

REZONING REPORT

▶ **FILE #:** 3-B-24-RZ

AGENDA ITEM #: 9

AGENDA DATE: 3/7/2024

▶ **APPLICANT:** R. JASON BARNES

OWNER(S): R. Jason Barnes Barnes Capital Management LLC

TAX ID NUMBER: 105 L B 047

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 8441 OLD MIDDLEBROOK PIKE

▶ **LOCATION:** North side of Old Middlebrook Pike, south side of Middlebrook Pike, west of N Gallaher View Rd

▶ **APPX. SIZE OF TRACT:** 2.1 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)

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.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Ten Mile Creek

▶ **PRESENT ZONING:** PR (Planned Residential) up to 9 du/ac

▶ **ZONING REQUESTED:** PR (Planned Residential)

▶ **EXISTING LAND USE:** Single Family Residential

▶ **DENSITY PROPOSED:** up to 12 du/ac

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)

SURROUNDING LAND USE AND ZONING: North: Transportation/communications/utilities and single family residential - A (Agricultural)

South: Single family residential and rural residential - PR (Planned Residential) 12 du/ac and RB (General residential)

East: Agriculture/forestry/vacant land - CA (Commercial)

West: Single family residential - A (Agricultural)

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.

STAFF RECOMMENDATION:

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

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.

ESTIMATED TRAFFIC IMPACT: 274 (average daily trips)

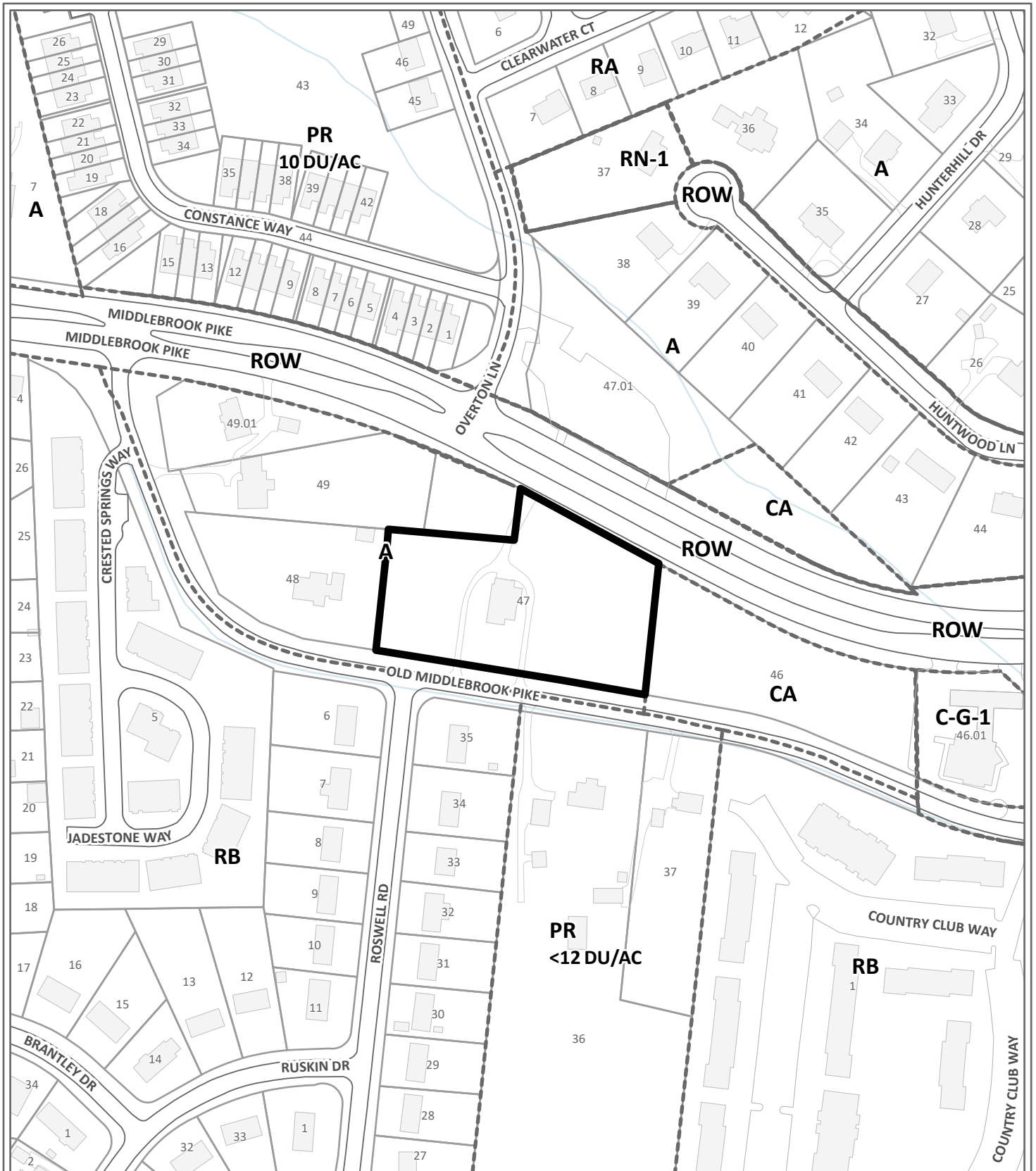
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 1 (public school children, grades K-12)

Schools affected by this proposal: Cedar Bluff Elementary, Cedar Bluff Middle, and Hardin Valley Academy.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

If approved, this item will be forwarded to Knox County Commission for action on 4/22/2024. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



REZONING

3-B-24-RZ

Petitioner: R. Jason Barnes



From: A (Agricultural)
To: PR (Planned Residential)

Map No: 105
Jurisdiction: County

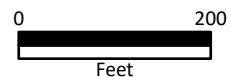
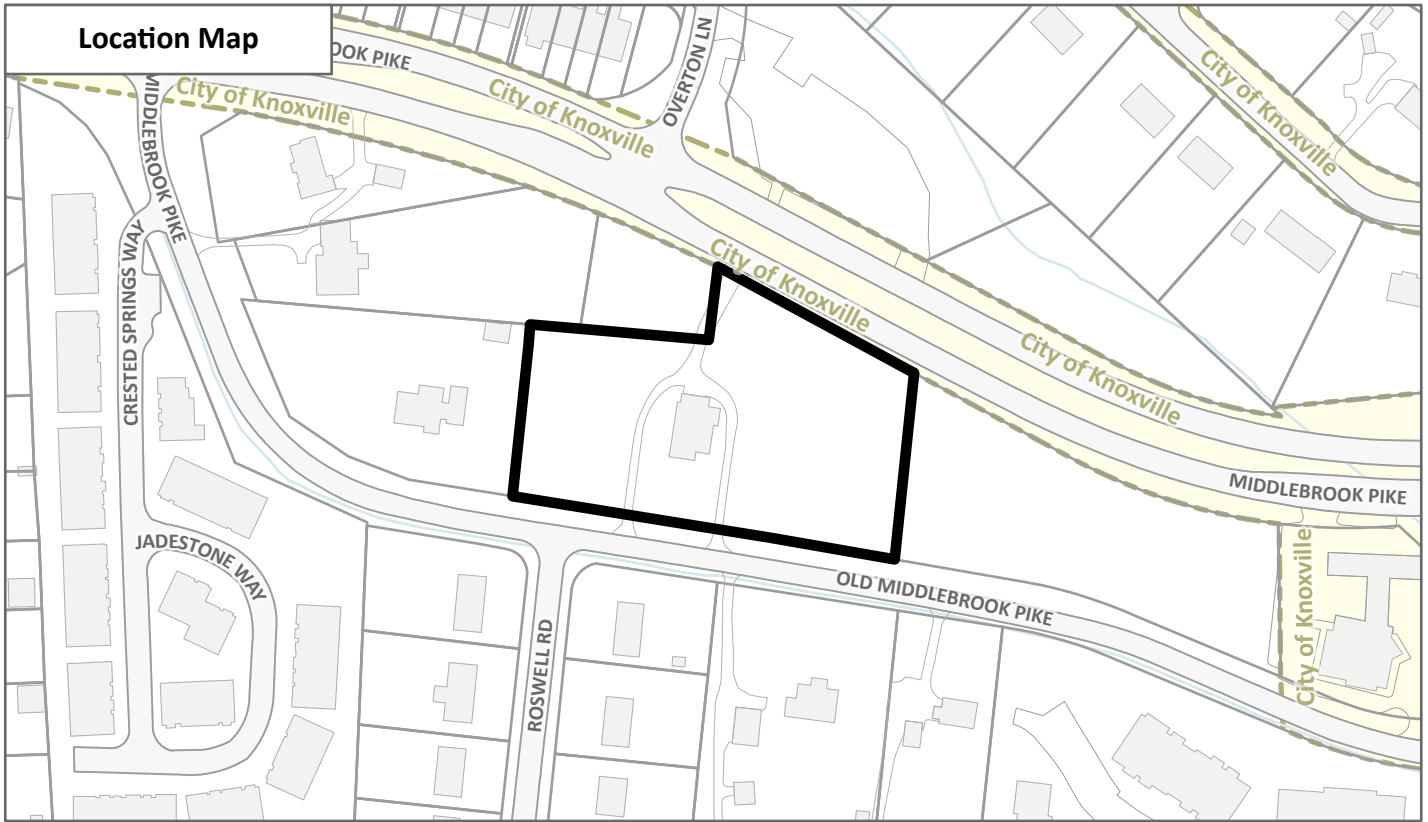


Exhibit A. Contextual Images

Location Map



Aerial Map

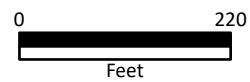


CONTEXTUAL MAPS 1

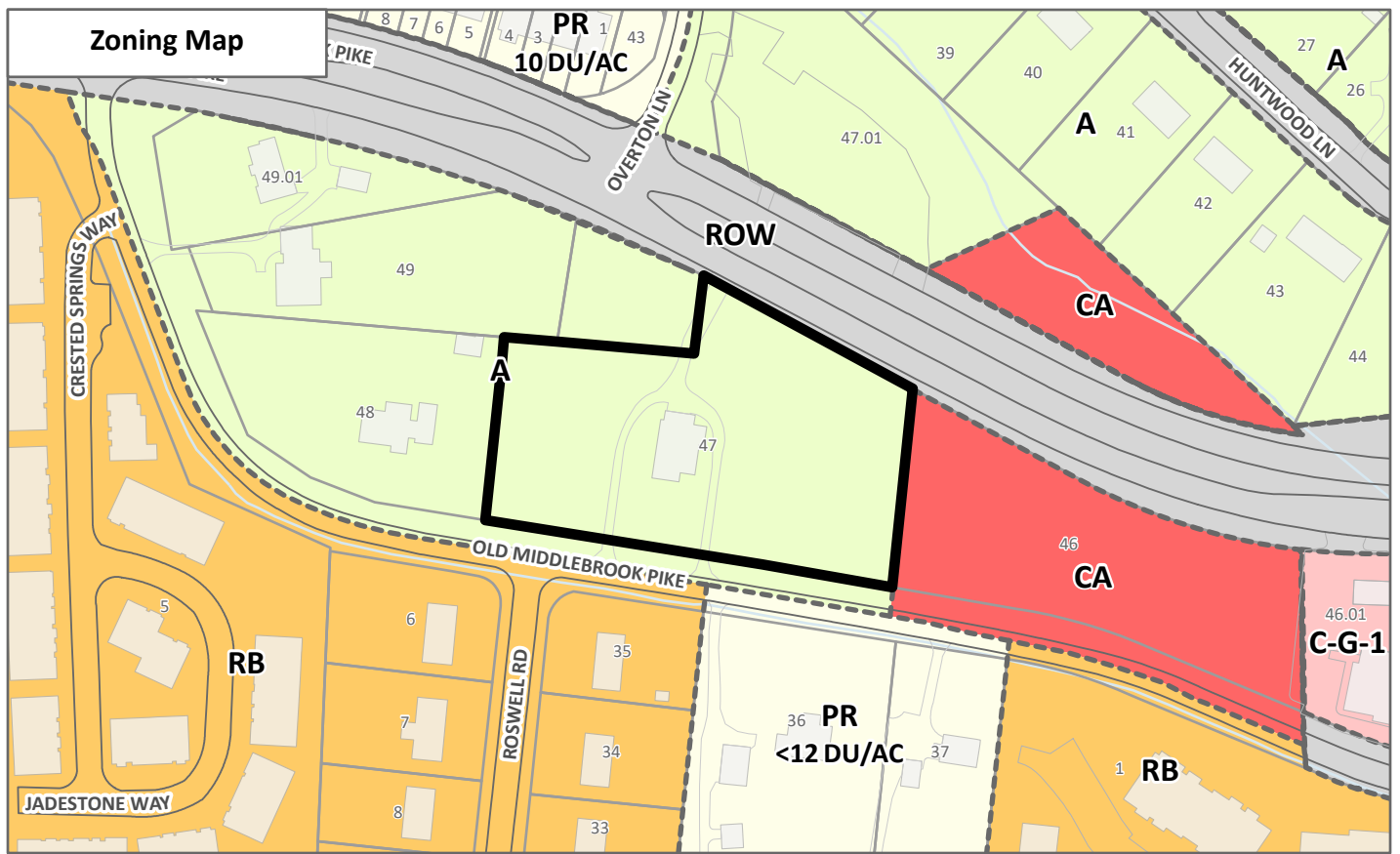
3-B-24-RZ



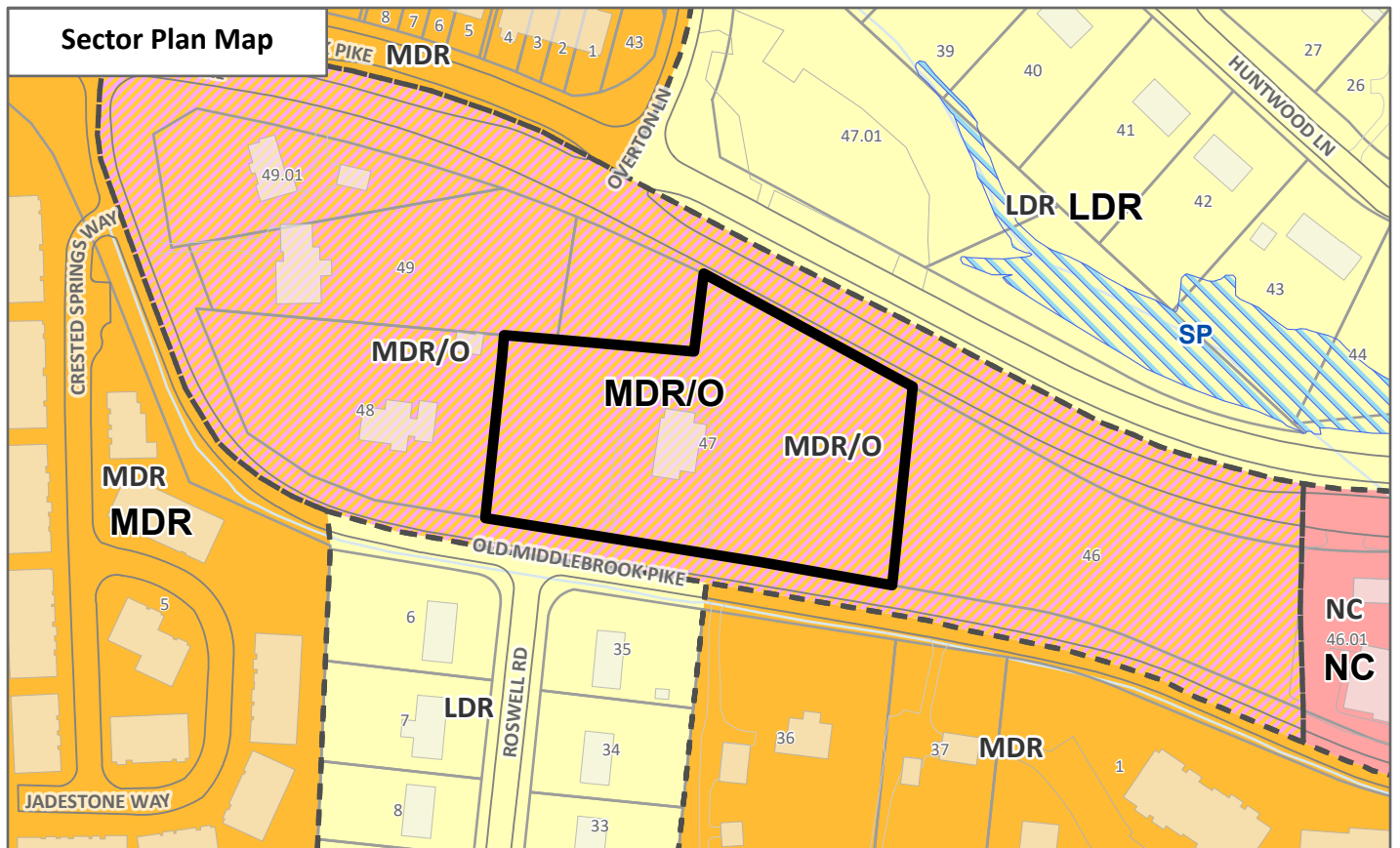
Case boundary



Zoning Map



Sector Plan Map

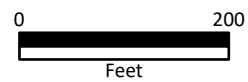


CONTEXTUAL MAPS 2

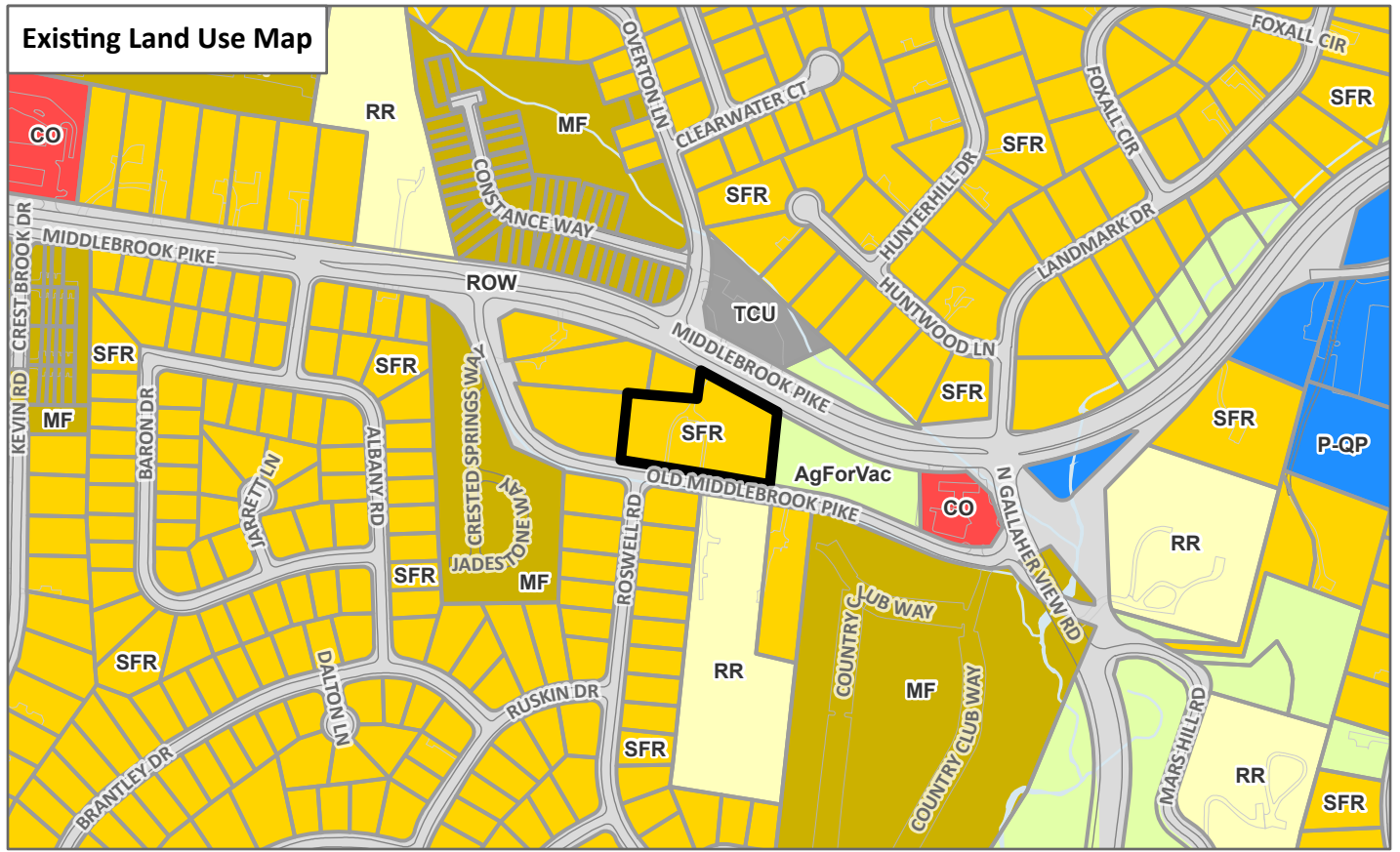
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Case boundary



Existing Land Use Map

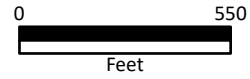


CONTEXTUAL MAPS 3

3-B-24-RZ



Case boundary





Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

R. Jason Barnes

Applicant Name

Affiliation

1/19/2024

Date Filed

3/7/2024

Meeting Date (if applicable)

3-B-24-RZ

File Number(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

R. Jason Barnes Barnes Capital Management LLC

Name / Company

802 Lovell Rd Knoxville TN 37932

Address

865-599-3515 / barnes4315@yahoo.com

Phone / Email

CURRENT PROPERTY INFO

R. Jason Barnes Barnes Capital Manage

Owner Name (if different)

802 Lovell Rd Knoxville TN 37932

Owner Address

865-599-3515 / barnes4315@ya

Owner Phone / Email

8441 OLD MIDDLEBROOK PIKE

Property Address

105 L B 047

Parcel ID

2.1 acres

Tract Size

Part of Parcel (Y/N)?

West Knox Utility District

Sewer Provider

West Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

North side of Old Middlebrook Pike, south side of Middlebrook Pike, west of N Gallaher View Rd

General Location

City

Commission District 3

A (Agricultural)

Single Family Residential

County District

Zoning District

Existing Land Use

Northwest County

Planning Sector

MDR/O (Medium Density Residential/Office)

Sector Plan Land Use Classification

Urban Growth Area (Outside City Limit)

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____ Other (specify) _____	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Total Number of Lots Created	
Additional Information	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change PR (Planned Residential)	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)

12 du/ac

Proposed Density (units/acre)	Previous Zoning Requests
Additional Information	

STAFF USE ONLY

PLAT TYPE

- Staff Review Planning Commission

ATTACHMENTS

- Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- COA Checklist (Hillside Protection)
 Design Plan Certification (Final Plat)
 Site Plan (Development Request)
 Traffic Impact Study
 Use on Review / Special Use (Concept Plan)

Fee 1	Total
\$650.00	
Fee 2	
Fee 3	

AUTHORIZATION

- I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Applicant Signature	R. Jason Barnes Please Print	1/19/2024 Date
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Phone / Email		
Property Owner Signature	R. Jason Barnes Barnes Capital Management LLC Please Print	1/19/2024 Date



Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - SP
 - OYP
- Rezoning

R. Jason Barnes

Applicant Name

Affiliation

1/18/24

Date Filed

March 7, 2024

Meeting Date (if applicable)

File Number(s)

3-B-24-RZ

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Property Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

R. Jason Barnes

Name

Barnes Capital Management LLC

Company

802 Lovell Road

Address

Knoxville

City

TN

State

37932

ZIP

865-599-3515

Phone

barnes4315@yahoo.com

Email

CURRENT PROPERTY INFO

Same

Property Owner Name (if different)

802 Lovell Rd Knoxville, TN 37932

Property Owner Address

865-599-3515

Property Owner Phone

8441 Old Middlebrook Pike

Property Address

105 LB 047

Parcel ID

West Knox Utility District

Sewer Provider

West Knox Utility District

Water Provider

N

Septic (Y/N)

STAFF USE ONLY

General Location

2.11 acres

Tract Size

City County

District

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

DEVELOPMENT REQUEST

- Development Plan Use on Review / Special Use Hillside Protection COA
 Residential Non-Residential

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Unit / Phase Number _____

- Combine Parcels Divide Parcel

Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

Zoning Change **PR (Planned Residential)**
Proposed Zoning

Plan Amendment Change
Proposed Plan Designation(s)

12 du/ac
Proposed Density (units/acre)

9 du/ac
Previous Rezoning Requests

Other (specify) _____

Pending Plat File Number

STAFF USE ONLY

PLAT TYPE

- Staff Review Planning Commission

ATTACHMENTS

- Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- Design Plan Certification (*Final Plat*)
 Use on Review / Special Use (*Concept Plan*)
 Traffic Impact Study
 COA Checklist (*Hillside Protection*)

Fee 1	Total
Fee 2	
Fee 3	

AUTHORIZATION

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R. Jason Barnes
Please Print

1/18/24
Date

865-599-3515
Phone Number

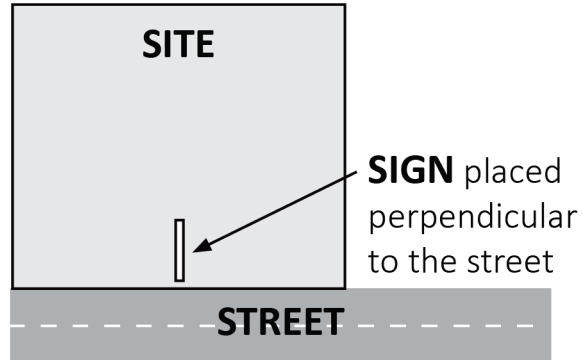
barnes4315@yahoo.com
Email



Barnes Capital Management LLC
Please Print

01/19/2024, SG
Date Paid

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission public hearing** and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

_____ 02/23/2024 _____ and _____ 03/08/2024 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: R. Jason Barnes

Date: 01/22/2024

File Number: 3-B-24-RZ (8441 Old Middlebrook Pike)

- Sign posted by Staff
- Sign posted by Applicant