# **CASE SUMMARY**

APPLICATION TYPE: PLAN AMENDMENT

EAST CITY SECTOR PLAN AMENDMENT

File Number: 7-A-12-SP Related File Number:

**Application Filed:** 5/18/2012 **Date of Revision:** 

Applicant: METROPOLITAN PLANNING COMMISSION



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### PROPERTY INFORMATION

**General Location:** East side N. Broadway, south side Emoriland Blvd.

Other Parcel Info.:

Tax ID Number: 169 M B 001 Jurisdiction: City

Size of Tract: 1.1 acres

Access is via Emoriland Blvd., a local street with 2 lanes and a center median within 65' of right-of-way.

#### GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land

**Surrounding Land Use:** 

Proposed Use: Park / open space Density:

Sector Plan: East City Sector Plan Designation: Commercial

Growth Policy Plan: Urban Growth Area (Inside City Limits)

**Neighborhood Context:** This property is at the entrance to the Emoriland residential subdivision from N. Broadway. The

subdivision is zoned R-1/NC-1.

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

Street: 3428 N Broadway

Location:

**Proposed Street Name:** 

**Department-Utility Report:** 

Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: C-3 (General Commercial) & F-1 (Floodway)

Former Zoning:

Requested Zoning:

**Previous Requests:** 

Extension of Zone: No

History of Zoning: None noted

### PLAN INFORMATION (where applicable)

Current Plan Category: C (Commercial)

Requested Plan Category: PP (Public Parks and Refuges)

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### 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.): ADOPT RESOLUTION # 7-A-12-SP, amending the East City Sector Plan to PP (Public Parks and

Refuges) and recommend that City Council also approve the sector plan amendment to make it

operative. (See attached resolution, Exhibit A.)

Staff Recomm. (Full): This amendment will bring the sector plan into consistency with the current and proposed future use of

the publicly-owned subject property. PP uses would be compatible with the surrounding land uses and zoning pattern. Rezoning and One Year Plan amendment applications accompany this application (7-

A-12-RZ/7-A-12-PA).

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 made to N. Broadway or Emoriland Blvd. The City of Knoxville recently completed a stormwater improvement project that included the purchase of this property and

the demolition of the former Pizza Hut restaurant that was on site. AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current One Year Plan proposes general commercial uses for this area, consistent with the current C-3 zoning and the previous use as a restaurant. The City of Knoxville now owns the property and has no intention of developing on it. Staff has recommended amending the plan to 'public parks and refuges', as this designation is consistent with both the existing and proposed use of the property involved.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE

**DEVELOPMENT IN CERTAIN AREAS:** 

No changes in government policy impact this proposal. The City decided to eliminate the business and parking lot that were previously located on the site in order to assist with a stormwater improvement project.

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

This site has been zoned C-3 for general commercial uses for many years, but now that the City owns it and intends to keep it as open space, a public parks and refuges designation is appropriate.

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: 7/12/2012

Details of Action:

Summary of Action: PP (Public Parks and Refuges)

Date of Approval: 7/12/2012 Date of Denial: Postponements:

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Date of Withdrawal:	Withdrawn prior to publication?:	<b>Action Appealed?</b>
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LEGISLATIV	_	

Knoxville City Council Legislative Body:

Date of Legislative Action, Second Reading: 8/21/2012 **Date of Legislative Action:** 8/7/2012

**Ordinance Number: Other Ordinance Number References:** 

Approved **Disposition of Case:** Approved Disposition of Case, Second Reading:

If "Other": If "Other":

Amendments: Amendments:

**Date of Legislative Appeal: Effective Date of Ordinance:** 

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