

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: 7-A-08-SP **Related File Number:** 7-H-08-RZ
Application Filed: 6/2/2008 **Date of Revision:**
Applicant: ROBERT PRYOR

PROPERTY INFORMATION

General Location: Southwest side Pennell Ln., northwest of Oak Ridge Hwy.
Other Parcel Info.:
Tax ID Number: 78 154.01 **Jurisdiction:** County
Size of Tract: 6.18 acres
Accessibility: The property's only access currently is via Pennell Ln., a local street with 19' of pavement width within 50' of right of way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residential and lawn care business
Surrounding Land Use:
Proposed Use: Residential and lawn care business **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** LDR & STPA
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This property is located in a low density residential neighborhood, zoned RA, but is adjacent to commercial zoning and uses to the south and west, zoned CA, located along Oak Ridge Hwy.

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

Street: 6927 Pennell Ln
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: Yes, extension of C plan designation and CA zoning from the south and west
History of Zoning: None noted

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential) & STPA (Stream Protection Area)
Requested Plan Category: C (Commercial) & STPA (Stream Protection Area)

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.): ADOPT RESOLUTION # 7-A-08-SP, amending the Northwest County Sector Plan to C (Commercial) on the portion of the site southwest of the STPA (Stream Protection Area) only and recommend that County Commission adopt the resolution. (See attached Exhibit A.)

Staff Recomm. (Full): As recommended, commercial is an extension of the sector plan designation from the south and west. This sector plan amendment meets the general plan criteria for warranting the amendment of the land use plan, as noted in the comments section below.

Comments: The applicant has requested CA zoning for this site after getting a complaint driven citation from the Knox County Code Administration Department, stating that the current use of the property, specifically the commercial-type building in the southwest corner of the site, for a lawn care business, is a zoning violation. The only way that the current use may continue is if the property is rezoned to commercial, which is why these applications were filed. The business is currently accessed from Pennell Ln., a local residential street, which is likely the reason why a complaint was filed.

SECTOR PLAN REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN / LOGICAL EXTENSION OF PLAN DESIGNATION

NEW ROAD OR UTILITY IMPROVEMENTS:

Staff recommends a condition on the rezoning which will require that the applicant obtain access to the commercial portion of the site from somewhere other than Pennell Ln. If obtained, this condition is met. Utilities are in place to serve the site. The traffic impact to Oak Ridge Hwy. should be minimal.

ERROR OR OMISSION IN CURRENT PLAN:

The plan proposes LDR uses for this site, but it is located adjacent to a C designation on two sides and currently has a commercial use located on it. This represents a logical extension of that designation. Also, the stream that flows through the property makes a suitable natural boundary between land uses.

CHANGES IN GOVERNMENT POLICY:

With three separate approvals of rezoning on adjacent tracts since 2003, one including a sector plan amendment, the nature of this area has changed, making commercial uses more reasonable on this property.

CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:

If alternative access to the site is obtained, this portion of the site is appropriate for commercial use.

MPC Action: Approved MPC Meeting Date: 11/13/2008

Details of MPC action:

Summary of MPC action: ADOPT RESOLUTION # 7-A-08-SP amending the Northwest County Sector Plan to C (Commercial) on the portion of the site southwest of the STPA (Stream Protection Area) only and recommend the Knox County Commission adopt the resolution.

Date of MPC Approval: 11/13/2008 Date of Denial: Postponements: 7/10/2008-10/9/2008

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 12/15/2008 Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Approved Disposition of Case, Second Reading:

If "Other":

Amendments:

Date of Legislative Appeal:

If "Other":

Amendments:

Effective Date of Ordinance: