

REZONING REPORT

▶ **FILE #:** 7-W-23-RZ

AGENDA ITEM #: 19

AGENDA DATE: 7/13/2023

▶ **APPLICANT:** RYAN DOLAN (THRIVE CHIROPRACTIC)

OWNER(S): 2516 Overlook Dr. LLC

TAX ID NUMBER: 67 250

[View map on KGIS](#)

JURISDICTION: City Council District 3

STREET ADDRESS: 6704 WATERMOUR WAY

▶ **LOCATION:** Southeast side of Callahan Dr, north of Clinton Hwy and west of I-75

▶ **APPX. SIZE OF TRACT:** 1.63 acres

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Watermour Way, a 28-ft private road; and via Callahan Drive, a four-lane divided minor arterial within approximately 120 ft of right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Knob Creek

▶ **PRESENT ZONING:** I-MU (Industrial Mixed-Use)

▶ **ZONING REQUESTED:** O (Office)

▶ **EXISTING LAND USE:** Office

▶ **EXTENSION OF ZONE:** No, this is not an extension.

HISTORY OF ZONING: The property was annexed into the City in 2008 and zoned C-6 (2-H-08-RZ).

SURROUNDING LAND USE AND ZONING: North: Industrial - I-MU (Industrial Mixed-Use)

South: Single family residential - RB (General Residential)

East: Commercial - I-MU (Industrial Mixed-Use)

West: Rural residential - I-MU (Industrial Mixed-Use)

NEIGHBORHOOD CONTEXT: The Callahan Road corridor consists primary of commercial and industrial warehouse uses. The regional commercial center at Clinton Highway and Callahan Drive is approximately 0.7 miles to the southwest.

STAFF RECOMMENDATION:

▶ **Approve the O (Office) district because it is consistent with the sector plan and surrounding development.**

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, 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. Properties along this stretch of Callahan Drive have been transitioning to various commercial and industrial zones since the early 2000s.
2. This parcel is located between commercial and residential uses located in the I-MU (Industrial Mixed-Use) zone (City zoning) and residential uses in the RB (General Residential) zone to the south (County zoning). A downzoning of the subject parcel from the I-MU (Industrial Mixed-Use) zoning district at this location would provide a transition of land use intensities and improve compatibility with the adjacent single-family homes to the west.

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

1. The O (Office) zoning district is intended to provide for an environment of low intensity office and service uses, mixed with residential uses. The O District may additionally serve as a transition between single-family residential areas and more intensely developed commercial or industrial areas within the City of Knoxville.
2. The existing structure was developed for office uses, and the proposed use is a medical office, which is prohibited in the I-MU zone. Office uses, and residential uses are permitted in the I-MU zone.
3. The O (Office) zone serves as a transition between single-family residential areas and more intensely developed commercial or industrial areas.

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

1. There are no adverse impacts anticipated to occur with the proposed O district zoning. It is a less intensive district than I-MU, which makes it more compatible with the adjacent RB (General Residential) zoned properties to the south.

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. The proposed rezoning is consistent with the Northwest City Sector Plan's MU-SD, NWC-1 (Callahan Drive Mixed Use Special District) land use classification, which recommends a mix of residential, office, commercial, and industrial uses.

ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

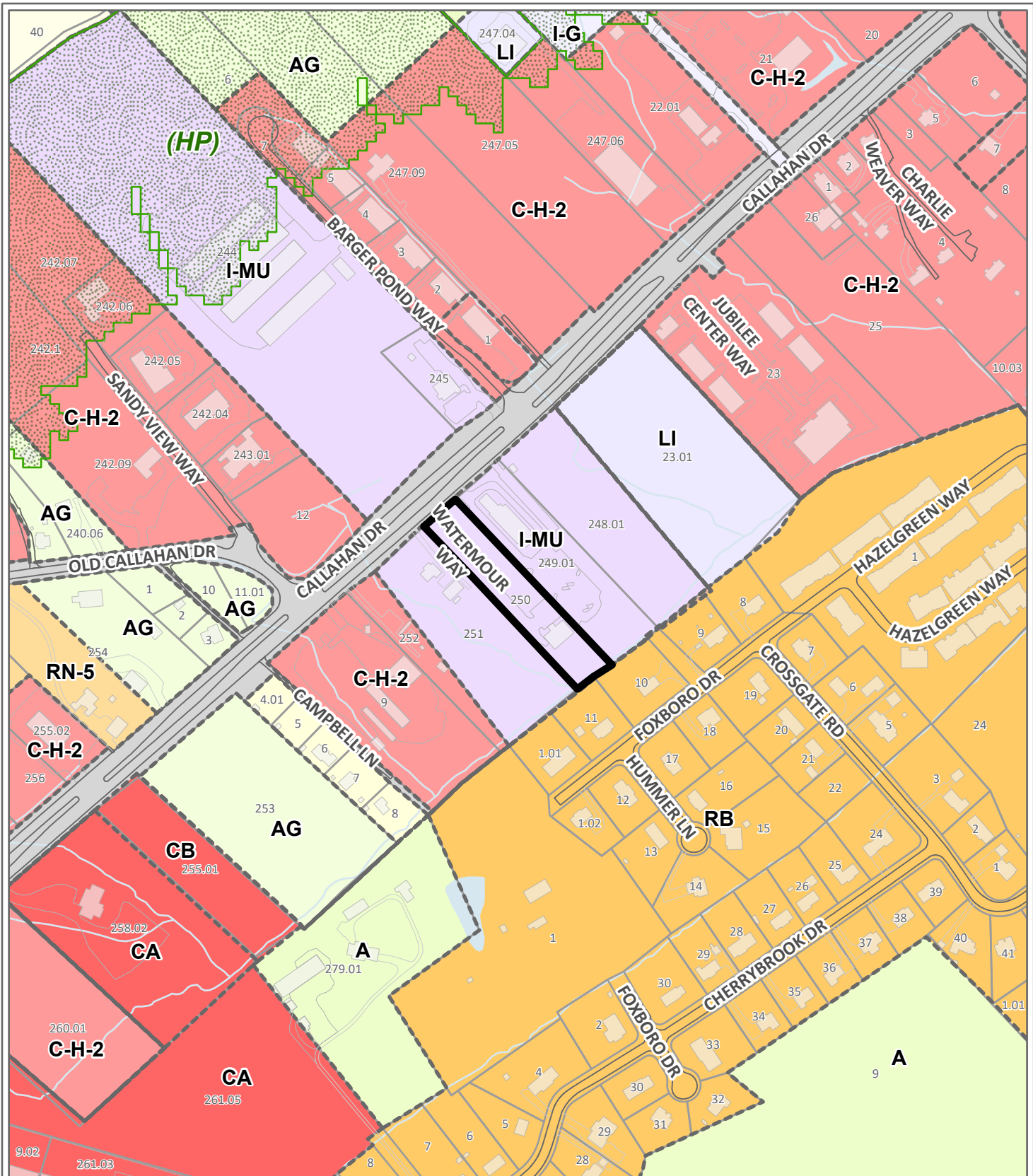
1. This is a developed area with adequate infrastructure capacity for the range of land uses permitted in the O zoning district.

ESTIMATED TRAFFIC IMPACT: 34 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 8/8/2023 and 8/22/2023. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



REZONING

7-W-23-RZ

Petitioner: Ryan Dolan



From: I-MU (Industrial Mixed-Use)

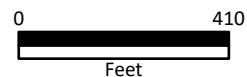
To: O (Office)

Map No: 67

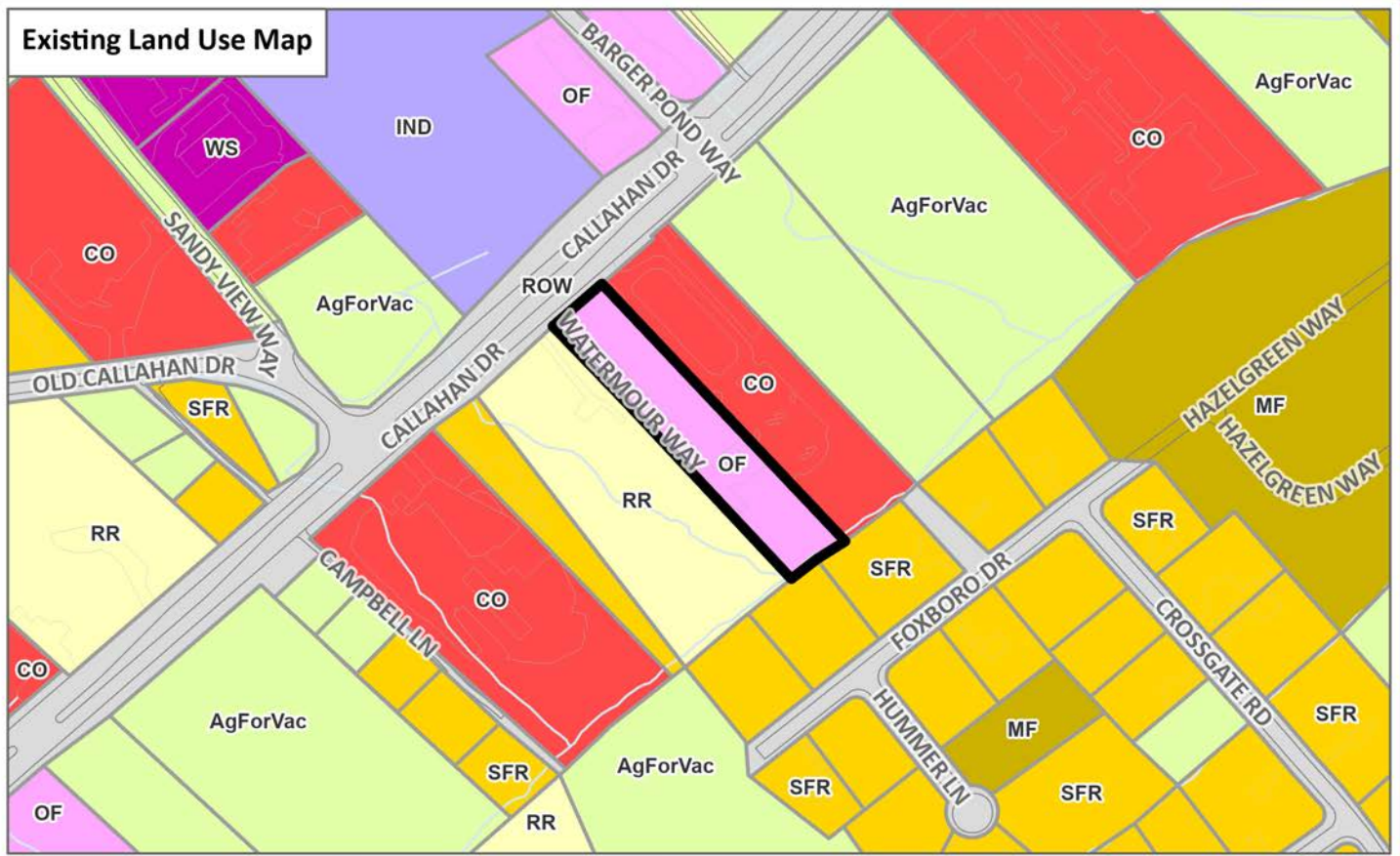
Jurisdiction: City

Original Print Date: 6/9/2023

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



Existing Land Use Map



Aerial Map

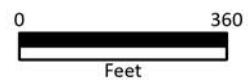


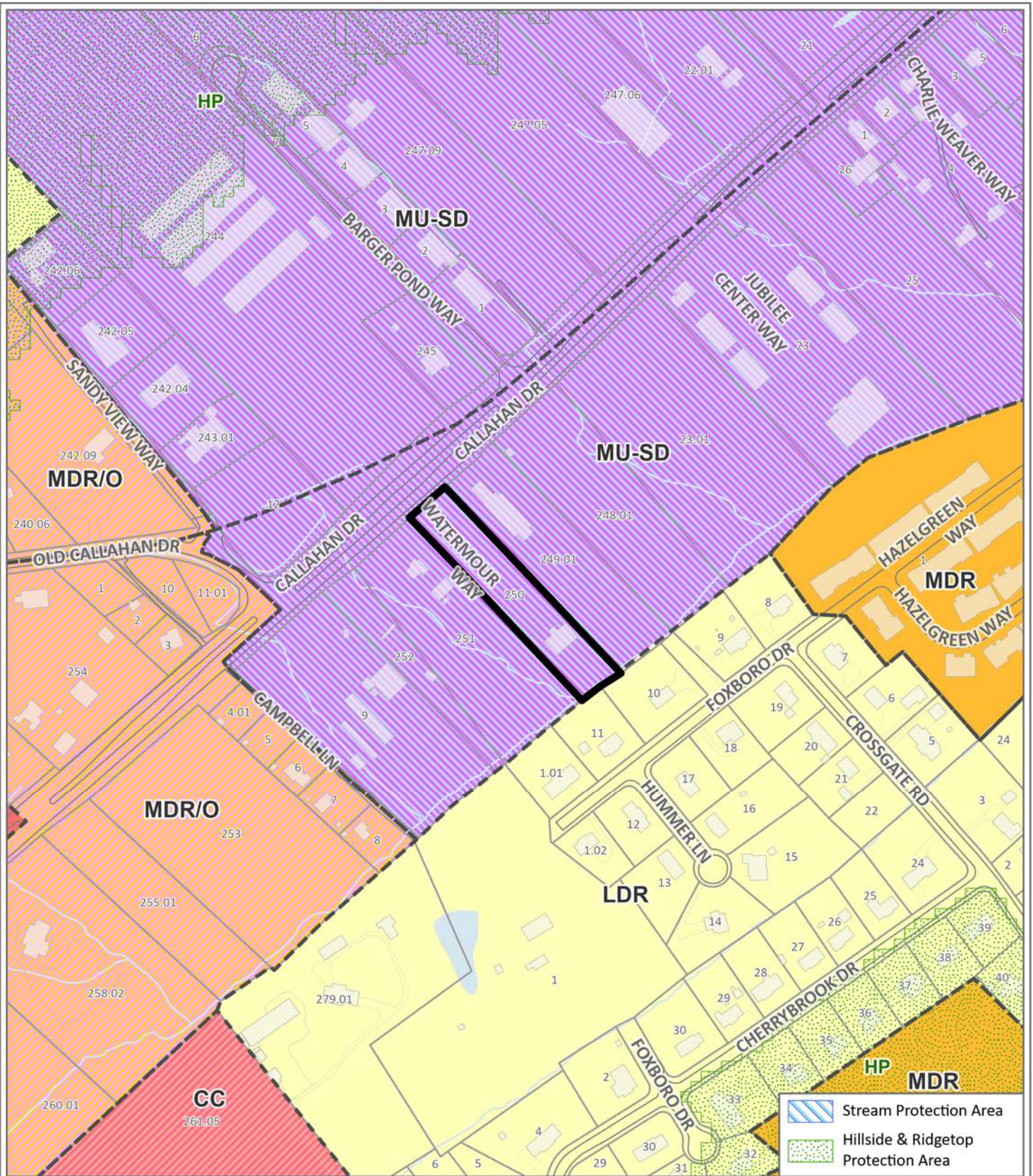
CONTEXTUAL MAPS

7-W-23-RZ



Case boundary





NORTHWEST CITY SECTOR PLAN MAP

7-W-23-RZ

Petitioner: Ryan Dolan



Case boundary

Map No: 67
Jurisdiction: City

Original Print Date: 6/16/2023

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902





Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

Ryan Dolan

Applicant Name

THRIVE CHIROPRACTIC

Affiliation

6/5/2023

Date Filed

7/13/2023

Meeting Date (if applicable)

7-W-23-RZ

File Number(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

Ryan Dolan Thrive Chiropractic

Name / Company

5400 Clinton Hwy Knoxville TN 37912

Address

865-466-5400 / atlaspropertytn@gmail.com

Phone / Email

CURRENT PROPERTY INFO

2516 Overlook Dr. LLC

Owner Name (if different)

6704 Watermour Way Knoxville TN 37912

Owner Address

Owner Phone / Email

6704 WATERMOUR WAY

Property Address

67 250

Parcel ID

1.63 acres

Tract Size

Part of Parcel (Y/N)?

Hallsdale-Powell Utility District

Sewer Provider

Hallsdale-Powell Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

Southeast side of Callahan Dr, north of Clinton Hwy and west of I-75

General Location

City

Council District 3

I-MU (Industrial Mixed-Use)

Office

County District

Zoning District

Existing Land Use

Northwest City

Planning Sector

MU-SD, NWC-1 (Mixed Use-Special District, Callahan Driv

Sector Plan Land Use Classification

Urban Growth Area (Inside City Limits)

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) _____	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change O (Office)	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)
Proposed Density (units/acre) Previous Zoning Requests	
Additional Information _____	

STAFF USE ONLY

PLAT TYPE

Staff Review Planning Commission

ATTACHMENTS

Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- COA Checklist (Hillside Protection)
 Design Plan Certification (Final Plat)
 Site Plan (Development Request)
 Traffic Impact Study
 Use on Review / Special Use (Concept Plan)

