

# CASE SUMMARY

APPLICATION TYPE: REZONING



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

## 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, 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:** CB (Business and Manufacturing); TO (Technology Overlay)  
**Previous Requests:**  
**Extension of Zone:** No, neither the plan designation nor the zone would be extensions  
**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:

**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 CA (General Business) zone because it is not consistent with the Northwest County Sector Plan designation and could cause adverse impacts for neighboring residential properties.

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 DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. As stated previously, there have been a number of rezonings transitioning this corridor away from the A zone to the office zone and the planned zones PC and PR. Staff does not find this reason enough to support a rezoning to the CA zone since it is out of character with the area.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The CA (General Business) zone is intended to provide for provide for general retail business and services but not for manufacturing or for processing materials other than farm products. Certain uses allowed in the CA zone can be problematic when located next to residential uses.

2. 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. There are several uses in the CA zone that are allowed by right but would not be compatible with the adjacent single-family development, such as poultry businesses, hotels, motor vehicle repair shops, and school bus storage. There are others allowed as a use on review that would also not be appropriate at this location, including commercial mulching operations, composting facilities, and contractor's storage yards.

3. Lovell Road is a minor arterial, which is typically where office and commercial uses would be appropriate. In this case, however, the thoroughfare is lined with single family residential lots along much of its length at this location, and the subject parcel is adjacent to residential properties on the west. Staff believes the existing zoning and sector plan designation to be the appropriate designations for this property.

4. This property is in the TO (Technology Overlay) so the rezoning request also requires approval by the Tennessee Technology Corridor Authority (TTCDA). The rezoning case is scheduled to be heard at the July 13, 2023 meeting of the TTCDA (Case 6-A-23-TOR). Staff can report on the TTCDA decision at the July 11, 2023 Agenda Review meeting.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. As stated previously, some of the uses allowed in the CA zone have the potential to cause adverse impacts on surrounding properties, including the use intended for the site, since the area largely consists of single family residential development and directly abuts a single family residential neighborhood.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. CA zoning is not consistent with the current Northwest County Sector Plan's O land use designation, nor would a sector plan amendment to GC be appropriate at this location.
2. This property does not meet the description or location criteria prescribed for the General Commercial land use classification in the Land Use Classification Table (as listed above), adopted as part of the sector plan.
3. One of the Development Policies of the General Plan is to "protect residential areas from encroaching commercial development and other incompatible uses" (Policy 8.4).
4. Another policy of the General Plan is to "protect neighborhoods from intrusive uses, declining public facilities, and other blighting influences" (Policy 8.5).
5. A third policy is to "ensure the context of new development...does not impact existing neighborhoods and communities" (Policy 9.3).
6. And a fourth policy is to "discourage environmental nuisances in the vicinity of residential development..." (Policy 11.3).

**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**

<p><b>Legislative Body:</b></p> <p><b>Date of Legislative Action:</b></p> <p><b>Ordinance Number:</b></p> <p><b>Disposition of Case:</b></p> <p><b>If "Other":</b></p> <p><b>Amendments:</b></p> <p><b>Date of Legislative Appeal:</b></p>	<p><b>Date of Legislative Action, Second Reading:</b></p> <p><b>Other Ordinance Number References:</b></p> <p><b>Disposition of Case, Second Reading:</b></p> <p><b>If "Other":</b></p> <p><b>Amendments:</b></p> <p><b>Effective Date of Ordinance:</b></p>
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