

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 3-I-23-RZ                      **Related File Number:**  
**Application Filed:** 1/23/2023              **Date of Revision:** 3/17/2023  
**Applicant:** BEACON DEVELOPMENT OF TN, INC. (REVISED)

## PROPERTY INFORMATION

**General Location:** South side of Middlebrook Pike, east of Old Cedar Bluff Road  
**Other Parcel Info.:**  
**Tax ID Number:** 105 083                      **Jurisdiction:** County  
**Size of Tract:** 6.98 acres  
**Accessibility:** Access is via Middlebrook Pike, a median divided, 4-lane major arterial with a right of way dedication of 112 feet.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Rural Residential  
**Surrounding Land Use:**  
**Proposed Use:**    **Density:**  
**Sector Plan:** Northwest County              **Sector Plan Designation:** MDR/O (Medium Density Residential/Office)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** The area is near the commercial node at the intersection with Middlebrook Pike and N Cedar Bluff Rd. A mix of commercial, office and multifamily uses surround the node transitioning back to the adjacent single family residential neighborhoods.

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

**Street:** 9124 MIDDLEBROOK PIKE  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PR (Planned Residential)  
**Former Zoning:**  
**Requested Zoning:** OB (Office, Medical, and Related Services)  
**Previous Requests:**  
**Extension of Zone:** No  
**History of Zoning:** The property was rezoned from A to PR < 5 du/ac in 2019 (11-H-19-RZ).

## PLAN INFORMATION (where applicable)

**Current Plan Category:** MDR/O (Medium Density Residential/Office)

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:                      Mike Reynolds

Staff Recomm. (Abbr.):                      Approve OB (Office, Medical and Related Services) zoning because it provides a transitional buffer between commercial and low density residential uses and is consistent with the sector plan, subject to one (1) condition.

Staff Recomm. (Full):                      1) A Type 'B' landscape screen with evergreen trees shall be maintained adjacent to any lot line with an existing residential use when grading or building permits are issued for this site. The required landscape screen may consist of existing trees and newly planted trees. (See Exhibit A)

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 Northwest County Sector continues to be the fastest growing part of Knox County and additional opportunities for office and medium density residential uses in transitional areas is warranted between commercial corridors and low density residential areas.
2. The OB (Office, Medical, and Related Services) zone allows a variety of office uses and residential housing types. The OB zone allows any use permitted in the RB (General Residential) zone.
3. The property is located near the community commercial node at the intersection of Middlebrook Pike and N. Cedar Bluff Rd, and an employment center around Executive Park Dr and Sherrill Blvd to the south.

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

1. The OB (Office, Medical, and Related Services) zone is intended to provide areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas. The intent herein is to provide centralized, compact locations for business offices, clinics, medical, and dental offices near residential neighborhoods.
2. This site is a compact location near residential neighborhoods.
3. The existing infrastructure in this area includes roads and utilities supporting the existing residential and commercial areas.

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. General Plan, Policy 11.4 -- Create gradual zoning transition patterns by placing medium intensity zones and uses such as offices, condominiums, and community buildings in-between single-family residential areas and higher intensity uses. Require landscaping, screening, earth berms, walls and similar techniques to separate incompatible land uses when gradual zoning transition patterns are not possible. -- The OB zone allows the recommended office and residential uses. Staff is recommending a condition that a Type 'B' landscape screen be installed adjacent to existing residential lots. This site has mature evergreen trees along its external boundary that, if retained, can be used to satisfy this condition.
2. The site is accessed directly from Middlebrook Pike. The applicant must obtain a driveway permit from TDOT, and improvements to Middlebrook Pike may be required.
3. The applicant has submitted a geotechnical report with the previous rezoning application for this site (11-H-19-RZ). The purpose was to determine if the two closed depressions along the Middlebrook Pike frontage are sinkholes. The conclusion of the study was that the borings did not encounter any subsurface soil conditions indicative of sinkhole activity. The engineer speculated that the fill placed to widen Middlebrook Pike from 2 lanes to 4 lanes may have created the depressions closed.

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. This requested zone is consistent with the sector plan designation of MDR/O for this property. The MDR/O land use classification only allows consideration of the OB and PR zone districts.  
2. This zone is not in conflict with any other adopted plans.

**Action:** Approved with Conditions **Meeting Date:** 3/9/2023

**Details of Action:**

**Summary of Action:** Approve OB (Office, Medical and Related Services) zoning because it provides a transitional buffer between commercial and low density residential uses and is consistent with the sector plan, subject to one (1) condition.

**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":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**