

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

ONE YEAR PLAN AMENDMENT



File Number: 10-B-23-PA **Related File Number:** 10-B-23-RZ
Application Filed: 8/7/2023 **Date of Revision:**
Applicant: ERIKA AYALA MUNOZ

PROPERTY INFORMATION

General Location: Southeast side of Merchant Dr, northeast of Pleasant Ridge Rd
Other Parcel Info.:
Tax ID Number: 80 J B 01801 (PART OF) **Jurisdiction:** City
Size of Tract: 3 acres
Accessibility: Access is via Merchant Drive, a minor arterial street with a 30-ft pavement width within a 62 ft to 72 ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: Northwest City **Sector Plan Designation:** LDR (Low Density Residential), NC (Neighborhood)
Growth Policy Plan: N/A (Within City Limits)
Neighborhood Context: This is an office and commercial node around the intersection of Merchant Drive and Pleasant Ridge Road. It is surrounded by single family and multifamily residential neighborhoods. There is a middle school to the south, and a large area of forested hillside to the east.

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

Street: 2812 MERCHANT DR
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: OP (Office Park), HP (Hillside Protection Overlay)
Former Zoning:
Requested Zoning: C-G-1 (General Commercial), HP (Hillside Protection Overlay)
Previous Requests:
Extension of Zone: No this is not an extension of the land use classification. It is a minor extension of the C-G-1 zoning district, which borders a portion of the subject parcel to the south and is also present across the street.
History of Zoning: In 1982, this property was included in a rezoning request from A-1 (General Agricultural) to C-3 (General Commercial). A rezoning to O-3 (Office Park) was approved per staff recommendation. (12-D-82-RZ)

PLAN INFORMATION (where applicable)

Current Plan Category: NC (Neighborhood Commercial), HP (Hillside Protection)

Requested Plan Category: GC (General Commercial), HP (Hillside Protection)

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: Jessie Hillman

Staff Recomm. (Abbr.): Deny the One Year Plan amendment to the GC (General Commercial) land use classification because it is inconsistent with surrounding land use classifications. The HP (Hillside Protection) will be retained.

Staff Recomm. (Full):

Comments:

ONE YEAR PLAN AMENDMENT REQUIREMENTS (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. The subject property is part of commercial and office node around the intersection of Merchant Drive and Pleasant Ridge Road, which has gradually expanded over the past 20 years.
2. Although the requested GC (General Commercial) land use classification generally aligns with existing development in the area, it is not consistent with surrounding land use classifications. Reclassifying a single parcel to the GC land use among the existing NC (Neighborhood Commercial) and O (Office) classifications would break up cohesion of the land use map in this area. It could lead to more intensive development than intended by the One Year Plan.

AN ERROR IN THE PLAN:

1. The subject property is one of several surrounding properties with the NC classification, which only permits consideration of the C-N (Neighborhood Commercial) zoning district. Despite this, there is no C-N zoning, and the predominant zoning among these properties is C-G-1 (General Commercial). C-G-1 is permitted in the requested GC land use classification. Although the land use class here is not reflective of current zoning and development is not necessarily the result of an error in the plan.
2. The One Year Plan also describes how the GC (General Commercial) class is intended for properties that are relatively flat. A portion of the subject parcel is within the HP (Hillside Protection) overlay with steep slopes towards the rear of the lot.

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. This commercial node is surrounded by numerous residential neighborhoods, which supports maintaining the NC land use classification to provide commercial services intended for these local communities.
2. There have been no significant changes in public facilities or capital improvements that affect this request for the GC land use classification.

A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN:

1. There have been no changes in public policy pertaining to the proposed land use amendment.

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

1. There are no new studies or plans specific to the commercial land use class that apply to this request.

ADDITIONAL CONSIDERATIONS:

1. The One Year Plan describes how the GC class is intended for properties that are relatively flat. A portion of the subject parcel is within the HP (Hillside Protection) area with steep slopes towards the rear of the lot.

Action: Denied

Meeting Date: 10/5/2023

Details of Action:

Summary of Action: Deny the One Year Plan amendment to the GC (General Commercial) land use classification because it is inconsistent with surrounding land use classifications. The HP (Hillside Protection) will be retained.

Date of Approval:

Date of Denial: 10/5/2023

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:** 10/18/2023

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 1/9/2024

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Withdrawn

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: