



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
PLAN AMENDMENT REPORT**

▶ **FILE #:** 10-A-13-SP

AGENDA ITEM #: 22

AGENDA DATE: 10/10/2013

▶ **APPLICANT:** **JESSE C. PATTERSON**

OWNER(S): Jesse C. Patterson

TAX ID NUMBER: 70 P D 002, 003 & 004

JURISDICTION: Council District 4

▶ **LOCATION:** **Southeast side Edgewood Ave., east of Whittle Springs Rd.**

▶ **APPX. SIZE OF TRACT:** **0.5 acres**

SECTOR PLAN: East City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Edgewood Ave., a minor collector street with 20' of pavement width within 45-50' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** **LDR (Low Density Residential) / C-1 (Neighborhood Commercial)**

▶ **PROPOSED PLAN DESIGNATION:** **MDR (Medium Density Residential)**

▶ **EXISTING LAND USE:** **Residential and vacant land**

▶ **PROPOSED USE:** **Residential**

EXTENSION OF PLAN DESIGNATION: No

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Edgewood Ave. - Church / LDR

South: Houses / LDR

East: House / LDR

West: Sheet Metal Worker Local Union / LDR

NEIGHBORHOOD CONTEXT Edgewood Ave. is developed with primarily residential uses under R-1, R-1A and R-2 zoning, except for at its intersection with Whittle Springs Rd., where there are some businesses, zoned O-1 and C-1.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION # 10-A-13-SP, amending the East City Sector Plan to MDR (Medium Density Residential) and recommend that City Council also adopt the amendment. (See attached resolution, Exhibit A.)**

Medium density residential uses will be compatible with the scale and intensity of surrounding development and zoning. The site is located along Edgewood Ave., a residential street, and is adjacent to residential

dwellings on two sides.

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 any of the roads surrounding this site. Public water and sewer utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The property is currently designated for neighborhood commercial uses, consistent with the current C-1 zoning. However, the site is located along Edgewood Ave., a residential street with adjacent residential development. The site has been zoned C-1 for many years and has yet to be used for any commercial use. There is a house located on one of the subject parcels, which is non-conforming with the current C-1 zoning.

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

Edgewood Ave. is primarily developed with residential uses, under R-2 or C-3 zoning, with the exception of a few properties to the west, which are at the intersection of Whittle Springs Rd. C-1 uses should generally not be located on a residential street, unless at an intersection.

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

Despite being zoned for many years for commercial uses, no commercial development has occurred at this location. The established residential uses have remained and, because of the access only from a residential street, the land use designation should be changed to reflect the residential uses and zoning of the surrounding area.

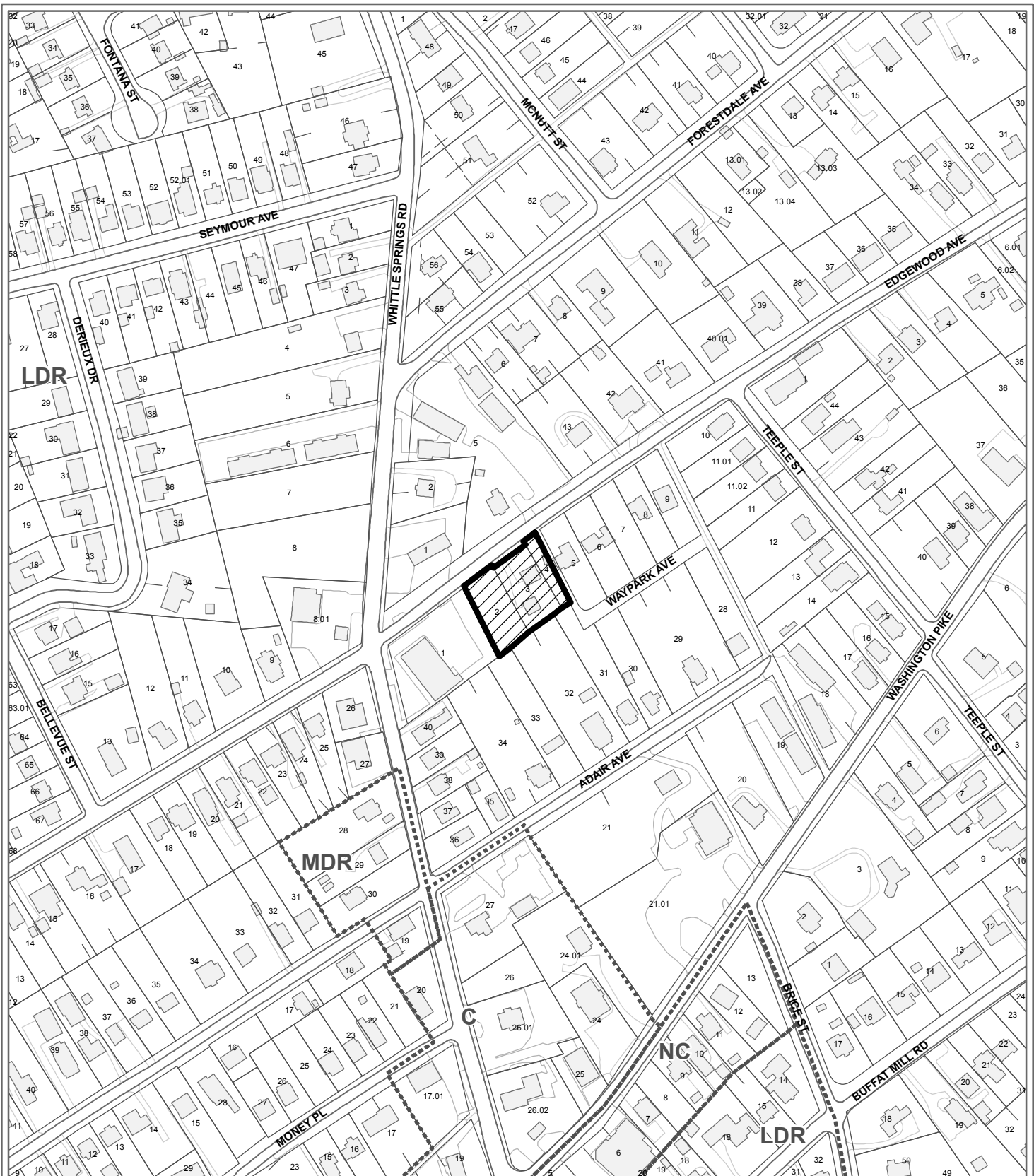
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

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.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 11/12/2013 and 11/26/2013. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



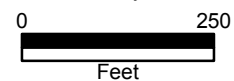
**10-A-13-SP
EAST CITY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)
To: MDR (Medium Density Residential)



Petitioner: Patterson, Jesse C.

Map No: 70
Jurisdiction: City



Original Print Date: 9/25/2013 Revised: 10/3/2013
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE EAST CITY SECTOR PLAN**

WHEREAS, the Knoxville-Knox County Metropolitan Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and

WHEREAS, the Metropolitan Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Metropolitan Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the East City Sector Plan, consistent with the requirements of the General Plan; and

WHEREAS, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and

WHEREAS, Jesse C. Patterson has submitted an application to amend the Sector Plan from Low Density Residential to Medium Density Residential, for property described in the application; and

WHEREAS, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the East City Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and

WHEREAS, the Metropolitan Planning Commission, at its regularly scheduled public hearing on October 10, 2013, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.

NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the East City Sector Plan, with its accompanying staff report and map, file #10-A-13-SP.

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that Knoxville City Council likewise consider this revised amendment to the General Plan 2033.

Date

Chairman

Secretary