

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

COMPREHENSIVE PLAN AMENDMENT



File Number: 11-D-24-PA **Related File Number:** 11-R-24-RZ
Application Filed: 9/30/2024 **Date of Revision:**
Applicant: FIRAS MISHU

PROPERTY INFORMATION

General Location: South side of Oak Ridge Hwy, east of Byington Solway Rd
Other Parcel Info.:
Tax ID Number: 90 050, 06306 (PART OF) **Jurisdiction:** County
Size of Tract: 9.19 acres
Accessibility: Access is via Oak Ridge Highway, a major arterial street with 24 ft of pavement width within a 120-215 ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Commercial, Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: **Density:**
Planning Sector: Northwest County **Plan Designation:** SR (Suburban Residential), SP (Stream Protection), HP (Hill
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The surrounding area features single family and multifamily subdivisions among large, undeveloped and single family tracts.

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

Street: 0 OAK RIDGE HWY
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: CA (General Business), OS (Open Space), F (Floodway)
Former Zoning:
Requested Zoning: CA (General Business) (for a portion of 090 06306 only)
Previous Requests:
Extension of Zone: No, this is not an extension
History of Zoning: Rezoned from A (Agricultural) and CA (General Business) to CA (General Business) in 2016 (5-D-16-RZ).

PLAN INFORMATION (where applicable)

Current Plan Category: SR (Suburban Residential), HP (Hillside Protection), SP (Stream Protection)

Requested Plan Category: CMU (Corridor Mixed-use), HP (Hillside Protection), SP (Stream Protection) for parcel 090 050 and a portion of 090 06306)

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: Whitney Warner

Staff Recomm. (Abbr.): Approve the plan amendment to the CMU (Corridor Mixed-use) place type because it meets the criteria for a plan amendment. The HP (Hillside Protection) and SP (Stream Protection) would be retained.

Staff Recomm. (Full):

Comments: The plan amendment request is for approximately 9.211 acres, including the entire parcel 090 050, which is 2.63 acres, and 6.5 acres of parcel 090 06306. The rezoning request is for 6.5 acres of parcel 090 06306.

PURSUANT TO THE COMPREHENSIVE PLAN, CHAPTER 3 IMPLEMENTATION, A PLAN AMENDMENT MAY BE APPROPRIATE IF THERE IS AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN, OR IF TWO OR MORE OF THE OTHER CRITERIA APPLY.

OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

In 2016, the County approved an expansion of the CA zoning on parcel 090 050 and a sector plan amendment to C (Commercial) for an established commercial business. The sector plan amendment aligned the sector plan with the zoning and existing commercial use (5-D-16-RZ and 5-B-16-SP). Shortly following this amendment, the Northwest County Sector Plan was updated, which inadvertently reverted the sector plan back to LDR (Low Density Residential) for the entire parcel. The recent Comprehensive Plan update still reflects the error in the sector plan.

There is no error or omission in the plan for parcel 090 06306. The property was rezoned from A (Agricultural) to OS (Open Space) to allow soccer fields, which were never built (11-G-98-RZ). The property remains forested, and Beaver Creek runs along its southern edge.

OR, IF THERE ARE NO ERRORS OR OMISSIONS, TWO OF THE FOLLOWING CRITERIA MUST BE MET:

CHANGES OF CONDITIONS (SUCH AS SURROUNDING LAND USES, ZONING, UNCONTROLLED NATURAL FORCES/DISASTERS, ETC):

1. Some commercial zoning is in the area along Oak Ridge Highway. Approximately 450 ft to the west, there is a landscaping business. This property was rezoned to CA in 1984, and another rezoning expanded the CA zone in 2000. The PC zone is approximately 0.3 to the miles east, and the CN zone is 0.4 miles to the west on Oak Ridge Highway; both properties were rezoned in 2006.

INTRODUCTION OF SIGNIFICANT NEW UTILITIES OR LOCAL/STATE/FEDERAL ROAD PROJECTS THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. No known improvements have been made recently to Oak Ridge Highway close to this site. Public water and sewer utilities are on site.

NEW DATA REGARDING TRENDS OR PROJECTIONS, POPULATION, HOUSING CONDITIONS, OR TRAFFIC GROWTH THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN:

1. No new data or trends warrant a change to the newly adopted plan.

THE PROPOSED CHANGES SUPPORT THE POLICIES AND ACTIONS, GOALS, OBJECTIVES, AND CRITERIA OF THE PLAN:

1. The CMU place type at this location is consistent with Implementation Policy 4, which prefers commercial development to be in walkable mixed-use centers, along corridors, or at neighborhood nodes. Oak Ridge Highway is a major arterial and Karns Valley Drive at Oak Ridge Highway recognizes the CMU place type just 0.3 miles to the west.

Action:

Approved

Meeting Date: 11/14/2024

Details of Action:

Summary of Action: Approve the plan amendment to the CMU (Corridor Mixed-use) place type because it meets the criteria for a plan amendment. The HP (Hillside Protection) and SP (Stream Protection) would be retained.

Date of Approval:

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:

12/9/2024

Ordinance Number:

Disposition of Case:

Approved

If "Other":

Amendments:

Date of Legislative Appeal:

Date of Legislative Action, Second Reading:

Other Ordinance Number References:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: