# **CASE SUMMARY**

APPLICATION TYPE: PLAN AMENDMENT

#### ONE YEAR PLAN AMENDMENT

File Number: 1-B-03-PA Related File Number: 1-H-03-RZ

Application Filed: 12/6/2002 Date of Revision:

Applicant: DONOVAN STEWART

Owner:



Suite 403 • City County Building 4 0 0 Main Street Knoxville, Tennessee 37902 8 6 5 • 2 1 5 • 2 5 0 0 FAX•2 1 5 • 2 0 6 8 www•knoxmpc•org

# **PROPERTY INFORMATION**

General Location: Southwest side Whittle Springs Rd., southeast side Fairmont Blvd.

Other Parcel Info.:

Tax ID Number: 70 | B 6 Jurisdiction: City

Size of Tract: 0.4 acres

Accessibility: Access is via Fairmont Blvd., a major collector street with 65' of right of way and 28' of pavement width.

Access could also be via Whittle Springs Rd., a minor arterial street with 60' of right of way and 23' of

pavement width.

### **GENERAL LAND USE INFORMATION**

Existing Land Use: Vacant office building

**Surrounding Land Use:** 

Proposed Use: Chiropractic office Density:

Sector Plan: East City Sector Plan Designation:

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

Neighborhood Context: This area has been developed with residential uses under R-1 and RP-1 zoning.

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

**Street:** 3371 Whittle Springs Rd.

Location:

**Proposed Street Name:** 

**Department-Utility Report:** 

Reason:

### ZONING INFORMATION (where applicable)

Current Zoning: R-1 (Single Family Residential)

Former Zoning:

**Requested Zoning:** O-1 (Office, Medical, and Related Services)

Previous Requests: Property was denied neighborhood commercial in 1998. (4-I-98-PA)

Extension of Zone: No

History of Zoning: A One Year Plan amendment request for neighborhood commercial was denied by MPC on 4/9/98. (4-I-

98-PA)

# PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)

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Requested Plan Category: O (Office)

# SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

Surveyor:

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.):** DENY Office One Year Plan designation.

Staff Recomm. (Full): The site is surrounded by residential uses. Designation of this site for office use would result in a spot

zoning of the property. Uses permitted on the subject property would not be allowed on surrounding

parcels. The sector plan designates this site for Low Density Residential.

Comments: NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The site is developed with a vacant office building, with a parking area in the front of the property. The property has been used for non-residential purposes in the past, which was not in conformance with the property's R-1 zoning.

- 2. The site is located at the intersection of two collector streets, which is appropriate for office uses.
- 3. The site is located at the edge of a neighborhood and does not directly face any residential uses.
- 4. The site is located across Fairmont Blvd. from a church located to the north.
- 5. In 1998, a One Year Plan amendment request for a Neighborhood Commercial designation for the property was denied by MPC. In 1993, the Planning Commission approved a use on review for a daycare center for 28 children at this location. The approved daycare center, however, has never become operational.
- 6. The site is less desirable than surrounding properties for residential uses.

#### THE EFFECTS OF THE PROPOSAL

- 1. No additional demands will be placed on schools as a result of this request. The added traffic that could result from medical office use will be minimal because it will not be directed through local residential streets. The site's sole access is from two collector streets.
- 2. Under R-1A zoning, potential impacts to adjacent properties resulting from the proposed use of the property as a chiropractic office can be addressed during the required use on review process.
- 3. R-1A zoning is compatible with the surrounding land uses and zoning pattern.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1. R-1A zoning is consistent with the current Knoxville One Year Plan and East City Sector Plan designations of Low Density Residential for the property.
- 2. R-1A zoning of this site is consistent with the General Plan policy of not locating non-residential zones directly facing each other. The use on review process can include adding landscaping to protect adjacent residential uses from non-residential uses.
- 3. This request should not lead to additional rezoning requests, as this site is located in the middle of established residential uses and R-1 zoning. This site is unique in that it is developed with a commercial/office type building and parking area that has previously been used for non-residential purposes.
- 5. If the required use on review is approved, reuse of the site as a chiropractic office would allow the site to be improved and maintained rather than remain vacant.

MPC Action: Denied MPC Meeting Date: 1/9/2003

**Details of MPC action:** 

Summary of MPC action: DENY Office One Year Plan designation.

Date of MPC Approval:

Date of Denial: 1/9/2003

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: ☐ Action Appealed?:

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# 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:

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