

# CASE SUMMARY

**APPLICATION TYPE: USE ON REVIEW**

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:** 2-D-14-UR                      **Related File Number:**  
**Application Filed:** 12/29/2013              **Date of Revision:**  
**Applicant:** JOHN DEERE LANDSCAPES

## PROPERTY INFORMATION

**General Location:** Southeast side of Lovell Rd., northeast side of Hickey Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 104 168                      **Jurisdiction:** County  
**Size of Tract:** 19.44 acres  
**Accessibility:** Access is via Lovell Rd., a minor arterial street with a pavement width of 20' within a 50' wide right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Landscape nursery  
**Surrounding Land Use:**  
**Proposed Use:** Landscape nursery & irrigation supply                      **Density:**  
**Sector Plan:** Northwest County              **Sector Plan Designation:** LDR (Low Density Residential)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** The site is located in an area of detached dwellings that have been developed in the A (Agricultural) or PR (Planned Residential), Zones. Lovell Rd. is an arterial street that connects Middlebrook Pk. and Ball Camp Pk. with Pellissippi Parkway. (I-140).

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

**Street:** 2214 Lovell Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** None noted

## PLAN INFORMATION (where applicable)

**Current Plan Category:**

Requested Plan Category:

**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: Dan Kelly

Staff Recomm. (Abbr.): APPROVE the request for a nursery/landscape supply business as shown on the site plan subject to conditions

Staff Recomm. (Full):  
1. Providing a sealed surface driveway and parking area as required by the Knox County Zoning Ordinance  
2. All existing and proposed signage meeting the requirements of the Knox County Zoning Ordinance  
3. Provision of a greenway easement across the entire width of the site within the required 50' wide stream buffer as may be requested by the Knox County Recreation Dept.  
4. Meeting all applicable requirements of the Knox County Zoning Ordinance  
5. Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works

Comments: A recent amendment to the Knox County Zoning Ordinance now permits John Deere Landscapes to seek approval of a use on review which will permit them to legitimately operate their business at this location. Previously, while operating at this location, the business has been cited by the Knox County Code Administration Department for operating an illegal business in an A (Agricultural) zone. In response to the County's enforcement action, John Deere sued Knox County, and they also attempted to get the site rezoned. That rezoning request was postponed pending action on the Zoning Ordinance amendment. The amendment to the Agricultural zone expands the section dealing with the retail sales of agricultural related products. It now permits the sale of all types of landscape materials.

**EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND THE COMMUNITY AS A WHOLE**

- 1. The proposal will have no impact on schools.
- 2. No additional negative traffic impact is anticipated because the property is located on a minor arterial street and the business has been operating at this location for a number of years.
- 3. All utilities are in place to serve this facility.

**CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE**

- 1. The proposed landscaping/ nursery business is consistent with the general standards for uses permitted on review: The proposed use is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will draw a minimal amount of additional traffic through this residential area.
- 2. With the recent amendments to the Zoning Ordinance, the proposal meets all relevant requirements of the A (Agricultural) zoning district, as well as other criteria for approval of a use-on-review.

**CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS**

- 1. The use is in conformity with the Northwest County Sector Plan which proposes LDR (Low Density Residential) uses for this area.

Action: Approved

Meeting Date: 2/13/2014

Details of Action:

Summary of Action: APPROVE the request for a nursery/landscape supply business as shown on the site plan subject to conditions

Date of Approval: 2/13/2014

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?:  Action Appealed?:

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

**Legislative Body:** Knox County Board of Zoning Appeals

**Date of Legislative Action:**

**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:**