

# CASE SUMMARY

## APPLICATION TYPE: PLAN AMENDMENT SOUTHWEST COUNTY 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

Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
865 • 215 • 2500  
FAX • 215 • 2068  
www.knoxmpc.org

**File Number:** 4-G-14-SP                      **Related File Number:**  
**Application Filed:** 3/4/2014              **Date of Revision:**  
**Applicant:** KNOXVILLE CITY COUNCIL

### PROPERTY INFORMATION

**General Location:** North side S. Northshore Drive, west side Thunderhead Road  
**Other Parcel Info.:**  
**Tax ID Number:** 154 093, 094.04                      **Jurisdiction:** City  
**Size of Tract:** 10.1 acres  
**Accessibility:** Access is via Thunderhead Rd., a local, boulevard street within 85' of right-of-way, or S. Northshore Dr., a major arterial street with 20' of pavement width within 100' of right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Apartments                      **Density:** 246 dwelling units  
**Sector Plan:** Southwest County      **Sector Plan Designation:** Mixed Use  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This site is near the southwest corner of the Northshore Town Center Development, zoned TC-1 and PC-1. It is located south of the new Northshore Elementary School and north of an established office/commercial building in the TC-1 zone.

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

**Street:** 0 Thunderhead Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** OS-2 (Park and Open Space), TC-1 (Town Center)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:** No  
**History of Zoning:** TC-1 zoning was established on this site in 2005 (8-F-05-RZ).

### PLAN INFORMATION (where applicable)

**Current Plan Category:** MU (Mixed Use)

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.:

**MPC ACTION AND DISPOSITION**

Planner In Charge: Buz Johnson

Staff Recomm. (Abbr.): ADOPT RESOLUTION #4-G-14-SP, amending the Southwest County Sector Plan to HDR (High Density Residential) and recommend that City Council also approve the sector plan amendment to make it operative. (See attached resolution, Exhibit A.)

Staff Recomm. (Full): Allowing high density residential uses at this location within the town center development will bring more residents to the area to support the surrounding town center development. Previous town center plans had shown apartments to the north of this site where the new elementary school is now located. This site had been designated for townhouses. Both of these uses would have required residential densities at least in the medium density range of up to 24 dus/ac. The density proposed with the companion rezoning request (file #4-M-14-RZ) is 246 units, or slightly more than 24 dus/ac, which makes this request for high density residential necessary. Location of apartments on this site may be more appropriate as it is closer to Northshore Dr. and more on the edge of the overall town center development.

Comments: A sector plan amendment request for medium density residential developed was previous considered by MPC at their January, 2014, meeting as file #1-H-14-SP, along with a One Year Plan amendment request for medium density residential and a rezoning request for RP-1 (Planned Residential) @ 24 dus/ac. The applicant of record at that time was Flournoy Development. The Planning Commission denied the request for a sector plan amendment and recommended denial of the One Year Plan and rezoning applications, after hearing testimony from staff, the applicant, and area residents. Consistent with state law, the applicant could not appeal MPC's decision to deny the sector plan amendment, but could appeal the rezoning, which they did. City Council heard the rezoning appeal at their February 18, 2014, meeting, again hearing testimony from staff, the applicant and area residents. The City Council referred the rezoning back to MPC for consideration of a change that would allow up to 246 dwelling units on the property. City Council also requested that MPC consider sector plan and One Year Plan changes that would allow the proposed units.

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 Northshore Town Center development has been planned since the early 2000's. Roads and utilities were planned to support intense development, as represented by the request for a sector plan change. With the previous apartment site now the location of a school, it is more feasible to locate apartments at the proposed new location.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The Southwest County Sector Plan currently designates the site for mixed uses, consistent with the current TC-1 zoning. However, the current TC-1 zoning cannot accommodate the residential density that is proposed. It was not anticipated that the sector plan designation would need to be changed because of the mix of uses permitted in TC-1 zoning, but as the development has progressed, the need for plan amendments has arisen.

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

Initially, it was thought that TC-1 zoning could accommodate the mix of uses that would be desired. But, with the sector plan amendment that was approved for commercial uses in the eastern portion of the site, the precedent was set for some changes as needed. The intent of the town center concept

can still be maintained under the proposed zoning for planned residential, which can reference the approved town center design guidelines.

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

With the new school being developed on the site to the north that was proposed for apartments, a reconsideration of the original plan proposal is warranted.

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:** 4/10/2014

**Details of Action:**

**Summary of Action:** ADOPT RESOLUTION #4-G-14-SP, amending the Southwest County Sector Plan to HDR (High Density Residential) and recommend that City Council also approve the sector plan amendment to make it operative.

**Date of Approval:** 4/10/2014 **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:** 5/13/2014 **Date of Legislative Action, Second Reading:** 5/27/2014

**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:**