

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 3-B-24-RZ **Related File Number:**
Application Filed: 1/19/2024 **Date of Revision:**
Applicant: R. JASON BARNES

PROPERTY INFORMATION

General Location: North side of Old Middlebrook Pike, south side of Middlebrook Pike, west of N Gallaher View Rd
Other Parcel Info.:
Tax ID Number: 105 L B 047 **Jurisdiction:** County
Size of Tract: 2.1 acres
Accessibility: Access could be via Middlebrook Pike, a divided highway with 60 ft of pavement width within a 150-ft right-of-way, or Old Middlebrook Pike, a local street with 20 ft of pavement width within a 55-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Single Family Residential
Surrounding Land Use:
Proposed Use: **Density:** up to 12 du/ac
Sector Plan: Northwest County **Sector Plan Designation:** MDR/O (Medium Density Residential/Office)
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context: The neighborhood is comprised of single family and multifamily residential housing. There is a small commercial node at the corners of Middlebrook Pike, Old Middlebrook Pike and N Gallaher View Road.

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

Street: 8441 OLD MIDDLEBROOK PIKE
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) up to 9 du/ac (pending)
Former Zoning: This property was rezoned from A (Agricultural) to PR up to 9 du/ac in 2023 (Case # 10-F-23-RZ).
Requested Zoning: PR (Planned Residential)
Previous Requests:
Extension of Zone: Yes, PR zoning up to 12 du/ac is to the south.
History of Zoning: This property was rezoned from A (Agricultural) to PR up to 9 du/ac in 2023. (Case #10-F-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:

Naomi Hansen

Staff Recomm. (Abbr.):

Approve the PR (Planned Residential) zone up to 12 du/ac because it is consistent with the sector plan and surrounding development.

Staff Recomm. (Full):

Comments:

The Planning Commission recently voted to approve a rezoning of the subject property from A to PR up to 9 du/ac (10-F-23-RZ). This case has been postponed at the Knox County Commission pending the outcome of this request in which the applicant is now requesting to increase the PR density by 3 du/ac.

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 5.4-acre parcel to the south was rezoned to the PR zone with up to 12 du/ac and was accompanied by a sector plan amendment to MDR (Medium Density Residential) in March of 2023 (Case # 3-F-23-RZ/3-B-23- SP).

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

1. The PR zone provides flexibility for different types of residential developments. The proposed rezoning would allow development compatible with the various types of residential development nearby to the south.
2. The PR zone should be compatible with surrounding or adjacent zones. The properties adjacent to the south are zoned PR up to 12 du/ac and RB, which allows 12 du/ac as a permitted use and up to 24 du/ac as a use on review, so the proposed zoning is consistent with that of surrounding properties.
3. 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 is compatible with the surrounding land use, and flexibility for different types of residential developments.

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. This stretch of Middlebrook Pike has developed with a mix of residential zones and densities. Surrounding zones include RB (General Residential), PR with densities of 10 and 12 du/ac, and A (Agricultural). There is also CA (General Business) and C-G-1 (General Commercial) zoning to the east and west of the subject property. The surrounding commercial businesses and zoning of 10 and 12 du/ac support the increase in density requested by the applicant.
2. Middlebrook Pike is a state route, so TDOT would need to approve any access on Middlebrook Pike. Access would likely be restricted to right-in, right-out turning movements. A second access point would be needed from Old Middlebrook Pike if that was the case.
3. Built out at 12 du/ac, development could result in up to 25 residential dwelling units.
4. There are two KAT bus stops located approximately 0.25 miles to the east along N Gallaher View Rd. which are connected by existing sidewalks with a narrow landscaping buffer strip along Middlebrook Pike and N Gallaher View Road, providing safety for pedestrian travel.

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 subject property is designated as the MDR/O (Medium Density Residential/Office) land use classification in the Northwest County Sector Plan, which allows consideration of the PR zone in the Urban Growth Boundary of the Growth Policy Plan.

2. The General Plan allows densities ranging from 6-12 du/ac in the Planned Growth Areas along collector and arterial roads.

3. The rezoning is consistent with the General Plan's development policy 8.1 which encourages infill housing on vacant lots and redevelopment parcels. This property is adjacent to commercial properties, sidewalks, and public transit.

Action: Approved

Meeting Date: 3/7/2024

Details of Action:

Summary of Action: Approve the PR (Planned Residential) zone up to 12 du/ac because it is consistent with the sector plan and surrounding development.

Date of Approval: 3/7/2024

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: 4/22/2024

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:

Approved PR (Planned Residential) up to 9 du/ac, subject to two conditions: 1) Install a type 'B' landscape screen; 2) sidewalk along front of property.

Date of Legislative Appeal:

Effective Date of Ordinance: