

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

NORTHEAST COUNTY SECTOR PLAN AMENDMENT



File Number: 5-A-19-SP **Related File Number:**
Application Filed: 3/25/2019 **Date of Revision:**
Applicant: DUKE DEVELOPMENT COMPANY, LLC

PROPERTY INFORMATION

General Location: West side of Tazewell Pike, North of Fairview Road
Other Parcel Info.:
Tax ID Number: 21 01002 **Jurisdiction:** County
Size of Tract: 9.89 acres
Accessibility: Access is via Taxewell Pike, a minor arterial, with a pavement width of 21' feet within a right-of-way width of 88' feet.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: Residential development **Density:** 9 du/ac
Sector Plan: Northeast County **Sector Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The area is adjacent to the commercial node at Harbison Crossroads surrounding the intersection of Tazewell Pike and E Emory Road. The adjacent area is largely low density , single family residential.

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

Street: 0 Tazewell Pike
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential)
Former Zoning:
Requested Zoning: PR (Planned Residential)
Previous Requests: Rezoning to PR in 1983 (5-B-83-RZ)
Extension of Zone:
History of Zoning:

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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Liz Albertson

Staff Recomm. (Abbr.):

ADOPT RESOLUTION #5-A-19-SP, amending the Northeast County Sector Plan to MDR (Medium Density Residential) and recommend that County Commission also adopt the sector plan amendment (see attached resolution, Exhibit A.)

Staff Recomm. (Full):

This site is located within the Planned Growth Area of the Growth Policy Plan, it is located between a commercial shopping center and single family residential neighborhoods. Staff recommends approval of the MDR (Medium Density Residential) sector plan designation, which will accommodate the existing PR (Planned Residential) zone district.

Comments:

SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. Gibbs Middle School has been constructed since the sector plan was last updated in 2016, contributing to the growing interest in new residential development in the Northeast County Sector.

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. The addition of traffic lights and turning lanes at the intersection of Tazewell Pike and E Emory Road in 2017 make additional residential development in the area more feasible.
2. Development of the site will be subject to TDOT access guidelines for Tazewell Pike. Side by side access is controlled by TDOT and will be subject to their policies. Staff recommends combined access with this development and the adjacent commercial development.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The Northeast County Sector Plan should have recognized the existing zoning of PR (Planned Residential) up to 9 du/ac on this parcel and designated it for MDR (Medium Density Residential).
2. The plan should have also recognized this large vacant parcel behind a commercial center as a transition area for MDR (Medium Density Residential) between the Mixed-Use Special District (MU-SD) and the adjacent single family residential neighborhoods (see attached Exhibit B).

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

1. The Northeast County Sector continues to grow and with the establishment of new schools is projected to continue growing.
2. The establishment of new schools in the area contributes to the increased interest in new residential development.

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:

Withdrawn

Meeting Date: 5/9/2019

Details of Action:

WITHDRAWN as per the request of the applicant and by action of the Planning Commission on

5/9/2019.

Summary of Action: WITHDRAW as per the request of the applicant on 5/8/2019.

Date of Approval:

Date of Denial:

Postponements:

Date of Withdrawal: 5/9/2019

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Date of Legislative Action:

Date of Legislative Action, Second Reading:

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: