

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 7-I-24-RZ **Related File Number:** 7-D-24-PA
Application Filed: 5/23/2024 **Date of Revision:**
Applicant: HOMESTEAD LAND HOLDINGS, LLC

PROPERTY INFORMATION

General Location: East side of N Gallaher View Rd, south side of Middlebrook Pike north side of
Other Parcel Info.:
Tax ID Number: 106 P A 037 **Jurisdiction:** City
Size of Tract: 4.1 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Rural Residential
Surrounding Land Use:
Proposed Use: **Density:**
Planning Sector: Northwest City **Plan Designation:** LDR (Low Density Residential), HP (Hillside Protection), SP
Growth Policy Plan: N/A (Within City Limits)
Neighborhood Context:

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

Street: 962 N GALLAHER VIEW RD
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-1(C) (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)
Former Zoning:
Requested Zoning: RN-5 (C) (General Residential Neighborhood), HP (Hillside Protection Overlay)
Previous Requests:
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential), HP (Hillside Protection), SP (Stream Protection)
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:

Jessie Hillman

Staff Recomm. (Abbr.):

Approve the RN-5 (General Residential Neighborhood) district because it is consistent with surrounding residential development and compatible with transportation infrastructure capacity. The (C) (Former Planned District) designation and HP (Hillside Protection Overlay) district would be retained.

Staff Recomm. (Full):

Comments:

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 predominantly residential area has seen a steady increase in residential development for several decades. From the late 1990s through the early 2000s, there was an uptick in townhouse developments northeast of the subject property on Middlebrook Pike. The Plantation Oaks subdivision just south of the subject property on N Gallaher View Drive is comprised of single-family and townhouse dwellings and was completed around 2016.
2. In addition to residential development trends, the transportation infrastructure saw a major transformation with the creation of N Gallaher View Road in 2003 following the expansion of Middlebrook Pike in the mid-1990s. The subject property is now located in the southeast corner of an arterial intersection with sidewalks, transit and a greenway trail.
3. These changing conditions and amenities support consideration of the RN-5 (General Residential) zoning district, which will permit a compatible increase in housing forms and residential development.

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

1. The RN-5 district is intended to accommodate mixed medium density residential neighborhoods comprising a heterogenous mix of single-family, duplex, townhouse, and multifamily development forms. The RN-5 district may also serve as a functional transition between traditionally single-family and duplex neighborhoods and more intensely developed residential or commercial areas.
2. The subject property is located between single-family residences to the east and apartments and commercial zoning with a gas station to the west. The broader area provides an established mix of housing forms that are consistent with the residential uses permitted in the RN-5 district. This location is aligned with the purpose of this district as described in the zoning code.

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. The subject parcel has the HP (Hillside Protection Overlay) along its borders and the SP (Stream Protection Area) land use classification along its western edge where Ten Mile Creek runs past. Any grading plan submitted for permitting would undergo a slope analysis review by Planning staff to ensure future development complies with the HP disturbance regulations. City Stormwater Engineering would ensure that applicable stream buffering and stormwater management measures are in place before permits are issued.
2. Middlebrook Pike is a designated Tennessee Scenic Roadway, and the subject property is within the 1,000-ft boundary that restricts building heights at the highway or ground level to 35 ft. This height limitation would be enforced at the design review stage.
3. There are no adverse impacts anticipated to occur with this rezoning that could enable more residents to enjoy the amenities of the area.

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 of northwest Knoxville has ample utility and transportation infrastructure capacity to accommodate more residential growth.

2. The subject property is on the Cavet Station Greenway trail, which connects to the Ten Mile Creek Greenway to the southwest and the Jean Teague Greenway to the southeast. These greenways run through Walker Springs Park, Ten Mile Creek Greenway Park, and West Hills and Bynon Park. They also provide multimodal access to Bearden Middle School, West Hills Elementary School, and a regional commercial center across I-40.

3. Rezoning the property to RN-5 would permit development that could take advantage of enhanced roadway infrastructure and would enable more residents to enjoy the numerous amenities of the area.

Action: Approved

Meeting Date: 7/11/2024

Details of Action:

Summary of Action:

Approve the RN-5 (General Residential Neighborhood) district because it is consistent with surrounding residential development and compatible with transportation infrastructure capacity. The (C) (Former Planned District) designation and HP (Hillside Protection Overlay) district would be retained.

Date of Approval: 7/11/2024

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 9/3/2024

Date of Legislative Action, Second Reading: 9/17/2024

Ordinance Number:

Other Ordinance Number References: O-116-2024

Disposition of Case: Approved as Modified

Disposition of Case, Second Reading: Approved as Modified

If "Other":

If "Other":

Amendments:

Amendments:

Approve RN-4 (General Residential Neighborhood)

Approve RN-4 (General Residential Neighborhood)

Date of Legislative Appeal:

Effective Date of Ordinance: