

# CASE SUMMARY

**APPLICATION TYPE: PLAN AMENDMENT**

**ONE YEAR PLAN AMENDMENT**

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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**File Number:** 4-E-18-PA

**Related File Number:** 4-J-18-RZ

**Application Filed:** 2/26/2018

**Date of Revision:**

**Applicant:** RIYANS LLC

## PROPERTY INFORMATION

**General Location:** Northeast side Thirteenth St., northwest side Bridge Ave.

**Other Parcel Info.:**

**Tax ID Number:** 94 L M 027

**Jurisdiction:** City

**Size of Tract:** 1900 square feet

**Accessibility:** Access is via Thirteenth St., a local street with 29' of pavement width within 40' of right-of-way, or Bridge Ave., a local street with 31' of pavement width within 40' of right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Retail market

**Surrounding Land Use:**

**Proposed Use:** Package store

**Density:**

**Sector Plan:** Central City

**Sector Plan Designation:** MDR

**Growth Policy Plan:** Urban Growth Area (Inside City Limits)

**Neighborhood Context:** The surrounding area is developed with apartment housing, zoned R-3/NC-1.

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

**Street:**

**Location:**

**Proposed Street Name:**

**Department-Utility Report:**

**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** R-3 (High Density Residential) / NC-1 (Neighborhood Conservation Overlay)

**Former Zoning:**

**Requested Zoning:** C-3 (General Commercial) / NC-1 (Neighborhood Conservation Overlay)

**Previous Requests:** None noted

**Extension of Zone:** No

**History of Zoning:** None noted

## PLAN INFORMATION (where applicable)

**Current Plan Category:** MDR (Medium Density 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.:

**MPC 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-3/NC-1 zoning is consistent with the One Year Plan and gives the applicant reasonable use of the property, which has already been operating as a legal non-conforming business since at least the 1970's, according to the applicant. 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 MDR (Medium Density Residential) uses, consistent with the current R-3/NC-1 zoning. This site is located in the middle of an established neighborhood that is consistently zoned R-3/NC-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.

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: Approved Meeting Date: 4/12/2018

Details of Action: APPROVE NC (Neighborhood Commercial) One Year Plan designation for the site.

Summary of Action: APPROVE NC (Neighborhood Commercial) One Year Plan designation for the site.

Date of Approval: 4/12/2018 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: 5/8/2018

Date of Legislative Action, Second Reading: 5/22/2018

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: