

# CASE SUMMARY

**APPLICATION TYPE: PLAN AMENDMENT**  
**ONE YEAR PLAN AMENDMENT**



**File Number:** 4-A-18-PA                      **Related File Number:** 4-B-18-RZ  
**Application Filed:** 1/29/2018              **Date of Revision:**  
**Applicant:** JERRY BRIDGES

## **PROPERTY INFORMATION**

**General Location:** Southeast side E. Morelia Ave., southwest side Harvey St.  
**Other Parcel Info.:**  
**Tax ID Number:** 81 F A 036                      **Jurisdiction:** City  
**Size of Tract:** 0.4 acres  
**Accessibility:** Access is via E. Morelia Ave., a minor collector street with 32' of pavement width within 50' of right-of-way, or Harvey St., a minor collector street with 30' of pavement width within 50' of right-of-way.

## **GENERAL LAND USE INFORMATION**

**Existing Land Use:** Plumbing company  
**Surrounding Land Use:**  
**Proposed Use:** Plumbing company                      **Density:**  
**Sector Plan:** Central City                      **Sector Plan Designation:** TDR  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** The subject property is located within a residential neighborhood, zoned R-2/IH-1. There is an industrial area to the north, zoned I-3.

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

**Street:** 432 E Morelia Ave  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## **ZONING INFORMATION (where applicable)**

**Current Zoning:** R-2 (General Residential) / IH-1 (Infill Housing Overlay)  
**Former Zoning:**  
**Requested Zoning:** C-3 (General Commercial) / IH-1 (Infill Housing Overlay)  
**Previous Requests:** None noted  
**Extension of Zone:** No  
**History of Zoning:** A plan amendment to GC was denied by MPC in 1987 (7-E-18-PA). See attached documents

## **PLAN INFORMATION (where applicable)**

**Current Plan Category:** TDR (Traditional Neighborhood Residential)  
**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.:

**PLANNING COMMISSION 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):

No conditions have changed that warrant amendment of the One Year Plan map for this site. The current R-2/IH-1 zoning is consistent with the One Year Plan and gives the applicant reasonable use of the property, which had already been operating as a legal non-conforming business since at least the 1980's. Approval of this request would represent a spot plan amendment with no reasonable justification to warrant the change.

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 TDR (Traditional Neighborhood) uses, consistent with the current R-2/IH-1 zoning. This site is located in the middle of an established neighborhood that is consistently zoned R-2/IH-1.

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 area 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. MPC denied the same request to a GC plan designation in 1987 (7-E-87-PA) and the basic conditions in the area have not changed.

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: 6/14/2018

Details of Action:

Summary of Action:

DENY GC (General Commercial) One Year Plan designation for the site.

Date of Approval:

Date of Denial: 6/14/2018

Postponements: 4/12/2018,  
5/10/2018

Date of Withdrawal:

Withdrawn prior to publication?:  Action Appealed?:**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:**