

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

NORTHWEST COUNTY SECTOR PLAN AMENDMENT

File Number: 3-B-04-SP **Related File Number:** 4-AA-04-RZ
Application Filed: 2/3/2004 **Date of Revision:**
Applicant: WALLACE R. FLYNN
Owner:

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

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

PROPERTY INFORMATION

General Location: Northwest side Yarnell Rd., southwest of Marietta Church Rd.
Other Parcel Info.:
Tax ID Number: 129 167 **Jurisdiction:** County
Size of Tract: 7.42 acres
Accessibility: Access is via Yarnell Rd., a major collector street with 20' of pavement within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residence and garage
Surrounding Land Use:
Proposed Use: Auto repair and residence **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** Rural Residential and Slope Protection
Growth Policy Plan: Rural Area
Neighborhood Context: This site is in a rural residential area that has developed along Yarnell Rd. within Agricultural zoning.

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

Street: 12333 Yarnell Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
Former Zoning:
Requested Zoning: CR (Rural Commercial)
Previous Requests:
Extension of Zone: No
History of Zoning: None noted

PLAN INFORMATION (where applicable)

Current Plan Category: A/RR (Agricultural/Rural Residential) and Slope Protection
Requested Plan Category: C (Commercial) (limited to CR zoning) and Slope Protection

SUBDIVISION INFORMATION (where applicable)**Subdivision Name:****Surveyor:****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:** Ken Pruitt**Staff Recomm. (Abbr.):** DENY the amendment to C (Commercial)**Staff Recomm. (Full):** There is no commercial designation in this area and the site does not meet the General Plan criteria for a commercial use, which calls for clustering commercial uses at arterial and collector street intersections. The sector plan proposes rural residential use and slope protection for this site.**Comments:****NEED AND JUSTIFICATION FOR THE PROPOSAL**

1. The property has an illegal auto repair business on the site and needs commercial designation to seek CR zoning. The site is not shown as commercial by the sector plan. The applicant's request will allow this site to be zoned CR commercial which is contrary with the established rural residential uses and Agricultural zoning of surrounding properties.
2. A Commercial designation and CR zoning would permit a range of commercial uses incompatible with the scale and intensity of other uses in the area and the slope constraints of the northern part of the site.
3. The applicant would be required to seek a permitted use determination under CR zoning to allow the repair business.

THE EFFECTS OF THE PROPOSAL

1. Public water is available to serve the site, while sewer is not available.
2. Commercial development of this site will impact Yarnell Rd. with additional turning movements in this area, but it will have no impact on schools.
3. CR zoning allows uses that are incompatible with surrounding zoning and rural residential uses.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Sector Plan proposes rural residential uses and slope protection for this site and the adjoining area.
2. The site is located within the Rural Area of the Knoxville-Knox County-Farragut Growth Policy Plan.
3. This request could lead to similar plan amendment requests in the future for other properties along Yarnell Rd.

Should the Commissioners support the applicant's continued use of a part of this site for the auto repair business, it would be necessary for the motion to include a statement that this use is appropriate as a similar use to the listed permitted uses in the CR zone. The Commission should also limit the commercial use of the property to the current auto repair business as operated by the residents of the property.

If approved, this item will be forwarded to Knox County Commission for final action on May 24, 2004. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in Knox County.

MPC Action: Approved**MPC Meeting Date:** 4/8/2004**Details of MPC action:** Approve C (Commercial)**Summary of MPC action:** APPROVE C (Commercial) for a portion of the site (see attached map)**Date of MPC Approval:** 4/8/2004**Date of Denial:****Postponements:** 3/11/2004**Date of Withdrawal:****Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: County Commission

Date of Legislative Action: 5/24/2004

Ordinance Number:

Disposition of Case: Approved

If "Other":

Amendments:

Date of Legislative Appeal:

Date of Legislative Action, Second Reading:

Other Ordinance Number References:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: