

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 10-G-24-RZ **Related File Number:**
Application Filed: 8/15/2024 **Date of Revision:**
Applicant: MAHMOUD SHORMAN

PROPERTY INFORMATION

General Location: East side of Lovell Road, north side of High Meadow Drive
Other Parcel Info.:
Tax ID Number: 118 I F 00201 **Jurisdiction:** County
Size of Tract: 12495 square feet
Accessibility: Access is via High Meadow Drive, a local street with a 22-ft pavement width within a 60-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: **Density:**
Planning Sector: Northwest County **Plan Designation:** CMU (Corridor Mixed-use), HP (Hillside Ridgetop Protection)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The subject property is at the entrance of the High Meadow Neighborhood. The surrounding area has a mix of residential, commercial, and office developments along Lovell Road, which is minor arterial street.

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

Street: 10641 HIGH MEADOW DR
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) up to 3 du/ac, TO (Technology Overlay)
Former Zoning:
Requested Zoning: OB (Office, Medical, and Related Services), TO (Technology Overlay)
Previous Requests:
Extension of Zone: No, this is not an extension.
History of Zoning: In 2004 (11-F-24-RZ), the property was part of a group of parcels rezoned from A (Agricultural), RA (Low Density Residential), and TO (Technology Overlay) to OB (Office, Medical, and Related Services), TO. The property was part of a larger rezoning again in 2021 from OB, TO to PC (Planned Commercial), RA, and TO in 2021 (8-A-21-RZ). The property was then rezoned from PC, RA, and TO to PR (Planned Residential) with up to 3 du/ac and TO in 2022 (12-P-22-RZ).

PLAN INFORMATION (where applicable)

Current Plan Category: N/A

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.): Deny the OB (Office, Medical, and Related Services) zone because it would be an encroachment of a nonresidential zone at the entrance to a residential subdivision. The TO (Technology Overlay) zone would be retained.

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. In 2023, the subject property was subdivided into three lots, and two single-family homes were constructed on the two newly created lots adjacent to the east of the subject property. In 2019, a 328-unit apartment complex was built 361 feet west of the subject property, bringing more residential development to this section of Lovell Road, which is already predominantly residential in this area.

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 for professional and business offices and related activities in centralized, compact locations for business offices, clinics, and medical and dental offices. The OB zone allows uses similar to others in the vicinity and is generally considered a transitional use. However, this property is only 0.29 acres in size, and a non-residential use would require a parking lot. Between the building and required parking, the TTCDA development metrics about the ground area coverage and impervious area coverage may be challenging to meet.
- 2. The TO (Technology Overlay) zone is intended to provide for physical development review in the Tennessee Technology Corridor Area. The TO zone requires approval of all rezoning requests from the TN Technology Corridor Development Authority (TTCDA). This request will be heard at the September 30th TTCDA meeting (10-A-24-TOR).
- 3. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any future development is compatible with the surrounding land uses. The OB zone allows some uses that would be problematic for this site, such as clinics or multifamily developments with up to 12 du/ac (which on this property could yield up to three dwellings).

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 subject property is at the entrance of an established residential neighborhood. The proposed rezoning could bring non-residential traffic to High Meadow Drive, a residential street solely intended to provide access to and from the neighborhood.
- 2. The subject property is a small 0.29-acre lot that must meet the setback, landscaping, and parking requirements of the TTCDA Guidelines and the Knox County Code. As mentioned previously, the space on the property is limited, and a non-residential use would be challenging to fit on the property and meet these requirements. The needed parking for most service-oriented and office uses could also lead to on-street parking, which could disrupt the neighborhood's residential character.

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 subject property's place type is CMU (Corridor Mixed Use) in the Knox County Comprehensive Plan. The OB zone is listed as directly related to this place type, and the allowed uses in the OB zone align with its intent.

2. The rezoning does not comply with the Comprehensive Plan's Implementation Policy 2, to ensure that new development is sensitive to existing community character. The subject property is located at the entrance to an established residential neighborhood.

3. 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: Approve the OB (Office, Medical, and Related Services) and TO (Technology Overlay) because it is consistent with the County's future land use goals.

Summary of Action: Approve the OB (Office, Medical, and Related Services) and TO (Technology Overlay) because it is consistent with the County's future land use goals.

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:**