

# 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:** 11-A-13-SP

**Related File Number:** 11-A-13-RZ

**Application Filed:** 9/17/2013

**Date of Revision:**

**Applicant:** STEVE HOBBS

## PROPERTY INFORMATION

**General Location:** North side Hall Dr., southwest of Dutchtown Rd.

**Other Parcel Info.:**

**Tax ID Number:** 118 180

**Jurisdiction:** County

**Size of Tract:** 2.7 acres

**Accessibility:** Access is via Hall Dr., a local street with 18' of pavement width within 50' of right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** School bus storage yard

**Surrounding Land Use:**

**Proposed Use:** School bus storage yard with retail sales

**Density:**

**Sector Plan:** Northwest County **Sector Plan Designation:** Low Density Residential

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

**Neighborhood Context:** This area is developed primarily with residential uses under A or RA zoning. The subject property has an existing school bus storage yard. There is a church to the north, with access from Dutchtown Rd. There is a junkyard with some school bus storage to the south, zoned Agricultural.

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

**Street:** 9925 Hall Dr

**Location:**

**Proposed Street Name:**

**Department-Utility Report:**

**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural)

**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 C (Commercial) sector plan designation.

**Staff Recomm. (Full):** The Knoxville-Knox County General Plan 2032 policies do not warrant the redesignation of this site for commercial uses. The site is completely surrounded by residential uses, and placing a commercial designation on the 2.7 acre site would be incompatible with surrounding land uses and constitutes a spot sector plan amendment.

**Comments:** A large school bus storage yard is located on the subject property (see attached aerial photo), which is not a permitted use under the current A (Agricultural) zoning. However, according to the applicant, the use of the property for bus storage has been deemed legal and non-conforming by Knox County. The attached report from the Knox County Department of Code Administration confirms that the bus storage lot has been there since 1975 and is therefore "grandfathered", since it is pre-existing before 1991. However, after receiving a complaint, the Codes Department discovered that he was selling buses and bus parts from the site, which is not permitted. He was informed that he would need to seek CA zoning in order to allow the continued retail sales on the property, which has resulted in these applications. "Storage of school buses under contract to a public or private school system" is a use permitted on review in the A zoning district, subject to development criteria in Article 3, Section 3.54 of the Knox County Zoning Ordinance. This would not include the retail sales of buses or bus parts. This site has never been approved for school bus storage via the use on review process in the A zone.

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 road improvements have been made recently in the area. Hall Dr., which is classified as a local street, is intended only for access to agricultural/residential properties, not for access to commercial uses. Utilities are available in the area, but may need to be extended to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The plan appropriately calls for low density residential (LDR) development at this location. This property is located within a large area of LDR designated and developed land. Approval of commercial uses for this site would be a spot sector plan amendment.

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

There have not been significant changes that have taken place to justify amendment of the sector plan. Staff maintains that commercial uses are not appropriate along this section of Hall Dr. Approval of these requests could lead to additional requests for commercial uses in the future on properties fronting on Hall Dr.

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

There are no apparent trends that warrant an amendment to the sector plan. There is a large site to the south, across Hall Dr., that is being used as a junkyard (see second attached aerial photo). There are also some school buses parked on that site. The existing zoning on that property is also A (Agricultural). Neither a school bus storage yard nor a junkyard are permitted uses in the A zoning district, so those uses are illegal, but the Code Administration Department has not received complaints about that property, so no action has been taken to address that situation.

**Action:** Denied

**Meeting Date:** 12/12/2013

**Details of Action:**

**Summary of Action:** DENY C (Commercial) sector plan designation.

**Date of Approval:**

**Date of Denial:** 12/12/2013

**Postponements:** 11/14/13

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:**

### ***LEGISLATIVE ACTION AND DISPOSITION***

**Legislative Body:** Knox County Commission

**Date of Legislative Action:** 1/27/2014

**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:**