU-SD (Mixed Use Special District) also includes site specific recommendations for a mix of land uses, transportation improvement and community resources (See attachment B).

**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:

The recent Southwest County Sector Plan amendments and associated rezoning to commercial and office on the southeastern portion of the Westland and I-140 interchange, may encourage road improvements or utility improvements in the area. On the southwest side of the interchange, where this parcel is located, there are no known improvements.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The plan did not recognize the Heritage Lake Apartments built out at 14 du/ac, instead it recognized the current zoning of the 100 acres of 1-5 du/ac and designated the area as LDR (Low Density Residential), accordingly.

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

Recently there was a shift in public policy concerning a sector plan amendment on the southeastern portion of Westland and I-140 interchange that shifted the area from LDR to General Commercial (GC) and O (Office). This shift in policy has resulted in higher intensity uses adjacent at this interchange.

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

As development continues to grow outward in the southwestern portion of the county, sites are needed

where there is easy access to the interstate system which will alleviate congestion on local roads. This site is located directly adjacent to the I-140 and Westland Dr. interchange and can accommodate more intense uses.

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 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:** 11/8/2018

**Details of Action:**

**Summary of Action:** ADOPT RESOLUTION # 11-C-18-SP, amending the Southwest County Sector Plan to MU-SD (Mixed Use Special District) designation and recommend that County Commission also adopt the sector plan amendment (See attached resolution, Exhibit A).

**Date of Approval:** 11/8/2018 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

### **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knox County Commission

**Date of Legislative Action:** 12/17/2018

**Date of Legislative Action, Second Reading:**

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:** Approved

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**