



PLAN AMENDMENT/ REZONING REPORT

FILE #: 4-F-24-RZ **AGENDA ITEM #:** 42
 4-C-24-PA **AGENDA DATE:** 4/11/2024

APPLICANT: HOMESTEAD LAND HOLDINGS, LLC
OWNER(S): WANDA L MOODY REVOCABLE LIVING TRUST The Trust Company of Tennessee, Trustee

TAX ID NUMBER: 106 O A 040.02, 041, 042 [View map on KGIS](#)

JURISDICTION: Council District 2

STREET ADDRESS: 0 BROOME RD, 7700 & 7708 MIDDLEBROOK PIKE

LOCATION: South side of Middlebrook Pike, east side of Broome Road

TRACT INFORMATION: 2.88 acres

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Middlebrook Pike, a major arterial street with a median and an 80-ft pavement width within a 115-ft to 127-ft right-of-way. Access is also via Broome Road, a minor collector street with a 40-ft pavement width within a 47-ft to 57-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Ten Mile Creek

PRESENT PLAN DESIGNATION/ZONING: LDR (Low Density Residential) / RN-2 (C) (Single-Family Residential Neighborhood)

PROPOSED PLAN DESIGNATION/ZONING: MDR/O (Medium Density Residential/Office) / RN-5 (C) (General Residential Neighborhood)

EXISTING LAND USE: Single-Family Residential, Agriculture/Forestry/Vacant Land

EXTENSION OF PLAN DESIGNATION/ZONING: No, this is not an extension of the land use classification or zoning district.

HISTORY OF ZONING REQUESTS: In 1996 a rezoning request from R-1 (Single-Family Residential) to C-3 (General Commercial) was denied (1-D-96-RZ). Later that year, a rezoning request from R-1 to RP-1 (Planned Residential) with varying densities was denied (4-Z-96-RZ). In 2005, a rezoning from R-1 to RP-1 was approved subject to using part of the site for senior citizen housing with up to 68 villas and part for an assisted living facility for up to 80 individuals (7-F-05-RZ). A rezoning to RP-1 up to 5.99 du/ac with conditions removed was approved in 2017 (1-P-17-RZ).

SURROUNDING LAND USE, PLAN DESIGNATION, North: Multi-family residential, rural residential - LDR (Low Density Residential), HP (Hillside Protection) - RN-3 (C) (General Residential Neighborhood), HP (Hillside Protection Overlay)

ZONING South: Multi-family residential - LDR (Low Density Residential) - RN-2 (C) (Single-Family Residential Neighborhood)

East: Single-family residential - LDR (Low Density Residential) - RN-1 (Single-Family Residential Neighborhood)

West: Public/quasi-public land (church) - CI (Civic Institutional) - RN-1 (Single-Family Residential Neighborhood)

NEIGHBORHOOD CONTEXT: This area along Middlebrook Pike is comprised of a mix of single-family, townhouse, manufactured home and multi-family neighborhoods alongside places of worship and senior housing facilities. There is an office and commercial node nearby to the northeast.

STAFF RECOMMENDATION:

- ▶ **Approve the One Year Plan amendment to the MDR/O (Medium Density Residential/Office) land use classification because it is consistent with surrounding development.**

- ▶ **Approve the RN-5 (C) (General Residential Neighborhood) district because it is consistent with surrounding development and the intent of the zoning district.**

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ONE YEAR PLAN, CHAPTER 1, PLAN AMENDMENT, ONE OF THE FOLLOWING CRITERIA MUST BE MET FOR ALL ONE YEAR PLAN AMENDMENTS (may meet any of these):

A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA.

1. This section of Middlebrook Pike between Francis Road/Vanosdale Road and N Gallaher View Road contains a wide range of housing forms and residential intensities, ranging from single-family dwellings to townhouse and multi-family dwellings. Examples of more recent residential developments include the Kirkwood subdivision across Middlebrook Pike to the northwest, which added 79 townhouses with its completion in 2010. The Parkview Retirement Community, an apartment building with 116 beds, was constructed in 2018 and abuts the southern border of the subject property. South of that, the Moody Property single-family subdivision began construction in 2022.
2. There is a commercial node nearby to the northeast which has seen an increase in infill business development over the past 17 years. This includes the establishment of the Middlebrook Commons strip center in 2007 and the conversion of former residential properties to a retail store and urgent care clinic in 2019 and 2022, respectively.
3. The City is in the design phase of a capital project to install new fiber optic communications and various major traffic signal components on Middlebrook Pike. The intent is to improve the efficiency, safety and reliability of 24 existing signalized intersections. There are existing sidewalks on Middlebrook Pike as well as transit access to nearby commercial amenities and community activity centers. These capital improvements in combination with existing pedestrian and transit infrastructure supports consideration of more intensive residential development on the subject property.
4. The proposed One Year Plan amendment from the LDR (Low Density Residential) to the MDR/O (Medium Density Residential/Office) land use classification is compatible with changing conditions in the area. MDR/O continues a transition of land use intensity from single-family to multi-family residences to the south and the major arterial of Middlebrook Pike to the north with a commercial node located 850 ft to the northeast.

AN ERROR IN THE PLAN:

1. The current LDR classification is not the result of an error or omission in the One Year Plan, but the MDR/O land use could have been considered here as a way to buffer less intensive uses from a major arterial street. This consideration is consistent with the Middlebrook Pike Corridor Study adopted in 2000, which encourages the transitioning of 'old residential' properties fronting on the arterial street into office, multifamily or commercial uses.

A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN:

1. There are no specific public policy changes that pertain to the proposed land use classification amendment.

NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY KNOXVILLE-KNOX COUNTY PLANNING) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT:

1. There are no new studies or plans that address the need for a plan amendment on the subject property. As stated previously, the Middlebrook Pike Corridor Study supports reconsideration of the LDR classification along this major arterial street in favor of a more intensive land use like the MDR/O classification.

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

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. This section of Middlebrook Pike is experiencing more intensive residential and commercial development in response to an ongoing population increase and high demand for housing in the City. The requested RN-5 (General Residential Neighborhood) zoning district would permit a range of housing forms to meet that demand.

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

1. The RN-5 district is intended for a heterogeneous mix of single-family, duplex, townhouse and multi-family dwellings. It may serve as a functional transition between traditionally single-family and duplex residential neighborhoods and more intensely developed residential or commercial areas. Limited nonresidential uses that are compatible with the district may also be permitted.

2. The purpose statement of the RN-5 zoning district is consistent with the subject property's location beside a senior living apartment development and its position among a wide range of housing forms and service-oriented commercial establishments.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. There are no adverse impacts anticipated to occur with the proposed rezoning from the RN-2 (Single-Family Residential Neighborhood) to the RN-5 district. The RN-5 district enables a wide range of housing forms and development intensities that reflect the diverse residential environment surrounding the subject property. With the exception of RN-7 (Multi-Family Residential Neighborhood), every residential zoning district is represented within 1/3 of a mile of the subject property, including a 30-acre senior living apartment community zoned RN-6 (Multi-Family Residential Neighborhood) approximately 850 ft away.

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 proposed rezoning is aligned with the General Plan's development policy 4.1 to use schools and parks as foundations in planning neighborhoods and communities. This property's close proximity to Bearden Middle School, West Hills Elementary, West Hills and Bynon Park, and its access to an extensive network of greenway trails support more intensive residential development at this location.

2. The RN-5 zoning district is consistent with the Northwest City Sector Plan and One Year Plan as amended to the MDR/O (Medium Density Residential/Office) land use classification. This property meets the location criteria for the MDR/O land use provided in both plans, which include being near community activity centers such as schools and parks, being in a transitional area between land use intensities, being on a site with less than 15 percent slopes and being along or near corridors served by transit and sidewalks.

3. As described previously, this property is within the boundaries of the Middlebrook Pike Corridor Study which also encourages a transition away from single-family residential property fronting this major arterial street in favor of multi-family development among other uses.

ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

1. This area is ideal for more residential development, as it has ample utility and transportation capacity as well as numerous walkable community facilities like public schools and parks.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: West Hills Elementary, Bearden Middle, and Bearden High.

If approved, this item will be forwarded to Knoxville City Council for action on 5/14/2024 and 5/28/2024. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.