# **CASE SUMMARY**

## APPLICATION TYPE: PLAN AMENDMENT

#### ONE YEAR PLAN AMENDMENT

File Number: 7-A-16-PA Related File Number: 7-A-16-RZ

**Application Filed:** 4/20/2016 **Date of Revision:** 

Applicant: JEDI PHILLIPS



#### PROPERTY INFORMATION

General Location: West side N. Gallaher View Rd., south side Manor View Dr.

Other Parcel Info.:

Tax ID Number: 119 D D 00601 Jurisdiction: City

Size of Tract: 0.86 acres

Accessibility: Access is via N. Gallaher View Rd., a minor arterial street with 4 lanes and a center turn lane on 60' of

pavement width within 90' of right-of-way.

#### GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land

**Surrounding Land Use:** 

Proposed Use: Coffee shop with drive thru in park-like setting Density:

Sector Plan: Northwest County Sector Plan Designation: STPA

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

Neighborhood Context: This section of N. Gallaher View Rd. (north of Walker Springs Rd.), is developed primarily with low to

medium density residential uses under R-2, RP-1, R-1A and RB zoning. Commercial development is located to the south of Walker Springs Rd. and to the north at the Middlebrook Pike intersection.

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

Street:

Location:

**Proposed Street Name:** 

**Department-Utility Report:** 

Reason:

# ZONING INFORMATION (where applicable)

Current Zoning: A-1 (General Agricultural)

Former Zoning:

Requested Zoning: C-3 (General Commercial)

Previous Requests: None noted

Extension of Zone: No

History of Zoning: None noted

# PLAN INFORMATION (where applicable)

Current Plan Category: OS (Open Space) and F (Floodway)

3/30/2020 09:56 AM Page 1 of 3

Requested Plan Category: GC (General Commercial) and F (Floodway)

# 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.): RECOMMEND that City Council APPROVE NC (Neighborhood Commercial) and F (Floodway) One

Year Plan designation. (Applicant requested GC and F.)

**Staff Recomm. (Full):** Neighborhood commercial uses are appropriate for the site, considering its size, shape and location.

The requested GC designation allows more intense uses that may be problematic at this location. Less intense neighborhood commercial uses are more appropriate at this location and establish a

transition/stopping point for commercial uses moving north toward Middlebrook Pike.

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 - There are no apparent errors in the plan. The current plan proposes LDR and STPA for the site, consistent with the current A-1 and F-1 zoning on the site. The site fronts on a four-lane minor arterial street, is adjacent to a Public Greenway, and is situated adjacent to the entrance to a large apartment complex. It is reasonable to expect that the property would not be desirable for residential use, but the site is too narrow and is poorly situated for general commercial uses. The recommended neighborhood commercial uses are more appropriate for this site.

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 recently made to N. Gallaher View Rd., but the road capacity is adequate to serve commercial uses. Establishing safe vehicular access to the site could be problematic because of the close proximity to the intersection of Walker Springs Rd. and the entrance driveway to the adjacent apartments. Public water and sewer

C. A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN - With the established commercial zoning pattern to the south, neighborhood commercial uses and zoning are appropriate for the subject property as a transitional area between general commercial and residential uses.

D. NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC)
BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT - The
commercial zoning pattern to the south and residential zoning to the north has long been established

in this area, making this site appropriate for transitional neighborhood commercial uses.

Action: Approved Meeting Date: 7/14/2016

Details of Action: RECOMMEND that City Council APPROVE GC (General Commercial) and F (Floodway) One Year

Plan designation.

**Summary of Action:** GC (General Commercial) and F (Floodway)

Date of Approval: 7/14/2016 Date of Denial: Postponements:

Date of Withdrawal: Withdrawn prior to publication?: ☐ Action Appealed?:

utilities are available to serve the site.

## LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 8/16/2016 Date of Legislative Action, Second Reading: 8/30/2016

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Approved Disposition of Case, Second Reading: Approved

3/30/2020 09:56 AM Page 2 of 3

If "Other":	"Other":
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Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

3/30/2020 09:56 AM Page 3 of 3