# **CASE SUMMARY**

APPLICATION TYPE: PLAN AMENDMENT

ONE YEAR PLAN AMENDMENT

File Number: 4-C-13-PA Related File Number: 4-C-13-RZ

Application Filed: 2/13/2013 Date of Revision:

Applicant: JOHN MCCAY



Suite 403 • City County Building 4 0 0 M a i n S t r e e t 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

#### 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

Access ibility: 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: GC (General Commercial)

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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.): RECOMMEND that City Council APPROVE MDR (Medium Density Residential) One Year Plan

designation.

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: 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 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.

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 made to any of the roads surrounding this site. Public water and sewer utilities are available to serve the site.

C. A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN - 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.

D. NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT - There is no

new information known that would have an impact on this plan amendment request.

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:

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**Effective Date of Ordinance:** 

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