

Applicant: BENJAMIN C MULLINS FRANT, MCCONNELL & SEYMOUR, LLP
Request: REZONING
Meeting Date: 9/9/2024

Address: 9905 Sherrill Blvd.
Map/Parcel Number: 131 10403
Location: North side of Sherrill Blvd, east and south sides of Frank Gardner Ln
Existing Zoning: OP (Office Park), TO-1 (Technology Park Overlay)
Proposed Zoning: C-H-1 (Highway Commercial), TO-1 (Technology Park Overlay)
Existing Land Use: Office
Proposed Land Use: N/A
Appx. Size of Tract: 11.66 acres
Accessibility: Access is via Sherrill Boulevard, a major collector street with a pavement width of 60-ft within a 100-ft right-of-way. Access is also available via Frank Gardner Ln, a local street with a 25-ft pavement width within a 100-ft right-of-way.
Surrounding Zoning and Land Uses:
 North: OS(c) (Open Space with Conditions) - Agriculture/forestry/vacant land
 South: I-40 Right-Of-Way
 East: OP (Office Park), TO-1 (Technology Park Overlay) in the City and CA (General Business), TO (Technology Overlay) in the County - Commercial, office
 West: OS (Open Space), C-G-1 (General Commercial), TO-1 (Technology Park Overlay) - Agriculture/forestry/vacant land, public quasi-public land (cemetery)

Comments: The subject property is currently zoned OP (Office Park)/TO-1 (Technology Park Overlay). The request is for C-H-1 (Highway Commercial). The TO-1 district would be retained.

The decision of this body will be a recommendation to the Planning Commission, which will hear the rezoning request at the September 12th meeting (9-P-24-RZ).

BACKGROUND: The subject property was part of the Scripps Networks complex. Now that Scripps has sold the properties and no longer inhabits the buildings, the properties are not part of the same network and are subject to individual development.

PURSUANT TO ARTICLE V, SECTION 1 OF THE TTCDA ADMINISTRATIVE RULES AND PROCEDURES, THE DECISION OF THE TTCDA TO APPROVE A REZONING MUST BE BASED ON THE FOLLOWING CRITERIA:

A. CONFORMITY OF THE PROPOSED REZONING WITH THE TTCDA COMPREHENSIVE DEVELOPMENT PLAN (THE EQUIVALENT OF THE TTCDA DESIGN GUIDELINES) AND OTHER PLANS AFFECTING DEVELOPMENT WITHIN THE TECHNOLOGY OVERLAY.

1. General Plan:
 a. The rezoning complies with the General Plan’s Development Policy 9.10, to encourage commercial and office development that improves the form and function of traditional “strip”

development patterns. The TTCDA design guidelines are intended to maintain overall visual quality and continuity within the corridor and achieve functional, aesthetic, and visual unity.

2. Northwest County Sector Plan:

a. The subject property is in the MU-SD, NWCO-1 (Dead Horse Lake Special Use District) in the City's One-Year Plan and the Northwest County Sector Plan, which recommends the MU-CC (Mixed Use Community Center) land use classification. The C-H-1 (Highway Commercial) district is a zone that can be considered in the MU-CC land use type.

3. Zoning Ordinance:

a. The C-H-1 district is intended to provide for higher-intensity commercial uses of a predominantly auto-oriented character. The subject property is situated along Sherrill Blvd, a major collector street that accommodates heavy volumes of traffic coming to and from Pellissippi Parkway.

B. 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.

B. THE NEED AND JUSTIFICATION FOR THE PROPOSED REZONING

1. Since the early 2000s, the majority of rezonings in the surrounding area have been to commercial zones such as C-H (Highway Commercial), C-G (General Commercial), and PC (Planned Commercial), reflecting a consistent trend in commercial development in this area along the I-40 corridor.

C. EFFECT OF THE PROPOSED REZONING ON THE SURROUNDING AREA

1. The proposed C-H-1 district is not anticipated to adversely affect the surrounding area, as it is intended to mitigate any potential impacts related to higher-intensity commercial uses on neighboring uses. The surrounding uses include commercial and office, with a church, cemetery, and medical center nearby. Adjacent to the north of the property is Dead Horse Lake Golf Course. To the east is the Fort Sanders Medical Center.

