

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT
CENTRAL CITY SECTOR PLAN AMENDMENT



File Number: 4-A-18-SP **Related File Number:**
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 business
Surrounding Land Use:
Proposed Use: Plumbing business **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 the requested GC (General Commercial) sector plan designation.

Staff Recomm. (Full): No conditions have changed that warrant amendment of the sector plan map for this site. The current R-2/IH-1 zoning is consistent with the plan and gives the applicant reasonable use of the property, which had already been operating as a legal non-conforming business in the past. Approval of this request would represent a spot plan amendment with no reasonable justification to warrant the change.

Comments: SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

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.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The sector 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.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

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.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

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.

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

Action: Denied

Meeting Date: 6/14/2018

Details of Action:

Summary of Action: DENY the requested GC (General Commercial) sector plan designation.

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: Knoxville City Council

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: