

# CASE SUMMARY

**APPLICATION TYPE: REZONING**



**File Number:** 4-M-24-RZ                      **Related File Number:** 4-I-24-SP  
**Application Filed:** 2/26/2024              **Date of Revision:**  
**Applicant:** BENJAMIN C. MULLINS

## **PROPERTY INFORMATION**

**General Location:** Southside of Hardin Valley Rd, west of Waterstone Blvd  
**Other Parcel Info.:**  
**Tax ID Number:** 104 017 07                      **Jurisdiction:** County  
**Size of Tract:** 7.09 acres  
**Accessibility:**

## **GENERAL LAND USE INFORMATION**

**Existing Land Use:** Agriculture/Forestry/Vacant Land  
**Surrounding Land Use:**  
**Proposed Use:**    **Density:**  
**Sector Plan:** Northwest County              **Sector Plan Designation:** GC (General Commercial), HP (Hillside Protection)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:**

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

**Street:** 0 HARDIN VALLEY RD  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## **ZONING INFORMATION (where applicable)**

**Current Zoning:** PC(k) (Planned Commercial)  
**Former Zoning:**  
**Requested Zoning:** RB (General Residential)  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:**

## **PLAN INFORMATION (where applicable)**

**Current Plan Category:** GC (General Commercial), HP (Hillside Protection)  
**Requested Plan Category:** MDR (Medium Density Residential), HP (Hillside Protection)

**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 up to 12 du/ac because it is compatible with surrounding conditions.

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 subject property is surrounded by a range of residential unit types including single-family subdivisions, townhouse subdivisions and condominiums, and multi-family developments. Most residences developed in this immediate area within the past 20 years have been built under the PR (Planned Residential) zone with permitted densities ranging from 3 to 10 du/ac.
2. The requested RB (General Residential) zone would be an outlier in this area that is predominantly characterized by PR zoning. There is a high prevalence of (Planned Commercial) development as well, including directly across Hardin Valley Road from the subject property.
3. Considering this surrounding planned context, Planning recommends an alternative rezoning to PR that permits the same maximum density as RB; 12 du/ac.

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

1. The requested RB zone is intended for a medium population density with the principal use ranging from single-family houses to multi-dwelling structures. The RB zone has minimum lot sizes for residential development, and development intensity cannot be concentrated in one area of the lot in response to environmental or other conditions.
2. The recommended PR zone is intended to provide optional methods of land development that encourage creative solutions to environmental design problems. Residential areas thus established are characterized by a unified building and site development program that is compatible with surrounding or adjacent zones.
3. The subject property is within the HP (Hillside Protection) area, and contains steep slopes exceeding 25%. The property was cleared of vegetation in 2009, and grading occurred along the southern and eastern lot lines as part of the adjacent Waterstone at Hardin Valley multi-family construction. Natural vegetation has since grown back on much of the property.
4. Hardin Valley Road is designated as a Tennessee Scenic Highway, which is intended to preserve and protect scenic and natural qualities along the road to provide motorists with attractive routes to experience the beauty of the state.
5. Considering the property's steep slopes, inclusion in the scenic highway program, and surrounding context of planned residential and commercial development, a minor extension of the PR zone at this location is more appropriate than the RB zone. It will enable Planning Commission review to ensure development is responsive to environmental and scenic considerations and compatible with the surrounding built environment.

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 RB zone could result in development that is inconsistent with the goals of the scenic highway program and incompatible with the character of adjacent and surrounding planned zone districts.
2. There are no adverse impacts anticipated to occur with the recommended PR zone, as development can be clustered in response to environmental or aesthetic considerations. Its impact on surrounding

properties would be evaluated in the public Development Review process.

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. A rezoning to the PR zone is consistent with the General Plan's development policy 9.2, which encourages development practices that respect and fit the natural landscape, and policy 9.3, which specifies that the context of new development, including scale and compatibility, should not impact existing neighborhoods and communities.
2. The suggested PR density of 12 du/ac is permitted under the recommended MDR land use classification amendment to the Northwest County Sector Plan.
3. The rezoning is compatible with the property's location in the Planned Growth area of the Growth Policy Plan.

**Action:** Approved **Meeting Date:** 4/11/2024

**Details of Action:**

**Summary of Action:** Approve the PR (Planned Residential) zone up to 12 du/ac because it is compatible with surrounding conditions.

**Date of Approval:** 4/11/2024 **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:** 5/20/2024 **Date of Legislative Action, Second Reading:**

**Ordinance Number:** **Other Ordinance Number References:**

**Disposition of Case:** **Disposition of Case, Second Reading:**

**If "Other":** **If "Other":**

**Amendments:** **Amendments:**

**Date of Legislative Appeal:** **Effective Date of Ordinance:**