# **CASE SUMMARY**

# APPLICATION TYPE: PLAN AMENDMENT

#### ONE YEAR PLAN AMENDMENT

File Number: 1-E-17-PA Related File Number: 1-G-17-RZ

**Application Filed:** 11/22/2016 **Date of Revision:** 

Applicant: DANIEL & KELLI JOBE

METROPOLITAN
PLANNING
COMMISSION

Suite 403 • City County Building 4 0 0 M a i n S t r e e t Knoxville, Tennessee 37902 8 6 5 • 2 1 5 • 2 5 0 0 F A X • 2 1 5 • 2 0 6 8 w w w • k n o x m p c • o r g

#### PROPERTY INFORMATION

**General Location:** North side Forestal Dr., east of Tazewell Pike

Other Parcel Info.:

Tax ID Number: 58 M C 007 & 008 Jurisdiction: City

Size of Tract: 8000 square feet

Accessibility: Access is via Forestal Dr., a local street with 19' of pavement width within 40' of right-of-way.

### GENERAL LAND USE INFORMATION

Existing Land Use: Dwelling and garage

**Surrounding Land Use:** 

Proposed Use: Boutique shop Density:

Sector Plan: North City Sector Plan Designation: MDR

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

Neighborhood Context: This house is situated on Forestal Dr., just behind a business on Tazewell Pike, zoned C-3. Other

businesses are located on properties fronting on Tazewell Pike, also zoned C-3. The neighborhood to

the north and east is zoned R-2.

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

Street: 105 Forestal Dr

Location:

**Proposed Street Name:** 

**Department-Utility Report:** 

Reason:

#### ZONING INFORMATION (where applicable)

Current Zoning: R-2 (General Residential)

Former Zoning:

Requested Zoning: C-3 (General Commercial)

Previous Requests: None noted

**Extension of Zone:** Yes, extension of GC from the south and west

History of Zoning: None noted

#### PLAN INFORMATION (where applicable)

Current Plan Category: MDR (Medium Density Residential)

3/31/2017 03:33 PM Page 1 of 3

Requested Plan Category: GC (General 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.:

#### MPC ACTION AND DISPOSITION

Planner In Charge: Michael Brusseau

Staff Recomm. (Abbr.): DENY GC (General Commercial) One Year Plan designation for the site.

Staff Recomm. (Full): There is enough commercial property in the area to address the demand. The North City Sector Plan

recommends to concentrate commercial uses on nearby N. Broadway. If this change is approved, it raises the potential of the entire block between Forestal Dr. and McCamey Rd. to be rezoned to

commercial.

Comments: ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet

any one of these.)

A. AN ERROR IN THE PLAN - The One Year Plan appropriately designates this site for medium density residential uses, consistent with the current R-2 zoning. As stated above, approval of commercial use for this subject property could set a precedent to rezone the whole block to commercial. There is sufficient commercial zoning in the area to meet the demand. The North City

Sector Plan recommends to concentrate commercial uses along N. Broadway.

B. A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA - No known improvements have been made in the vicinity of this site. The zoning and development pattern for this is well established and appropriate as is.

C. A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN - There has been no change in

public policy that warrants the requested amendment to the One Year Plan.

D. NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC)
BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT - No new information has become available that would reveal the need for a plan amendment at this particular

location.

Action: Denied Meeting Date: 1/12/2017

**Details of Action:** 

**Summary of Action:** DENY GC (General Commercial) One Year Plan designation for the site.

Date of Approval: Date of Denial: 1/12/2017 Postponements:

Date of Withdrawal: Withdrawn prior to publication?: Action Appealed?: 1/20/2017

## LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 2/28/2017 Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Denied Disposition of Case, Second Reading:

If "Other":

Amendments: Amendments:

3/31/2017 03:33 PM Page 2 of 3

Appeal denied. Denial stands.

Date of Legislative Appeal:

**Effective Date of Ordinance:** 

3/31/2017 03:33 PM Page 3 of 3