

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

ONE YEAR 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

Suite 403 • City County Building
4 0 0 Main Street
Knoxville, Tennessee 37902
8 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
w w w • k n o x m p c • o r g

File Number: 4-B-16-PA **Related File Number:** 4-B-16-RZ
Application Filed: 1/29/2016 **Date of Revision:**
Applicant: QUINT BOURGEOIS

PROPERTY INFORMATION

General Location: West side Bruhin Rd., north of Dutch Valley Dr.
Other Parcel Info.:
Tax ID Number: 69 P E 017 & 018 **Jurisdiction:** City
Size of Tract: 4.73 acres
Accessibility: Access is via Bruhin Rd., a minor arterial street with 20' of pavement width within 45' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Apartments **Density:**
Sector Plan: North City **Sector Plan Designation:** LDR
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This area is developed with low to medium density residential uses under R-1, R-1A and R-2 zoning. The Inskip Pool is across Bruhin Rd. to the east, zoned OS-2.

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

Street:
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: R-2 and MDR denied in 2015 (1-A-15-RZ/1-A-15-PA/1-A-15-SP).
Extension of Zone: Yes, extension of MDR and R-2 zoning from the west
History of Zoning: Amendments to the One Year Plan and sector plan to MDR and rezoning to R-2 were denied by MPC in 2015 (1-A-15-RZ/1-A-15-PA/1-A-15-SP). Upon appeal to Knoxville City Council the requests were denied for lack of a motion.

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 MDR (Medium Density Residential) One Year Plan designation.

Staff Recomm. (Full): This property was designated for LDR uses on the One Year Plan prior to being rezoned from R-2 to R-1A as part of the Inskip general rezoning in 2013. LDR uses are compatible with the surrounding area and there is no justification to amend the plan. Requests for MDR plan designations and R-2 zoning by the same applicant were denied in early 2015.

Comments: ONE YEAR PLAN AMENDMENT REQUIREMENTS:
CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these.)

A. AN ERROR IN THE PLAN - The One Year Plan currently designates this site for LDR (Low Density Residential) uses, consistent with its current R-1A zoning. The LDR designation is appropriate, intentional and has been in place for quite some time, so there is no error in the plan.

B. A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA - No known improvements have been recently made along this section of Bruhin Rd. Public water and sewer utilities are available to serve the site.

C. A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN - The plan has designated this site for LDR uses for quite some time. With the general rezoning to R-1A in 2013, MPC and City Council approved a zoning change to bring the zoning into conformance with the One Year Plan designation, establishing that low density residential uses are appropriate for the future development of this site.

D. NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT - No new information has become available to reveal the need for a plan amendment. The proposed land use pattern has long been established in this area.

Action: Denied Meeting Date: 4/14/2016

Details of Action:

Summary of Action: DENY MDR (Medium Density Residential) One Year Plan designation.

Date of Approval: Date of Denial: 4/14/2016 Postponements:

Date of Withdrawal: Withdrawn prior to publication?: Action Appealed?: 4/22/2016

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 5/24/2016 Date of Legislative Action, Second Reading: 7/19/2016

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Postponed Disposition of Case, Second Reading: Denied

If "Other": If "Other":

Amendments:

Date of Legislative Appeal:

Amendments:

Effective Date of Ordinance: