

# CASE SUMMARY

## APPLICATION TYPE: PLAN AMENDMENT

### ONE YEAR PLAN AMENDMENT

**File Number:** 10-H-06-PA                      **Related File Number:** 10-U-06 RZ  
**Application Filed:** 9/8/2006                      **Date of Revision:**  
**Applicant:** FIVE OAKS OUTLET CENTERS, INC.  
**Owner:**

KNOXVILLE-KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N  
T E N N E S S E E

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### PROPERTY INFORMATION

**General Location:** Southwest side Coile Rd., northwest of Tazewell Pike  
**Other Parcel Info.:**  
**Tax ID Number:** 58 M E 001, AND PART OF 002                      **Jurisdiction:** City  
**Size of Tract:** 0.3 acres  
**Accessibility:** Access is via Coile Rd., and Rose Dr. both local streets with 22' pavements within 40' rights-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence and vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Shopping center parking                      **Density:**  
**Sector Plan:** North City                      **Sector Plan Designation:**  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This site is on the edge of an older residential neighborhood that developed under R-1 zoning and newer commercial uses located along Tazewell Pike and zoned C-1, C-3 and C-6.

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

**Street:** 4616 Coile Rd.  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** R-1 (Single Family Residential)  
**Former Zoning:**  
**Requested Zoning:** C-3 (General Commercial)  
**Previous Requests:** None noted  
**Extension of Zone:** Yes  
**History of Zoning:** None noted

### PLAN INFORMATION (where applicable)

**Current Plan Category:** LDR (Low Density Residential)  
**Requested Plan Category:** GC (General Commercial)

**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: Ken Pruitt

Staff Recomm. (Abbr.): DENY the GC (General Commercial) designation

Staff Recomm. (Full): The GC designation would extend commercial into a stable residential neighborhood and adversely impact the area. The sector plan and One Year Plan propose low density residential use for the site.

Comments: NEED AND JUSTIFICATION FOR THE PROPOSAL
1. Establishing a GC designation and C-3 zoning on this site will extend the commercial uses into the residential neighborhood to the west.
2. The neighborhood should be protected from intrusion of commercial development deeper into the neighborhood, and the residential use on part of this site maintains a visual buffer, as well as a stopping point for commercial uses.
3. A part of the subject property is currently used for parking for the restaurant on the site contrary to the ordinance provisions of R-1.
4. Approval of this proposal could lead to demolition of the house, and obtaining a driveway permit to Rose Dr. from the commercial parking lot.

THE EFFECTS OF THE PROPOSAL
1. Public water and sewer utilities are available to serve the site.
2. The proposal will have a minimal impact on streets and no impact on schools.
3. If approved, the proposal will bring the current parking area on the site into conformity, but will extend commercial zoning into a stable residential neighborhood and place commercial zoning on the southeast side of Rose Dr. across from stable single family housing.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS
1. The recommended One Year Plan amendment to GC for this site is required in order for the applicant's requested C-3 zone to be approved.
2. The North City Sector Plan currently proposes low density residential uses for the site.
3. This site is within the area of the MPC plan, "The Future of Our Past", adopted in early 1994, describes the Adair Gardens district as follows: "This small district contains excellent examples of Tudor Revival and Colonial Revival styles in a garden suburb typical of early twentieth century development."
4. The MPC report, "Status of Preservation 2005: A Report to Mayor Bill Haslam," references the Adair Gardens neighborhood as a National Register listing with low historic significance and a low level of endangerment. At the time the "level of endangerment" was assessed, the potential for commercial encroachment on this site was not known. The neighborhood has architectural and historic significance.

MPC Action: Denied (Withdrawn) MPC Meeting Date: 10/12/2006

Details of MPC action:

Summary of MPC action:

Date of MPC Approval: Date of Denial: Postponements:

Date of Withdrawal: 10/12/2006 Withdrawn prior to publication?: [ ] Action Appealed?:

**LEGISLATIVE ACTION AND DISPOSITION**

Legislative Body: Knoxville City Council

Date of Legislative Action: 11/7/2006 Date of Legislative Action, Second Reading: 11/21/2006

Ordinance Number: Other Ordinance Number References:

**Disposition of Case:**

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**