



## MEMORANDUM

**Date:** September 21, 2023

**To:** Luke Winchester, Chairman  
and Planning Commission

**From:** Jennifer Hamblen, Planning Director  
Jon Baughman, Deputy Planner

**Re:** Golden Bear Place  
Rezone  
Map - 078  
Parcel(s) – 010.09

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**Request:** Submitted by Ragan Smith on behalf of the owner Savage Capital, the applicant seeks Rezone approval for property located at Golden Bear Gateway and Volunteer Boulevard in District 3.

**Description:** The subject property is in the City limits (known as the Lowery property) and is undeveloped. It is approximately 8.71 acres in area. It is zoned OPS (office and professional services). It is located between Golden Bear Gateway and Rutland Drive, east of Volunteer Boulevard. The applicant desires to change the zoning to CI (commercial interchange) for restaurant, car wash and retail uses. A summary of the request is provided below:

REQUEST SUMMARY	Land Use Map	Requested Classification	Current Zoning	Requested Zoning
Savage Capital	Interstate Commercial	N/A	OPS	CI

**Future Land Use Plan:** The City's Future Land Use Map identifies the property as Interstate Commercial. Surrounding land uses classifications include Interstate Commercial, Mixed Use and Business Development. The future land use plan supports this request.

**Zoning:** Current zoning OPS and the requested zoning is CI. Surrounding properties include CMU, IR, CI and OPS.

**Findings:** In reviewing the requested zoning actions, staff finds that the request agrees with all of the following findings, as contained in the zoning ordinance. The proposed annexation and rezone:

1. *is agreement with the general plan for the area, and*
2. *does not contravene the legal purposes for which zoning exists, and*
3. *will have no adverse effect upon joining property owners, unless such effect can be justified by the overwhelming public good or welfare, and*
4. *is not materially beneficial to a property owner or small group of property owners and will not be detrimental to the general public, and*

5. *is possible because conditions affecting the area have changed to a sufficient extent to warrant an amendment to the zoning map, and*
6. *allows uses by right, for which the base infrastructure is in place or will be required, to support their operation.*

**Summary:** The City's Future Land Use Plan supports this Rezone request from OPS to CI.

**Recommendation:** Staff recommends forwarding the Rezone request for the Lowery property on Golden Bear Gateway to the Board of Commissioners with a positive recommendation, with the following conditions:

**Planning & Zoning:**

1. Golden Bear Gateway is incorrectly labeled as Eastgate Boulevard, revise.

**Public Works:**

No Comments

**WWUD:**

No Comments