

# CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

NORTHWEST COUNTY SECTOR PLAN AMENDMENT



File Number: 6-A-23-SP                      Related File Number: 6-L-23-RZ  
Application Filed: 4/25/2023              Date of Revision: 6/15/2023  
Applicant: TAYLOR D FORRESTER (REVISED)

## PROPERTY INFORMATION

**General Location:** East side of Lovell Rd, south of Alameda Dr, north of Lovell View Dr  
**Other Parcel Info.:**  
**Tax ID Number:** 118 061,062                      **Jurisdiction:** County  
**Size of Tract:** 3.22 acres  
**Accessibility:** Access is via Lovell Rd, a 4-lane minor arterial with a median turn lane and a 57-ft pavement width inside a 90-ft right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Office and agriculture/forestry/vacant land  
**Surrounding Land Use:**  
**Proposed Use:**    **Density:**  
**Sector Plan:** Northwest County              **Sector Plan Designation:** O (Office)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** The area is a mix of single family residential, office, and public/quasi public land uses with some limited commercial uses nearby. There is commercial node to the north at the Pellissippi Parkway interchange zoning and to the south at the intersection with Cornerstone Drive.

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

**Street:** 1110 LOVELL RD  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** OB (Office, Medical, and Related Services) / TO (Technology Overlay)  
**Former Zoning:**  
**Requested Zoning:** CA (General Business) / TO (Technology Overlay)  
**Previous Requests:**  
**Extension of Zone:** No, neither the plan designation nor the zone would be an extension.  
**History of Zoning:** Rezoned from A (Agricultural) to OB (Office, Medical and Related Services) with a plan amendment as part of a larger rezoning in 2002 (5-J-02-RZ/5-B-02-SP).

## PLAN INFORMATION (where applicable)

**Current Plan Category:** O (Office)

Requested Plan Category: GC (General Commercial)

### **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: Michelle Portier

Staff Recomm. (Abbr.): Deny the sector plan amendment to the GC (General Commercial) land use classification because the request does not meet the intent of the GC land use class or the requirements for a sector plan amendment.

Staff Recomm. (Full):

Comments: This property has been the home of a surgical instrument sharpening facility for some time. The building was constructed in 1990. According to aerial views, the second building was demolished between 2016 and 2018. In 2019, significant grading occurred at the rear of the site, and eventually, the rear of the site was used for a secondary landscaping business. The site would be used to store service vehicles, equipment, and above-ground fuel tanks. The Knox County Department of Codes Administration and Enforcement has classified this business as a contractor's storage yard.

A contractor's storage yard would not be allowed under the current OB (Office, Medical and Related Services) zone, so the applicant is requesting the CA zone to bring the business under compliance with the zoning ordinance. Because this property is designated as the O (Office) land use classification in the Northwest County Sector Plan, the rezoning request also requires a sector plan amendment to the GC land use classification.

SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. There have been no changes to conditions to warrant amending the land use plan to the GC land use.

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. There is only one property designated with the GC land use classification along Lovell Road, and that is not in the immediate vicinity. The vast majority of properties are designated as O (Office), MDR (Medium Density Residential), or LDR (Low Density Residential). The requested land use class is out of character with the area.
2. The Land Use Classification Table, adopted as part of the sector plan, describes the GC land use as, "including previously developed strip commercial corridors providing a wide range of retail- and service-oriented uses." The Existing Land Use Map shows that, despite the office and commercial zoning prevalent along Lovell Road, the properties consist of single family lots and vacant land.
3. The Classification Table goes on to say that "Such land use classification and related zoning should not be extended because of the adverse effects on traffic-carrying capacity, safety, and environmental impacts. Redevelopment of commercial corridors, including mixed use development, should be accommodated under planned or design-oriented zones."

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There are no obvious or significant errors or omissions in the plan regarding this parcel.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

1. There are no new trends in development, population, or traffic that warrant reconsideration of this area of the Northeast City Sector Plan. Since the early 2000s, there has been a steady transition away from the A (Agricultural) zone to the PR (Planned Residential), PC (Planned Commercial), and OB (Offices, Medical and Related Services) zones. However, the rezonings alone are not enough of a

change of conditions to warrant amending the sector plan's designation to GC, and the subject property is not zoned Agricultural.

State law regarding amendments of the general plan (which includes Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

- The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.

- The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

**Action:** Withdrawn **Meeting Date:** 7/13/2023

**Details of Action:** Withdrawn at the request of the applicant.

**Summary of Action:** Withdrawn at the request of the applicant.

**Date of Approval:** **Date of Denial:** **Postponements:** 6/8/2023

**Date of Withdrawal:** 7/13/2023 **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:**