

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT
ONE YEAR PLAN AMENDMENT



File Number: 1-F-21-PA **Related File Number:** 1-I-21-RZ
Application Filed: 11/30/2020 **Date of Revision:**
Applicant: D.F.S PROPERTIES, LP BY AND THROUGH COUNSEL

PROPERTY INFORMATION

General Location: West side of Liberty St. across from Sanderson Rd and north of Middlebrook Pk
Other Parcel Info.:
Tax ID Number: 94 I L 038 **Jurisdiction:** City
Size of Tract: 0.53 acres
Accessibility: Liberty Street is a major collector with a pavement width of 35 feet inside a right-of-way approximately 57 feet wide.

GENERAL LAND USE INFORMATION

Existing Land Use: Single family residential
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: Central City **Sector Plan Designation:** MDR/O (Medium Density Residential/Office)
Growth Policy Plan: Within City limits
Neighborhood Context: Properties to the south along and near Middlebrook Pike consist of general warehousing, commercial, and office uses. The block containing this property is a mix of uses with multifamily dwellings and a church until the uses transition to single family uses north of Joyce Avenue. Single family residential dwellings are across the street to the west.

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

Street: 1712 Liberty St.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-1 (Single-Family Residential Neighborhood)
Former Zoning:
Requested Zoning: I-MU (Industrial Mixed-Use)
Previous Requests: 8-L-85-RZ (as a part of a larger rezoning request)
Extension of Zone: Yes, BP-1 is adjacent to the southeast; I-MU zoning is adjacent to the southeast
History of Zoning: No previous plan amendment requests; property was rezoned from R-2 (General Residential) to R-1A (Low Density Residential) as part of a larger rezoning (Case # 8-L-85-RZ) in 1985.

PLAN INFORMATION (where applicable)

Current Plan Category: MDR/O (Medium Density Residential/Office)

Requested Plan Category: BP-1 (Business Park Type 1)

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: Michelle Portier

Staff Recomm. (Abbr.): Approve the BP-1 (Business Park Type 1) designation because it is consistent with surrounding development and complies with a new City policy when only a secondary use is located on a property.

Staff Recomm. (Full):

Comments: The applicant is seeking to install a driveway on this property as a second access point to the property zoned I-MU and housing a commercial/office/warehouse development that is adjacent to the southeast. Since the lot would have no use other than the driveway, and the driveway serves the I-MU property, the use associated with this property would be the same as that of the I-MU property and would not be allowed in a residential zone.

The two properties are to be replatted and combined, which would result in dual zoning as the zoning currently exists. Having one zoning designation on a property is preferable to dual zoning on a lot since it is clearer and provides for more concise and streamlined review of plans.

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these.)

AN ERROR IN THE PLAN:

1. There are no apparent errors in the plan that would warrant a plan amendment.

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:

1. There have been no changes to the development pattern or completion of public improvements that would warrant a plan amendment.

A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN:

1. This proposal prompted a new policy concerning access on one lot that would service another lot. Since the applicant is proposing no specific use on this property other than providing driveway access to the adjacent parcel to the southeast and fronting Middlebrook Pike (zoned I-MU), then the primary use would be that of the lot it is servicing. In this case, that is commercial, office, and warehousing, which are not permitted in the existing RN-1 zone.

NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY KNOXVILLE-KNOX COUNTY PLANNING) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT:

1. No new information has become available to reveal the need for a plan amendment.

Action: Approved

Meeting Date: 1/14/2021

Details of Action:

Summary of Action: Approve the BP-1 (Business Park Type 1) designation because it is consistent with surrounding development and complies with a new City policy when only a secondary use is located on a property.

Date of Approval: 1/14/2021

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: 2/9/2021

Date of Legislative Action, Second Reading: 2/23/2021

Ordinance Number:

Other Ordinance Number References: O-38-2021

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: