

# CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 12-N-22-RZ

Related File Number: 12-C-22-SP

Application Filed: 10/25/2022

Date of Revision:

Applicant: DANIEL LEVY

## PROPERTY INFORMATION

General Location: S of Middlebrook Pk, west of N Cedar Bluff Rd

Other Parcel Info.:

Tax ID Number: 104 21301 OTHER: 105 047

Jurisdiction: County

Size of Tract: 11.04 acres

Accessibility:

## GENERAL LAND USE INFORMATION

Existing Land Use: Rural Residential

Surrounding Land Use:

Proposed Use: Density: 12 DU/AC

Sector Plan: Northwest County Sector Plan Designation: LDR (Low Density Residential), HP (Hillside Protec

Growth Policy Plan: Planned Growth Area

Neighborhood Context:

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

Street: 9502 MIDDLEBROOK PIKE

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)

Former Zoning:

Requested Zoning: PR (Planned Residential)

Previous Requests:

Extension of Zone:

History of Zoning:

## PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential), HP (Hillside Protection)

Requested Plan Category: MDR (Medium Density Residential)

**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:

Jessie Hillman

Staff Recomm. (Abbr.):

Approve the PR (Planned Residential) zone at a density up to 12 du/ac because it is consistent with surrounding development.

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. The surrounding area has experienced significant growth over the past 20 years. These changes include roadway expansions and upgrades, new service-oriented commercial developments and construction of single family subdivisions, apartments and townhomes.
2. The proposed PR (Planned Residential) zone at a density of 12 du/ac in the middle of this development activity is consistent with changing conditions.

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

1. The PR zone is intended to encourage more imaginative solutions to environmental design problems by enabling concentrated development in less environmentally sensitive areas of a property.
2. The PR zone is well-suited for the sloped, wooded subject property. Although staff take into consideration all possible forms of land use within the proposed zone, it is noteworthy that the applicant has shared a multifamily concept plan. It reflects clustered development in the portion of the property that has already been graded and preservation of much of the existing vegetation.
3. The proposed PR density of 12 du/ac is a minor extension of the adjacent density to the west. Considering the assets of the area, which include sewer and water infrastructure, sidewalks along a major arterial and walkable access to a community commercial node, 12 du/ac is an appropriate density for the subject property.

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. There are no negative impacts anticipated from the proposed rezoning.
2. The adjacent low density residential subdivisions south of the subject property are on higher ground, mitigating potential stormwater runoff concerns.
3. The upgrades to Middlebrook Pike increased capacity for more residential density along this corridor.

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 PR zone at 12 du/ac is consistent with the recommended MDR classification amendment to the Northwest County Sector Plan.
2. The proposed rezoning is compatible with the subject property's location in the Planned Growth Area of the Growth Policy Plan.
3. The rezoning is not in conflict with any other adopted plans or policies.

Action:

Approved

Meeting Date: 12/8/2022

Details of Action:

Summary of Action:

Approve the PR (Planned Residential) zone at a density up to 12 du/ac because it is consistent with surrounding development.

Date of Approval: 12/8/2022

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?:  Action Appealed?:

## ***LEGISLATIVE ACTION AND DISPOSITION***

Legislative Body: Knox County Commission

Date of Legislative Action: 1/23/2023

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: