# **CASE SUMMARY**

APPLICATION TYPE: REZONING



File Number: 3-F-23-RZ Related File Number: 3-B-23-SP

Application Filed: 1/23/2023 Date of Revision:

Applicant: CASCADE FALLS, LLC

# **PROPERTY INFORMATION**

General Location: South side of Old Middlebrook Pk, west of N Gallaher View Rd

Other Parcel Info.:

**Tax ID Number:** 105 M E 036,037 **Jurisdiction:** County

Size of Tract: 5.4 acres

Accessibility: Access is off of Old Middlebrook Pike, a local road with a 20-ft pavement width inside a right-of-way

that varies in width from approximately 52 to 55 ft.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Single Family Residential, Rural Residential

**Surrounding Land Use:** 

Proposed Use: Density: up to 12 du/ac

Sector Plan: Northwest County Sector Plan Designation: LDR (Low Density Residential)

Growth Policy Plan: Planned Growth Area

Neighborhood Context: This property sits just south of Middlebrook Pike, which has a mix of uses along its length. An

apartment complex abuts this property to the east, and a single-family development abuts this property to the west. There are two commercially zoned properties to the north where Old Middlebrook Pike

meets N. Gallaher View Road.

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

Street: 8436 Old Middlebrook Pk.

Location:

Proposed Street Name:

**Department-Utility Report:** 

Reason:

# ZONING INFORMATION (where applicable)

Current Zoning: RB (General Residential)

Former Zoning:

Requested Zoning: PR (Planned Residential)

**Previous Requests:** 

Extension of Zone: No

History of Zoning: None noted

#### PLAN INFORMATION (where applicable)

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Current Plan Category: LDR (Low Density Residential)

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: Michelle Portier

Staff Recomm. (Abbr.): Approve PR (Planned Residential) zoning with up to 12 du/ac because it is consistent with surrounding

zoning and the property's current zone allows the same density.

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. During the past few years, this area in general has had rezonings to multifamily along the Gallaher View corridor.
- 2. There is an increased need for small-scale housing. The proposed development would help to meet this need.

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

- 1. The PR (Planned Residential) zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems.
- 2. This property is currently zoned RB (General Residential), which allows density of up to 12 du/ac as a permitted use (by right) and from 12-24 du/ac as a use on review. Therefore, the proposed zoning would not change the density of the property but would allow for more flexibility in the design of the development.

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. The adjacent properties to the east and west are also zoned RB. PR zoning with up to 12 du/ac is consistent with other zoning in the area.
- 2. Built at the requested 12 du/ac, the development could accommodate up to 64 single family dwellings. This is a basic calculation that does not account for road infrastructure or stormwater facilities.
- 3. Old Middlebrook Pike, while not a classified roadway, functions similarly to one in that it connects a minor arterial (Gallaher View Road) and a major arterial (Middlebrook Pike).
- 4. The property has access to sewer lines.

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 property is within the Planned Growth Area of Knox County. The Northwest County Sector Plan's MDR (Medium Density Residential) designation allows up to 12 du/ac in the County's Planned Growth Areas provided the development is within 1/4 mile of transit service with sidewalk connections to transit service. The MDR land use location criteria specifies it is for transitional areas between commercial development and low density residential neighborhoods, land with less than 15% slopes, and properties served or proposed to be served by transit. The property is relatively flat over the majority of the property, with slopes mostly under 15%. It is approximately 950 ft from a KAT transit stop.

There is a commercial property across the street to the northeast, and the adjacent properties to the

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west of that and directly across the street to the north from the subject property are vacant land zoned commercial.

2. The proposed rezoning meets the overall intent of the Growth Plan's Planned Growth Area, which is described as "encouraging reasonably compact pattern of development" and "offering a range of housing choices" (p. 7).

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

arterial roads.

Action: Approved Meeting Date: 3/9/2023

**Details of Action:** 

Summary of Action: Approve PR (Planned Residential) zoning with up to 12 du/ac because it is consistent with surrounding

zoning and the property's current zone allows the same density.

Date of Approval: 3/9/2023 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: 4/24/2023 Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Approved Disposition of Case, Second Reading:

If "Other":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

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