CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

ONE YEAR PLAN AMENDMENT

File Number:	7-D-15-PA	Related File Number:	7-H-15-RZ
Application Filed:	5/26/2015	Date of Revision:	10/8/2015
Applicant:	SMITH-LINDSEY DEVELOPMENT		

PROPERTY INFORMATION

General Location:	South side Gibbs Dr., east side N. Broadway		
Other Parcel Info.:			
Tax ID Number:	58 E H 020 & 021	Jurisdiction:	City
Size of Tract:	1.62 acres		
Accessibility:	Access is N. Broadway, a major arterial street with 4 lanes and a center turn lane and 52' of pavement width within 90' of right-of-way.		

GENERAL LAND USE INFORMATION

Existing Land Use:	Vacant land		
Surrounding Land Use:			
Proposed Use:	Any use permitted by	C-1 and O-1	Density:
Sector Plan:	North City	Sector Plan Designation: LDR	
Growth Policy Plan:	Urban Growth Area (Inside City Limits)		
Neighborhood Context:	This site is at the southwest corner of Gibbs Dr. and N. Broadway. All properties along Gibbs Dr. have remained zoned R-1 and developed with residential uses. Properties to the north, south and west, fronting on N. Broadway are developed with commercial uses under C-3, C-6 and PC-1.		

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

Street:

2800 Gibbs Dr

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning:	R-1 (Low Density Residential)
Former Zoning:	
Requested Zoning:	C-1 (Neighborhood Commercial) and O-1 (Office, Medical & Related Services)
Previous Requests:	None noted
Extension of Zone:	Yes, extension of commercial plan designation and zoning from the south
History of Zoning:	For this site, O designation and O-3 zoning was denied in 1990 (4-I-90-PA/4-O-90-RZ) and GC and C-3 was denied in 1991 (10-A-91-PA/10-A-91-RZ). NC and C-1 was also denied across Gibbs Dr. to north in 1999 (7-G-99-PA/7-K-99-RZ).

PLAN INFORMATION (where applicable)



Suite 403 • City County Building 4 0 0 M a i n S t r e e t Knoxville, Tennessee 37902 8 6 5 • 2 1 5 • 2 5 0 0 F A X • 2 1 5 • 2 0 6 8 w w w • k n o x m p c • o r g Requested Plan Category: NC (Neighborhood Commercial) and O (Office)

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.):	RECOMMEND that City Council APPROVE O (Office) and NC (Neighborhood Commercial) One Year Plan designations, as requested.
Staff Recomm. (Full):	Staff recognizes that the property is not desirable for residential uses. The proposed plan designations of neighborhood commercial and office create an acceptable land use pattern that will allow reasonable use of the property fronting on N. Broadway but will offer some protection to neighboring residential uses. Office uses, proposed to be placed along Gibbs Dr., would be more compatible with adjacent residential and are not as likely to generate as much traffic or have late business hours. The proposed land use pattern is logical in that it steps down in intensity from the C-3 zoning and development to the southeast to the R-1 zoning and development to the northwest.
Comments:	The applicant had originally requested C-3 zoning for the entire parcel, with the corresponding One Year Plan and sector plan amendments to general commercial. MPC staff recommended office plan designations and O-1 zoning and MPC approved the staff's recommendation on July 9, 2015. When the items were considered by City Council, the applicant had apparently reached a compromise with adjacent Gibbs Drive homeowners to consider the now proposed split of O-1 and C-1 zoning, with corresponding plan amendments. On September 1, 2015, City Council referred the applications back to MPC for consideration of the revised requests.
	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 current One Year Plan proposes low density residential uses for the site, consistent with the current R-1 zoning. This designation has been retained over the years, despite a One Year Plan update each year and several updates to the North City Sector Plan. The current LDR designation is appropriate and is not an error. However, staff recognizes that the site, as currently zoned, has been vacant for many years and is likely not designations will allow the applicant reasonable use of the site, while minimizing the potential negative impact on adjacent residential uses.
	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. Broadway or area utilities, but they are adequate to serve the proposed uses. Public water and sewer utilities are available to serve the site.
	C. A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN - No changes in government policy apply in this case. MPC has twice recommended against non-residential zoning at this location. Previous public policy, as well as plan updates, have determined that low density residential uses should be maintained at this location. City Council has referred this matter back to MPC for consideration of the revised land use designations, which are more appropriate than the originally requested general commercial designations and C-3 zoning.
	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 to reveal the need for a plan amendment. Other than the redevelopment of the Kroger site to the west and development of Chick Fil A to the south, very little

	has changed since the previous denials. The adjacent zoning was C-3 at the time of those denials. With the recommended One Year Plan amendment to office and neighborhood commercial, an area of transition would be established between adjacent general commercial and residential uses.			
Action:	Approved		Meeting Date:	10/8/2015
Details of Action:	MPC Meeting (Original) 7/9/2015, MPC Meeting (Revised request) 10/8/2015 Knoxville City Council (Original) 8/4/2015, Knoxville City Council (Revised) 11/10/2015			
Summary of Action:	O (Office) and NC (Neighborhood Commercial)			
Date of Approval:	10/8/2015	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:	11/10/2015	Date of Legislative Action, Second Reading:
Ordinance Number:		Other Ordinance Number References:
Disposition of Case:	Approved (Emergency)	Disposition of Case, Second Reading:
If "Other":		lf "Other":
Amendments:		Amendments:
Knoxville City Council (Origin then Knoxville City Council (I	al) 8/4/2015,Back to MPC 11/10 Revised) 11/10/2015	
Date of Legislative Appeal:		Effective Date of Ordinance: