

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

NORTHWEST COUNTY SECTOR 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: 1-A-09-SP Related File Number: 1-D-09-RZ
Application Filed: 11/5/2008 Date of Revision:
Applicant: BLUE SKY INVESTMENTS

PROPERTY INFORMATION

General Location: Southeast side Lovell Rd. southwest side Hickey Rd.
Other Parcel Info.:
Tax ID Number: 104 164 Jurisdiction: County
Size of Tract: 1 acres
Accessibility: Access is via Lovell Rd., a minor arterial street with 20' of pavement width within 75' of right of way, or Hickey Rd., a local street with 17' of pavement width within 50' of right of way.

GENERAL LAND USE INFORMATION

Existing Land Use: House
Surrounding Land Use:
Proposed Use: Any use permitted by CA zone. Density:
Sector Plan: Northwest County Sector Plan Designation: Low Density Residential
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This area is developed primarily with low density residential uses, under A, PR and RA zoning. However, there is a nursery/retail landscaping business to the east that has been in existence since at least the 1980's. It was initially established as a nursery in the Agricultural zone, but has grown over the years into a large scale nursery business, that sells landscaping related products, trees, bedding plants and other related materials.

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

Street: 2022 Lovell Rd.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RA (Low Density Residential)
Former Zoning:
Requested Zoning: CA (General Business)
Previous Requests: None noted
Extension of Zone: No
History of Zoning: None noted

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)

Requested Plan Category: C (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 THE REQUEST for a C (Commercial) plan designation for this site.

Staff Recomm. (Full): The requested amendment of the sector plan does not meet any of the specific criteria outlined in the General Plan for approval of a plan amendment. This request is a spot sector plan amendment.

Comments: GENERAL COMMENTS:
This application has been submitted in response to the issuance of a zoning violation on the site by the Knox County Code Administration Department, which is likely the result of complaints received. Without proper approvals, the site is being used for an illegal business, selling a variety of items, most of which are openly displayed on the site inside a chain-link fenced area or under carport structures attached to the existing house on site. The applicant was informed that in order to bring the use into compliance with zoning, that it must be rezoned to CA. The attached maps show three structures on the site, but the two closest to Hickey Rd. have been recently removed. Some of the various items for sale that were observed during a site visit by staff are desks, filing cabinets, office furniture, trailers, and a pickup truck. Most of the lot is gravel, and a box trailer placed along Lovell Rd. is also doubling as a business sign. The requested commercial sector plan designation is required in order to consider the needed CA to bring the use into compliance with the zoning ordinance.

SECTOR PLAN REQUIREMENTS:
CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN
A. NEW ROAD OR UTILITY IMPROVEMENTS - No changes have occurred along this section of Lovell Rd. to warrant this change. This site is located on the corner of Hickey Rd. and Lovell Rd. Hickey Rd. is classified as a local street, so this intersection should not be considered as a potential commercial crossroads, which generally requires at least an arterial/collector intersection.
B. ERROR OR OMISSION IN CURRENT PLAN - The plan appropriately calls for LDR development at this location.
C. CHANGES IN GOVERNMENT POLICY - No changes have occurred that warrant this sector plan change. The closest commercial designated area is located about a half mile to the northeast at Lovell Rd. and Middlebrook Pike.
D. CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS - The development pattern has not changed in this area. The nursery/retail landscaping business to the northwest is a long established use that should not factor into this proposal.

MPC Action: Denied

MPC Meeting Date: 1/8/2009

Details of MPC action:

Summary of MPC action: DENY C (Commercial)

Date of MPC Approval: Date of Denial: 1/8/2009

Postponements:

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Not applicable

Date of Legislative Action: Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References:

Disposition of Case:

If "Other":

Amendments:

Date of Legislative Appeal:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: