

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: 4-B-13-SP

Related File Number:

Application Filed: 2/13/2013

Date of Revision:

Applicant: JOHN A. MCCAY

PROPERTY INFORMATION

General Location: Southeast side Linden Ave., southwest of Nash Rd.

Other Parcel Info.:

Tax ID Number: 70 M F 007

Jurisdiction: City

Size of Tract: 11175 square feet

Accessibility: Access is via Linden Ave., a local street with 19' of pavement width within 35' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant lot

Surrounding Land Use:

Proposed Use: Detached dwelling

Density:

Sector Plan: East City

Sector Plan Designation: Commercial

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

Neighborhood Context: With the exception of a car wash to the west, the properties on this street are developed with houses, under C-3 and R-2 zoning. Asheville Hwy. to the south is primarily developed with commercial uses, under C-3 zoning.

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

Street: 3932 Linden Ave

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-3 (General Commercial)

Former Zoning:

Requested Zoning: R-2 (General Residential)

Previous Requests: None noted

Extension of Zone: Yes, extension of residential designation from the north

History of Zoning: None noted

PLAN INFORMATION (where applicable)

Current Plan Category: C (Commercial)

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 # 4-B-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 Linden Ave., a local residential street with no direct access to Asheville Hwy., so is more appropriate for residential development than commercial as it is currently zoned.

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 general commercial uses, consistent with the current C-3 zoning. However, the site is located along Linden Ave., a local residential street with no direct access to Asheville Hwy., so is more appropriate for residential development than commercial as it is currently zoned.

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

This section of Linden Ave. is primarily developed with residential uses, under R-2 or C-3 zoning, with the exception of a car wash to the west, which has access to Asheville Hwy. C-3 uses should generally not be located where the only access is from a local residential street, as is the case here.

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 local residential street, the land use designation should be changed to reflect the uses and some 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: Approved

Meeting Date: 4/11/2013

Details of Action:

Summary of Action: MDR (Medium Density Residential)

Date of Approval: 4/11/2013

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: 5/14/2013

Date of Legislative Action, Second Reading: 5/28/2013

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: