

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

NORTH CITY 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

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File Number: 7-E-15-SP **Related File Number:**
Application Filed: 5/26/2015 **Date of Revision:** 9/2/2015
Applicant: SMITH-LINDSEY DEVELOPMENT, LLC

PROPERTY INFORMATION

General Location: South side Gibbs Dr., east side N. Broadway
Other Parcel Info.:
Tax ID Number: 58 E H 020 & 021 **Jurisdiction:** City
Size of Tract: 1.62 acres
Accessibility: Access is N. Broadway, a major arterial street with 4 lanes and a center turn lane and 52' of pavement width within 90' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Any use permitted by C-1 and O-1 zoning **Density:**
Sector Plan: North City **Sector Plan Designation:** LDR
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This site is at the southwest corner of Gibbs Dr. and N. Broadway. All properties along Gibbs Dr. have remained zoned R-1 and developed with residential uses. Properties to the north, south and west, fronting on N. Broadway are developed with commercial uses under C-3, C-6 and PC-1.

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

Street: 2800 Gibbs Dr
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1 (Low Density Residential)
Former Zoning:
Requested Zoning: C-1 (Neighborhood Commercial) & O-1 (Office, Medical & Related Services)
Previous Requests: None noted
Extension of Zone: Yes, extension of commercial designation from the southeast
History of Zoning: No sector plan amendments have been requested for this site

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)

Requested Plan Category: NC (Neighborhood Commercial) & O (Office)

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-E-15-SP, amending the North City Sector Plan to O (Office) and NC (Neighborhood Commercial) and recommend that City Council also adopt the sector plan amendment. (See attached resolution, Exhibit A.)

Staff Recomm. (Full): Staff recognizes that the property is not desirable for residential uses. The proposed plan designations of neighborhood commercial and office create an acceptable land use pattern that will allow reasonable use of the property fronting on N. Broadway but will offer some protection to neighboring residential uses. Office uses, proposed to be placed along Gibbs Dr., would be more compatible with adjacent residential and are not as likely to generate as much traffic or have late business hours. The proposed land use pattern is logical in that it steps down in intensity from the C-3 zoning and development to the southeast to the R-1 zoning and development to the northwest.

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 recently made to N. Broadway or area utilities, but they are adequate to serve the proposed uses. Public water and sewer utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan proposes low density residential uses for the site, consistent with the current R-1 zoning. This designation has been retained over the years, despite several updates to the North City Sector Plan. The current LDR designation is appropriate and is not an error. However, staff recognizes that the site, as currently zoned, has been vacant for many years and is likely not desirable for a new residential use. The recommended office and neighborhood commercial plan designations will allow the applicant reasonable use of the site, while minimizing the potential negative impact on adjacent residential uses.

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

No changes in government policy apply in this case. MPC has twice recommended against non-residential zoning at this location. Previous public policy, as well as plan updates, have determined that low density residential uses should be maintained at this location. City Council has referred this matter back to MPC for consideration of the revised land use designations, which are more appropriate than the originally requested general commercial designations and C-3 zoning.

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

No new information has become available to reveal the need for a plan amendment. Other than the redevelopment of the Kroger site to the west and development of Chick Fil A to the south, very little has changed since the previous denials. The adjacent zoning was C-3 at the time of those denials. With the recommended One Year Plan amendment to office and neighborhood commercial, an area of transition would be established between adjacent general commercial and residential uses.

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:** 10/8/2015

Details of Action: MPC Meeting (Original) 7/9/2015, MPC Meeting (Revised request) 10/8/2015
Knoxville City Council (Original) 8/4/2015, Knoxville City Council (Revised) 11/10/2015

Summary of Action: ADOPT RESOLUTION # 7-E-15-SP, amending the North City Sector Plan to O (Office) and NC (Neighborhood Commercial) and recommend that City Council also adopt the sector plan amendment.

Date of Approval: 10/8/2015 **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, Second Reading:
Date of Legislative Action:	11/10/2015	Other Ordinance Number References:
Ordinance Number:		Disposition of Case, Second Reading:
Disposition of Case:	Approved (Emergency)	If "Other":
If "Other":		Amendments:
Amendments:	Postponed 8/4 to 9/1/2015 and Referred back to MPC on 9/1, MPC heard 10/8 and back to council amended 11/10	Effective Date of Ordinance:
Date of Legislative Appeal:		