Fee 1	Total
\$650.00	
Fee 2	
Fee 3	

AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Applicant Signature	Ryan Dolan Please Print	6/5/2023 Date
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Property Owner Signature	2516 Overlook Dr. LLC Please Print	6/5/2023 Date
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Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - SP
 - OYP
- Rezoning

Ryan Dolan

Applicant Name

Affiliation

4/24/23

File Number(s)

Date Filed

Meeting Date (if applicable)

7-W-23-RZ

CORRESPONDENCE *All correspondence related to this application should be directed to the approved contact listed below.*

- Applicant
- Property Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

Ryan Dolan

Thrive Chiropractic

Name

Company

5400 Clinton Hwy #105

Knoxville

TN

37912

Address

City

State

ZIP

865-466-5400

atlaspropertytn@gmail.com

Phone

Email

CURRENT PROPERTY INFO

Cynthia Lawson

2516 Overlook Dr.

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

6704 Watermour Way

067-250

Property Address

Parcel ID

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size:

City County

District

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

August 29, 2022

DEVELOPMENT REQUEST

- Development Plan Use on Review / Special Use Hillside Protection COA
 - Residential Non-Residential
- Home Occupation (specify) _____

Related City Permit Number(s)

Other (specify) _____

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Unit / Phase Number Combine Parcels Divide Parcel Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements _____

Related Rezoning File Number

ZONING REQUEST

Zoning Change Proposed Zoning _____

Plan Amendment Change Proposed Plan Designation(s) _____

Proposed Density (units/acre) _____

Previous Rezoning Requests _____

Other (specify) _____

Pending Plat File Number
067 250

STAFF USE ONLY

PLAT TYPE

- Staff Review Planning Commission

ATTACHMENTS

- Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- Design Plan Certification (*Final Plat*)
- Use on Review / Special Use (*Concept Plan*)
- Traffic Impact Study
- COA Checklist (*Hillside Protection*)

	Fee 1	Total
Fee 2		
Fee 3		

AUTHORIZATION


Applicant Signature

Ryan Dolan
Please Print

4/24/23
Date

864-466-5400
Phone Number

atlaspropertytn@gmail.com
Email

Property Owner Signature

Please Print

Date

I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.

DEVELOPMENT REQUEST

- Development Plan Use on Review / Special Use Hillside Protection COA
 Residential Non-Residential

Home Occupation (specify)

Other (specify)

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name

Unit / Phase Number

- Combine Parcels Divide Parcel

Total Number of Lots Created

Other (specify)

Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

Zoning Change

O

Proposed Zoning

Plan Amendment Change

Proposed Plan Designation(s)

Pending Plat File Number

067 250

Proposed Density (units/acre)

Previous Rezoning Requests

Other (specify)

STAFF USE ONLY

PLAT TYPE

- Staff Review Planning Commission

ATTACHMENTS

- Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- Design Plan Certification (*Final Plat*)
 Use on Review / Special Use (*Concept Plan*)
 Traffic Impact Study
 COA Checklist (*Hillside Protection*)

Fee 1

Total

Fee 2

Fee 3

AUTHORIZATION

Applicant Signature

Ryan Dolan

Please Print

4/24/23

Date

864-466-5400

Phone Number

atlaspropertytn@gmail.com

Email

Property Owner Signature

Cynthia T. Lawson

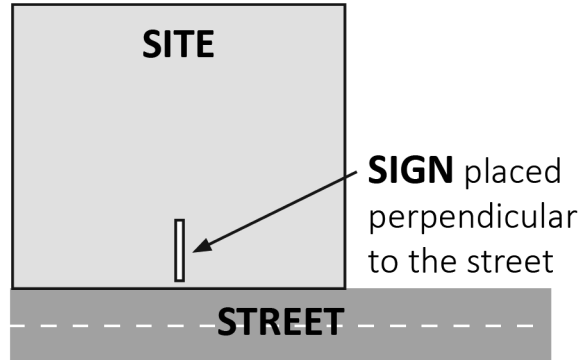
Please Print

4/24/23

Date

I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission public hearing** and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

_____ June 30, 2023 _____ and _____ July 14, 2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Ryan Dollan

Date: 6/5/2023

File Number: 7-W-23-RZ

- Sign posted by Staff
- Sign posted by Applicant