

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

SOUTHWEST COUNTY SECTOR PLAN AMENDMENT



File Number: 7-C-19-SP

Related File Number:

Application Filed: 5/29/2019

Date of Revision: 8/28/2019

Applicant: TM3 PROPERTIES, LLC

PROPERTY INFORMATION

General Location: South side of South Northshore Drive, north side of Osprey Point Lane

Other Parcel Info.:

Tax ID Number: 154 L A 012 & 10101

Jurisdiction: City

Size of Tract: 1.76 acres

Accessibility: Access is via S. Northshore Dr., a major arterial street with 4 lanes and a center median within 300' of right-of-way, or Osprey Pointe Ln., a local street with 22' of pavement width within 150' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant

Surrounding Land Use:

Proposed Use: Mix of retail, medical, and personal services

Density:

Sector Plan: Southwest County **Sector Plan Designation:** O (Office)

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

Neighborhood Context: This site is located south of Northshore Town Center in the southwest quadrant of the I-140 / S. Northshore Dr. interchange. The area is developed with a mix of residential, office and commercial uses under various City and County zoning districts.

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

Street: 0 Osprey Point Ln

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning:

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone: No.

History of Zoning: 7-J-12-RZ (A to O), 10-C-17-RZ (O to GC denied)

PLAN INFORMATION (where applicable)

Current Plan Category: O (Office)

Requested Plan Category: NC (Neighborhood Commercial)

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.): DENY NC (Neighborhood Commercial) sector plan designation.

Staff Recomm. (Full): No conditions have changed that warrant amendment of the sector plan map for this site. No conditions have changed since the October 2017 application for a sector plan amendment to GC. The current O-1 zoning is consistent with the sector plan and gives the applicant reasonable use of the property. The sector plan was amended in 2012 to allow office uses and this should be maintained. Office use of this site creates an appropriate transition area between commercial uses to the north and residential uses to the south.

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. There are no major changes in the general area since the October 2017 sector plan amendment application to warrant reconsideration of the land use plan.

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

1. Improvements to S. Northshore Dr. were recently made to accommodate the Northshore Town Center development to the north. However, these improvements do not change the future land use proposal for this site. The zoning and development pattern for this area is established and appropriate as is. Commercial uses in this area need to be limited to the Town Center and other commercially zoned areas east of I-140. There is currently no commercial zoning on the south side of S. Northshore Dr., west of I-140. No significant changes have occurred since the 2017 sector plan amendment application.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The sector plan designates this site for office uses, consistent with the current O-1 zoning. No errors or omissions in the plan have been identified since the last sector plan amendment application to GC in October of 2017. Office uses are appropriate at this location as a transition between commercial uses and I-140 to the north and east and residential uses to the south. The Southwest County Sector Plan was recently updated in 2016. City Council adopted the updated sector plan on October 24, 2016.

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

1. No new information or trends has emerged since the October 2017 review of an application for a sector plan amendment to GC that would reveal the need for a plan amendment at this particular location to allow commercial. This site was reviewed and approved for office uses in 2012 and the update of the Southwest County Sector Plan maintained that designation for this site based on the information that was available during those reviews.

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: Approved **Meeting Date:** 10/10/2019

Details of Action: Adopt Resolution #7-C-19-SP, amending the Southwest County Sector Plan map to the NC (Neighborhood Commercial) designation for this property due to trends in development, population or traffic that warrant reconsideration of the original plan proposal by a vote of 8-3.

Summary of Action: Planning Commission recommended approval of NC (Neighborhood Commercial) sector plan designation for the site with a vote of 8-3.

Date of Approval: 10/10/2019 **Date of Denial:** **Postponements:** 7/11/2019, 8/8/2019

Date of Withdrawal: **Withdrawn prior to publication?:** ☐ **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 11/19/2019 **Date of Legislative Action, Second Reading:** 12/3/2019

Ordinance Number: **Other Ordinance Number References:** O-173-2019

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

If "Other": postponed until 11/19/2019 **If "Other":**

Amendments: **Amendments:**

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