

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 9-P-24-RZ                      **Related File Number:**  
**Application Filed:** 7/29/2024              **Date of Revision:**  
**Applicant:** BENJAMIN C. MULLINS

## PROPERTY INFORMATION

**General Location:** North side of Sherrill Blvd, east and south sides of Frank Gardner Ln  
**Other Parcel Info.:**  
**Tax ID Number:** 131 10403                      **Jurisdiction:** City  
**Size of Tract:** 11.66 acres  
**Accessibility:** Access is via Sherrill Boulevard, a major collector street with a pavement width of 60-ft within a 100-ft right-of-way. Access is also available via Frank Gardner Ln, a local street with a 25-ft pavement width within a 100-ft right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Office  
**Surrounding Land Use:**  
**Proposed Use:**    **Density:**  
**Planning Sector:** Northwest County              **Plan Designation:**  
**Growth Policy Plan:** N/A (Within City Limits)  
**Neighborhood Context:** The surrounding area consists of an array of uses including commercial and office with a church and a cemetery nearby. Adjacent to the north of the property is Dead Horse Lake Golf Course. To the east is the Fort Sanders Medical Center.

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

**Street:** 9905 Sherrill Blvd.  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** OP (Office Park), TO-1 (Technology Park Overlay)  
**Former Zoning:**  
**Requested Zoning:** C-H-1 (Highway Commercial), TO-1 (Technology Park Overlay)  
**Previous Requests:**  
**Extension of Zone:** No, this is not an extension.  
**History of Zoning:** In 2007 (12-R-07-RZ), the property was rezoned from RP-1 (Planned Residential) to C-3 (General Commercial) zoning district.

## PLAN INFORMATION (where applicable)

Current Plan Category: MU-SD NWCO-1

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 C-H-1 (Highway Commercial) zoning district because it is consistent with the surrounding development. The TO-1 (Technology Park Overlay) district would be retained.

Staff Recomm. (Full):

Comments: PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

THE PROPOSED AMENDMENT IS NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY GENERALLY.

1. Since the early 2000s, the majority of rezonings in the surrounding area have been to commercial zones such as C-H (Highway Commercial), C-G (General Commercial), and PC (Planned Commercial), reflecting a consistent trend in commercial development in this area along the I-40 corridor.
2. The subject property was formerly part of the Scripps Networks campus, which housed the headquarters offices and broadcasting facility for the network's programming. However, since Scripps has sold the properties and no longer occupies the spaces, they are now separate entities open to individual development and changes in use. Due to its proximity to a major arterial highway, I-40/I-75, the C-H-1 district is suitable for the subject property.

THE PROPOSED AMENDMENT IS CONSISTENT WITH THE INTENT AND PURPOSES OF THIS CODE.

1. The C-H-1 district is intended to provide for higher-intensity commercial uses of a predominantly auto-oriented character. The subject property is situated along Sherrill Boulevard, a major collector street that accommodates heavy volumes of traffic coming to and from Pellissippi Parkway.
2. The TO-1 (Technology Park Overlay) District is intended to provide for physical development review in the Tennessee Technology Corridor Area. The TO-1 district requires TTCCA approval of all rezoning requests. This request will be heard at the September 9, 2024 TTCCA meeting (9-A-24-TOR).
3. Rezonings 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 CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. The proposed C-H-1 district is not anticipated to adversely affect the surrounding area, as it is intended to ensure the mitigation of any potential impacts related to higher-intensity commercial uses on neighboring uses.
2. The surrounding area features various uses, including commercial, office, and private recreation (golf course).

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE KNOXVILLE-KNOX COUNTY GENERAL PLAN AND ITS COMPONENT PARTS, INCLUDING ADOPTED SECTOR PLANS, CORRIDOR PLANS, AND RELATED DOCUMENTS.

1. The subject property is in the MU-SD, NWCO-1 (Dead Horse Lake Special Use District) in the City's One Year Plan and the Northwest County Sector Plan, which recommends the MU-CC (Mixed Use Community Center) land use classification. The C-H-1 district is a district that can be considered in the MU-CC land use type.
2. The rezoning complies with the General Plan's Development Policy 9.10, to encourage commercial

and office development that improves the form and function of traditional strip development patterns. The TTCDA design guidelines are intended to maintain overall visual quality and continuity within the corridor to achieve functional, aesthetic, and visual unity.

WHETHER ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, STORM SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED.

1. This is an urbanized area with ample utility and facility infrastructure to support a rezoning of this site. The area is served by the West Knox Utility District (WKUD) for water and sewer services.

**Action:** Approved **Meeting Date:** 9/12/2024

**Details of Action:**

**Summary of Action:** Approve the C-H-1 (Highway Commercial) zoning district because it is consistent with the surrounding development. The TO-1 (Technology Park Overlay) district would be retained.

**Date of Approval:** 9/12/2024 **Date of Denial:** **Postponements:**

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

### **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 10/15/2024 **Date of Legislative Action, Second Reading:** 10/29/2024

**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:**