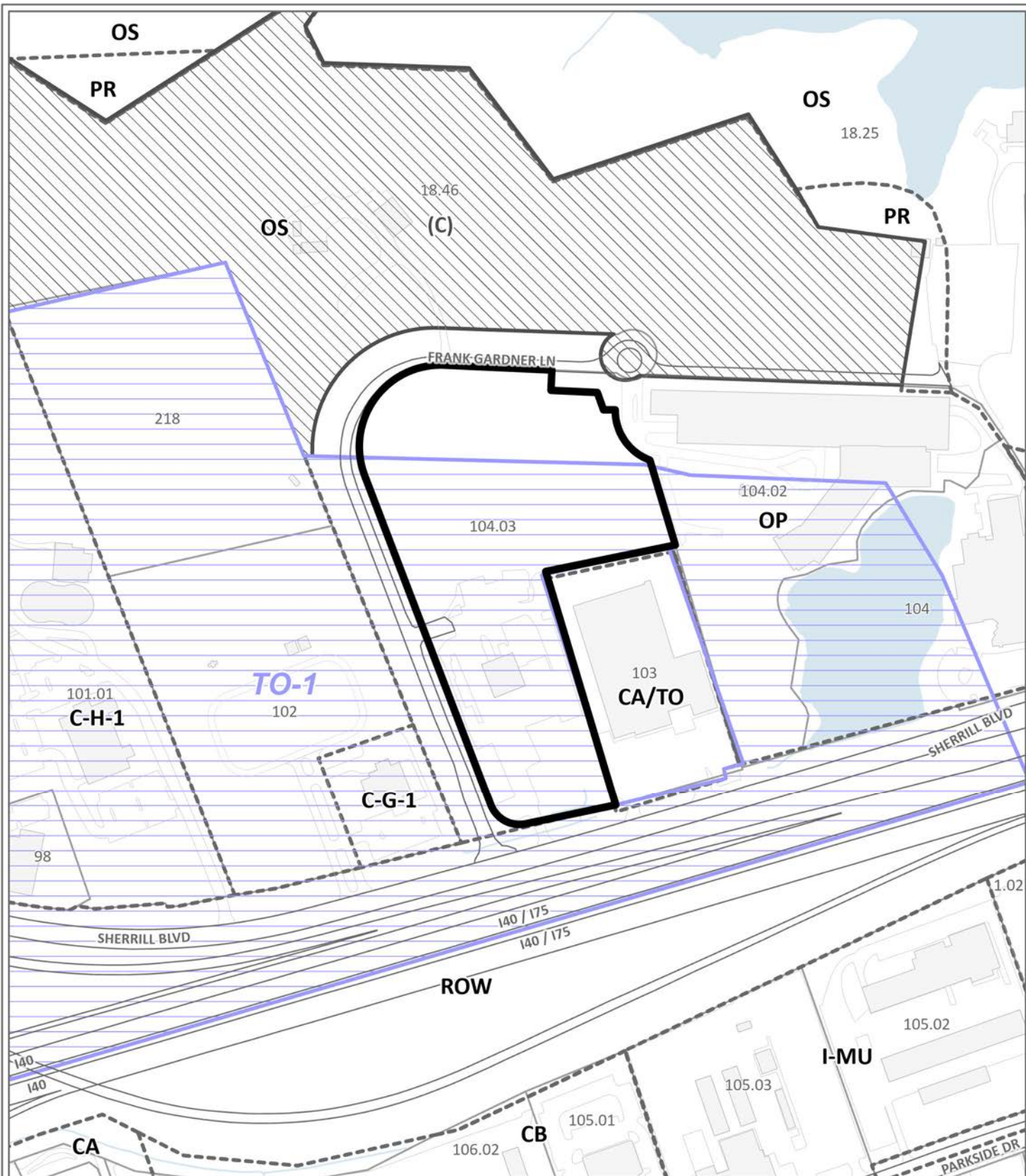
2. This is an urbanized area with ample utility and facility infrastructure to support a rezoning of this site. The subject property is served by the West Knox Utility District (WKUD) for water and sewer services.

**Design Guideline
Conformity:** N/A

**Waivers and Variances
Requested:** N/A

Staff Recommendation:

Approve the C-H-1 (Commercial Highway) district because it is consistent with the development of the surrounding area and the City of Knoxville's One-Year Plan. The TO-1 (Technology Park Overlay) district would be retained.



