

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 5-F-25-RZ

Related File Number:

Application Filed: 3/17/2025

Date of Revision:

Applicant: DEWAYNE HICKS

PROPERTY INFORMATION

General Location: Southeast corner of the intersection of Lovell Rd & Schaeffer Rd

Other Parcel Info.:

Tax ID Number: 118 01203

Jurisdiction: County

Size of Tract: 2.89 acres

Accessibility: Access is via Schaeffer Road, a local street in this location with a pavement width which varies from 25 ft to 35 ft within a right-of-way which varies from 55 ft to 130 ft. Access to Lovell Road would not be allowed per a condition of a 2017 rezoning.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land

Surrounding Land Use:

Proposed Use:

Density:

Planning Sector: Northwest County **Plan Designation:** CC (Corridor Commercial)

Growth Policy Plan: Planned Growth Area

Neighborhood Context: This area is characterized by commercial uses consisting of auto-oriented services and commercial storage operations and by single family dwellings on small suburban lots off of side streets.

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

Street: 0 LOVELL RD

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: CN(k) (Neighborhood Commercial with conditions), TO (Technology Overlay)

Former Zoning:

Requested Zoning: CA (General Business), TO (Technology Overlay)

Previous Requests:

Extension of Zone: Yes, this would be an extension of the CA zone.

History of Zoning: In 1996, the subject property was part of a larger parcel that was rezoned from CA (General Business), BP (Business & Technology Park), and TO (Technology Overlay) to PR (Planned Residential) up to 5 du/ac and TO (1-S-96-RZ). The subject property was then later rezoned from PR with up to 5 du/ac and TO to CN(k) (Neighborhood Commercial with conditions) and TO in 2017 (11-C-17-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.): Deny the CA (General Business) zone because it does not meet all of the criteria for a rezoning. 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. Since the mid-1990s, development trends in the surrounding area have included a mix of uses. Near Pellissippi Parkway, development has featured office and commercial uses, whereas east of Pellissippi Parkway along Lovell Road, development has primarily been residential.
2. A greenway trail has been proposed along Plumb Creek, which runs through the rear of the subject property, that would connect the existing Pellissippi Greenway to Ball Camp Pike Elementary.

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

1. The CA (General Business) zone is intended for general retail business and services.
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 CA zone permits a wide array of uses that do not require use-on-review approval, which could be problematic at this location, such as drive-through facilities and hotels.

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 CN (Neighborhood Commercial) zone has development standards intended to maximize compatibility between commercial and adjacent residential uses, such as requirements for site lighting, landscaping, and pedestrian connections. Though nonresidential development in the CA zone would require landscape buffering, fewer standards are in place to mitigate impacts on residential uses.
2. The TTCDA Design Guidelines require a 100-ft minimum building setback for properties abutting a residential zone.
3. There is currently a condition on this site prohibiting driveway access to Lovell Road (11-C-17-RZ(k)). The condition to restrict access to Schaeffer Road is appropriate to retain due to the slope and construction easements at the front of the property (Exhibit B) and the proximity of nearby access points.
4. A 2020 recorded plat shows a 50-ft no-build stream buffer is in place at the rear of the subject property along Plumb Creek (Exhibit B).

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 in the Knox County Comprehensive Plan is CC (Corridor Commercial). The CA zone is directly related to the CC place type. However, the environmental site constraints and the property's proximity to the Schaeffer Road and Lovell Road intersection make the

more intensive uses allowed in CA problematic.

2. The proposed rezoning does not support the Comprehensive Plan's Implementation Policy 2, to ensure that development is sensitive to the existing community character. The proposed rezoning would permit more intensive commercial uses adjacent to a residential neighborhood and disrupt the established transition in land use intensity between more intensive zones and residential uses.

3. The subject property is within the Growth Policy Plan's Planned Growth Area, which encourages a reasonably compact pattern of development and promotes the expansion of the Knox County economy. The proposed CA zone does not conflict with the intent of the Planned Growth Area.

Action: Denied

Meeting Date: 7/10/2025

Details of Action:

Summary of Action: Deny the CA (General Business) zone because it does not meet all of the criteria for a rezoning. The TO (Technology Overlay) zone would be retained.

Date of Approval:

Date of Denial: 7/10/2025

Postponements: 5/8/2025, 6/12/2025

Date of Withdrawal:

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Date of Legislative Action:

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: