

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

NORTH COUNTY SECTOR PLAN AMENDMENT

File Number: 4-F-04-SP **Related File Number:** 4-R-04-RZ
Application Filed: 3/8/2004 **Date of Revision:**
Applicant: DAVID BERRY
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

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PROPERTY INFORMATION

General Location: Northwest side of Mynatt Rd., east of Greenview Dr.
Other Parcel Info.:
Tax ID Number: 48 PART OF 53 OTHER: MAP ON FILE AT MPC **Jurisdiction:** County
Size of Tract: 1 acre
Accessibility: Access is via Mynatt Rd., a minor collector street with 20' of pavement within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: Auto repair business **Density:**
Sector Plan: North County **Sector Plan Designation:** Low Density Residential
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This developed site is part of a low density residential neighborhood that has developed under RA and RB zoning.

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

Street: 2805 Mynatt 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:
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:

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 C (Commercial) designation

Staff Recomm. (Full): Commercial designation of this site is out of character with surrounding residential development and RA zoning and the two lane residential street that would serve as access to this site. The sector plan proposes low density residential use and slope protection for this site.

Comments: **NEED AND JUSTIFICATION FOR THE PROPOSAL**
1. The property has an illegal auto repair business and needs a commercial designation to seek CA zoning. The site is not shown as commercial by the sector plan. The applicant's request will allow this site to be zoned CA commercial which is contrary with the established low density residential uses and RA zoning of surrounding properties.
2. A Commercial designation and CA zoning would permit a range of commercial uses incompatible with other uses in the area and the slope constraints of the northern part of the site. The applicant should locate his business in an area appropriate for commercial development.

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 Mynatt Rd. with additional traffic and turning movements in this area, but it will have no impact on schools.
3. CA zoning allows uses that are incompatible with surrounding residential zoning and uses.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Sector Plan proposes low density residential uses and slope protection for this site and the adjoining area.
2. The site is located within the Planned Growth 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 Mynatt Rd.

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: Denied

MPC Meeting Date: 4/8/2004

Details of MPC action:

Summary of MPC action: DENY C (Commercial)

Date of MPC Approval: Date of Denial: 4/8/2004

Postponements:

Date of Withdrawal: Withdrawn prior to publication?: Action Appealed?: 4/15/2004

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: County Commission

Date of Legislative Action: 5/24/2004

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Denied

If "Other":

Amendments:

Denial stands

Date of Legislative Appeal:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: