

# CASE SUMMARY

**APPLICATION TYPE: PLAN AMENDMENT**

**NORTH 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-16-SP  
**Application Filed:** 1/29/2016  
**Applicant:** QUINT BOURGEOIS

**Related File Number:**  
**Date of Revision:**

## 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:** 1-A-15-RZ/1-A-15-PA/1-A-15-SP  
**Extension of Zone:** Yes, extension of MDR sector plan designation from the west  
**History of Zoning:** MPC denied the MDR sector plan designation in 2015 (1-A-15-SP)

## 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 the request to amend the future land use map of the North City Sector Plan to MDR (Medium Density Residential) land use classification.

**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.

**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 recently made along this section of Bruhin Rd. Public water and sewer utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The North City Sector 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 at least since the last plan update in 2007, so there is no error in the plan.

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

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.

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

No new information or development trend has emerged to reveal the need for a plan amendment. The proposed land use pattern has long been established in this 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 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

**Meeting Date:** 4/14/2016

**Details of Action:**

**Summary of Action:** DENY the request to amend the future land use map of the North City Sector Plan to MDR (Medium Density Residential) land use classification.

**Date of Approval:**

**Date of Denial:** 4/14/2016

**Postponements:**

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:**

## **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:**

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

**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:**