

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 7-K-25-RZ **Related File Number:**
Application Filed: 5/26/2025 **Date of Revision:**
Applicant: JONATHAN CAMPBELL

PROPERTY INFORMATION

General Location: South side of Oak Ridge Hwy, west of Malone Creek Dr
Other Parcel Info.:
Tax ID Number: 79 04901 (PART OF) **Jurisdiction:** County
Size of Tract: 0.78 acres
Accessibility: Access is via Oak Ridge Highway, a state-owned major arterial with 22-28 ft of pavement width within a right-of-way width that varies between 93-103 ft.

GENERAL LAND USE INFORMATION

Existing Land Use: Office
Surrounding Land Use:
Proposed Use: **Density:**
Planning Sector: Northwest County **Plan Designation:** CMU (Corridor Mixed-use), SP (Stream Protection)
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context: The subject property is along a corridor that features a mix of office, commercial, and single family residential uses interspersed with large undeveloped tracts, some of which are forested slopes. Grassy Creek Shopping Center lies directly to the east, and Knoxville Municipal Golf Course is 0.6 miles to the northeast. Ridgedale and Amherst Elementary Schools lie within a mile of the property.

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

Street: 6789 OAK RIDGE HWY
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
Former Zoning:
Requested Zoning: CA (General Business)
Previous Requests:
Extension of Zone: No, it is not an extension.
History of Zoning: In 2023 a request to rezone the property from A (Agricultural) to OB (Office, Medical, and Related Services) was denied by the County Commission (5-C-23-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:

Whitney Warner

Staff Recomm. (Abbr.):

Deny the CA (General Business) zone because the new zoning boundary would create a non-conformity, split zoning on the property, and because it does not meet the criteria for a rezoning.

Staff Recomm. (Full):

Comments:

The subject property contains a single-family house and a detached garage. The applicant wishes to rezone the portion of the property holding the garage to CA in order to run a commercial business out of the garage. The proposed zoning boundary would split the A zone on the property, with the house and much of the FEMA floodway remaining in the A zone.

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 COUNTY GENERALLY:

1. The large shopping center just east of the property has been developed over the past 3 years.
2. This would not be an extension of the CA zone as the eastern portion of the subject property is not included in the request, per the applicant's request.
3. A previous rezoning by this applicant requested the OB zone, and this was denied by the Knox County Commission. The previous Northwest County Sector Plan 2016 designated this as a mixed-use district recommended for office and medium-density residential. The more intensive commercial place type on the property could be considered an error in the plan.

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

1. The CA zone is for general retail business and services. The CA zone is consistent with the existing commercial uses in the area and would bring the property into compliance with the CMU (Corridor Mixed Use) place type. However, the rezoning would create a new nonconformity as the structures would not meet setbacks, and it would create bifurcated zoning on the parcel.
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 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. The creek that borders this property to the east is a natural barrier to commercial development to the east. An extension of the CA zone would encroach into a residential area along this section of Oak Ridge Highway.
2. Additionally, the FEMA Floodway has been filled recently without a permit. The owner must remove the fill to comply with the Knox County Stormwater Ordinance.
3. The CA zone requires landscape buffer standards when adjacent to residential uses per 4.10.11.B of the zoning ordinance. A 15-foot landscape buffer would be required on the property line to the west.

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 proposed CA zone is partially related and can be considered in the current CMU place type. Per Appendix H of the Comprehensive Plan, additional approval criteria are required for partially

related zones. The proposed CA zone is incompatible with the abutting A zone to the north, south and east. The surrounding properties in these directions contain single family uses. Nor is the CA zone directly related to a place type that is adjacent to the subject site on the Future Land Use Map. The surrounding properties are designated as the SR (Suburban Residential) place type, which does not list the CA zone as being indirectly or directly related. Finally, the CA zone is not consistent with the secondary uses of the subject site's place type (i.e., multifamily residential, attached residential, and civic), though it is consistent with the primary uses (i.e., commercial, office). However, the CMU place type replaced the previous mixed use-special district on the future land use map. This was likely an error on the plan. The previous mixed use, special district only allowed office and medium density residential uses. The CMU place type was placed at this intersection in recognition of the commercial node that has developed along Schaad Road intersection to the east. However, the creek forms a natural barrier between that commercial node to the east and the single family residential uses to the west. The subject property is more consistent with the adjacent SR place type than it is with the CMU place type.

2. The rezoning does not comply with the Comprehensive Plan's Implementation Policy 2, which calls for ensuring that development is sensitive to existing community character. The natural creek barrier to the east makes this property more connected to the western properties, which contain single family residences.

3. It also does not comply with the Comprehensive Plan's Implementation Policy 4, which calls to encourage walkable, mixed-use centers, corridors, and neighborhood service nodes as the preferred form of commercial development. This description aligns with the intent of the CMU place type, which describes the place type as containing "walkable mixed-use development occurring along major corridors. These areas may incorporate office, retail, civic, residential, and community gathering spaces..." However, the boundary of the area to be rezoned leaves an A zone between it and the CA zone to the west, and the disconnection of the CA zone to the subject parcel via the creek do not provide connectivity or opportunities for walkable, mixed use development.

4. The rezoning does not comply with the Comprehensive Plan's Implementation Policy 7, which encourages development practices that conserve and connect natural features and habitat. The owner has filled in the FEMA Floodway and has yet to remove it.

5. The property is within the Urban Growth Boundary. The purposes of the Urban Growth Boundary designation are to encourage a reasonably compact pattern of development, promote the expansion of the Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to the provision of adequate roads, utilities, schools, drainage and other public facilities and services. The proposed development meets the relevant standards of the Growth Policy Plan.

Action: Withdrawn

Meeting Date: 7/10/2025

Details of Action:

Summary of Action:

Date of Approval:

Date of Denial:

Postponements:

Date of Withdrawal: 7/10/2025

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: