

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 10-F-24-RZ                      **Related File Number:**  
**Application Filed:** 8/15/2024              **Date of Revision:**  
**Applicant:** BHAVINKUMAR PATEL

## PROPERTY INFORMATION

**General Location:** North side of Ashville Hwy, east of Cedar Ridge Rd  
**Other Parcel Info.:**  
**Tax ID Number:** 62 21101                      **Jurisdiction:** County  
**Size of Tract:** 1.92 acres  
**Accessibility:** Access is via Asheville Highway, a four-lane median divided major arterial street within a right-of-way of 148 ft.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Single Family Residential  
**Surrounding Land Use:**  
**Proposed Use:**    **Density:**  
**Planning Sector:** East County              **Plan Designation:** CMU (Corridor Mixed-use)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** The subject property is within an active commercial corridor along Asheville Highway. Small-scale commercial and office uses such as hair salons, a dog grooming salon, and an interior design firm are adjacent to the east and west. North of the subject property is comprised primarily of single-family residential dwellings. Carter Elementary School is .75 miles to the south.

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

**Street:** 8535 ASHEVILLE HWY  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural)  
**Former Zoning:**  
**Requested Zoning:** OB (Office, Medical, and Related Services)  
**Previous Requests:**  
**Extension of Zone:** Yes, this is an extension of the zone.  
**History of Zoning:** A request to rezone from A (Agricultural) to OB (Office, Medical, and Related Services) was denied by the Knox County Commission in 2021 (4-L-21-RZ).

## 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.:

**PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge:

Kelsey Bousquet

Staff Recomm. (Abbr.):

Approve the OB (Office, Medical, and Related Services) zone because it is consistent with the Knox County Comprehensive Plan and the surrounding development.

Staff Recomm. (Full):

Comments:

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6.30.01, THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND ZONES AFFECTED, OR IN THE COUNTY GENERALLY.

1. Since the early 2000s, development in this area along Asheville Highway has mainly consisted of commercial, business, and manufacturing uses. The property adjacent to the west was rezoned from (A) Agricultural to the CA (General Business) zone last month (7-M-24-RZ).
2. In 2021 (4-L-21-RZ), the Knox County Commission denied the rezoning request to the OB (Office, Medical, and Related Services) zone because the East County Sector Plan did not allow consideration of this zone. Planning recommended that the OB zone be added to the MU-SD, ECO-3 (Carter Town Center Mixed Use Special District) and drafted a plan amendment to that effect, but the plan amendment was denied by Knox County Commission (5-D-21-SP). However, the OB zone can now be considered in this area due to the adoption of the Knox County Comprehensive Plan that designated this property as the CMU (Corridor Mixed Use) place type, which does allow consideration of the OB zone.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSES OF THE APPLICABLE ZONING ORDINANCE.

1. The OB (Office, Medical, and Related Services) zone is intended to provide centralized, compact locations for business offices, clinics, and medical and dental offices near residential neighborhoods. The subject property is between a small-scale office and commercial development abutting a residential area.
2. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AN AMENDMENT.

1. The OB zone allows uses that are compatible with those in the existing area and is not expected to cause adverse impacts on surrounding properties.
2. The rezoning would extend the OB zone, which serves as a transition zone between residential areas and higher-intensity uses.

PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE COMPREHENSIVE PLAN OF KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The CMU place type allows consideration of the OB zone as it is directly related to the CMU place type. The land use mix in this place type includes commercial and office as primary uses, with multi-family and attached residential dwellings, and civic uses as secondary. The land use mix in the CMU place type aligns with the uses allowed in the OB zone, which include primarily office and civic uses and multi-family dwellings.
2. The rezoning complies with the Comprehensive Plan's Implementation Policy 3, to encourage the

infill and redevelopment of underutilized commercial land, and Implementation Policy 17, to support opportunities for innovation and growth in our local economy. The subject property is in an urbanized area with ample utility and facility infrastructure to support a rezoning of this site.

3. The East Knox County Community Plan identified this section of Asheville Highway as an area appropriate for more development, as it is an existing commercial corridor on a major arterial street. Major arterial streets are intended to provide intercommunity connections and move higher traffic volumes to and from activity centers.

4. The subject property is within the Planned Growth Area of the Growth Policy Plan, which encourages a reasonably compact development pattern and promotes the expansion of the Knox County economy. The allowable uses and lot sizes in the OB zone align with the intent of the Planned Growth Area.

**Action:** Approved

**Meeting Date:** 10/3/2024

**Details of Action:**

**Summary of Action:** Approve the OB (Office, Medical, and Related Services) zone because it is consistent with the Knox County Comprehensive Plan and the surrounding development.

**Date of Approval:** 10/3/2024

**Date of Denial:**

**Postponements:**

**Date of Withdrawal:**

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

## **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knox County Commission

**Date of Legislative Action:** 11/12/2024

**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:**