CERTIFICATE OF APPROPRIATENESS

9-A-24-TOR

Petitioner: Benjamin C Mullins Frant,
McConnell & Seymour, LLP



Purpose of Request: Rezoning

Map No: 131
Jurisdiction: City

Original Print Date: 8/16/2024
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



<input type="checkbox"/> BUILDING PERMIT - NEW CONSTRUCTION	<input checked="" type="checkbox"/> REZONING	<input type="checkbox"/> ADMINISTRATIVE REVIEW
<input type="checkbox"/> BUILDING PERMIT - EXPANSION OR RENOVATION	<input type="checkbox"/> SIGNAGE	<input type="checkbox"/> BOARD REVIEW
<input type="checkbox"/> BUILDING PERMIT - GRADING PLAN	<input type="checkbox"/> ZONING VARIANCE	

Benjamin C. Mullins

PUBLISHED APPLICANT NAME - no individuals on behalf of -

7-29-2024	September 9, 2024	
DATE FILED	MEETING DATE (IF APPLICABLE)	FILE NUMBER

CORRESPONDENCE *Correspondence related to this application will be directed to the contact listed below.*

APPLICANT OWNER OPTION HOLDER SURVEYOR ENGINEER ARCHITECT/LANDSCAPE ARCHITECT ATTORNEY

Benjamin C. Mullins	Frantz, McConnell & Seymour, LLP		
NAME	COMPANY		
550 West Main Street, Suite 500	Knoxville	TN	37902
ADDRESS	CITY	STATE	ZIP
865-546-9321	bmullins@fmsllp.com		
PHONE	EMAIL		

CURRENT PROPERTY INFO MULTIPLE OWNERS / OPTION HOLDERS PART OF PARCEL

8-12-24
BEM

AS Realty I, LLC	550 Frank Gardner LN	john.buell@altardstate.com
OWNER NAME - if different -	OWNER ADDRESS	OWNER PHONE/EMAIL
550 Frank Gardner LN and 9905 Sherrill Blvd		
PROPERTY ADDRESS		
131 10402 and 131 10403	N	~11.66 acres ~21.52 ac combined
PARCEL ID(S)	PART OF PARCEL? (Y/N)	TRACT SIZE

8-12-24
BEM

STAFF USE ONLY

N of Sherrill Blvd., E and S of Frank Gardner Ln	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY
GENERAL LOCATION	2
OP	DISTRICT
	MU-SD NWCO-1
ZONING	SECTOR PLAN LAND USE CLASSIFICATION
Northwest County	OF
PLANNING SECTOR	EXISTING LAND USE

REQUEST

BUILDING PERMIT

- NEW CONSTRUCTION
 EXPANSION OR RENOVATION
 GRADING PLAN

- REZONING
 SIGNAGE
 ZONING VARIANCE

PLAN MATERIALS:

- DEVELOPMENT PLAN
 BUILDING ELEVATIONS
 FLOOR PLAN
 LANDSCAPE PLAN
 SIGNAGE PLAN
 OFF-STREET PARKING

OTHER:

WAIVERS OR VARIANCES REQUESTED? YES NO

ADMINISTRATIVE REVIEW: LIGHTING LANDSCAPING PLAN

RENOVATION OR EXPANSION

SUMMARY OF WORK TO BE PERFORMED:

ZONING VARIANCE

SUMMARY OF ZONING VARIANCE REQUEST:

REZONING

REZONE FROM: OP

TO: CH-1

SECTOR PLAN AMENDMENT FROM: _____

TO: _____

SIGNAGE

- | | | |
|------------------------------------|--|-------------------------------------|
| <input type="checkbox"/> YARD SIGN | <input type="checkbox"/> BUILDING SIGN | <input type="checkbox"/> OTHER SIGN |
| AREA: _____ | AREA: _____ | AREA: _____ |
| HEIGHT: _____ | HEIGHT: _____ | HEIGHT: _____ |
| FINISH: _____ | FINISH: _____ | TYPE: _____ |

STAFF USE ONLY

- TTCDA Checklist
 Property Owners/Option Holders

CODE	CODE	TOTAL
FEE	FEE	

*Revised
8-12-24*

AUTHORIZATION

By signing below

You certify that you are the property owner and/or authorized representative.

[Signature]

APPLICATION AUTHORIZED BY

Attorney for AS Realty I, LLC

7-29-2024

AFFILIATION

DATE

865-546-9321

bmullins@fmsllp.com

PHONE NUMBER

EMAIL

STAFF SIGNATURE

PRINT NAME

DATE PAID