

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 8-N-24-RZ                      **Related File Number:**  
**Application Filed:** 6/25/2024              **Date of Revision:**  
**Applicant:** OLEG CHEBAN

## PROPERTY INFORMATION

**General Location:** North side of Ball Camp Pike, west of Valley Grove Ln  
**Other Parcel Info.:**  
**Tax ID Number:** 91 201                      **Jurisdiction:** County  
**Size of Tract:** 8.07 acres  
**Accessibility:** Access is via Ball Camp Pike, a major collector street with a 21-ft pavement width within a right-of-way that varies from 50 ft to 74 ft. The property also has frontage along Schaad Road, but its unclear whether the property will have access via this major collector street under construction.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Agriculture/Forestry/Vacant Land  
**Surrounding Land Use:**  
**Proposed Use:**                                      **Density:** 8 du/ac  
**Planning Sector:** Northwest County      **Plan Designation:** CMU (Corridor Mixed-use), SR (Suburban Residential), HP (      **Growth Policy Plan:** Knoxville Urban Growth Area  
**Neighborhood Context:** This area is comprised of single family houses on large lots off the main thoroughfares and smaller-lot subdivisions off of side streets. There are a number of undeveloped forested properties.

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

**Street:** 0 BALL CAMP PIKE  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural)  
**Former Zoning:**  
**Requested Zoning:** PR (Planned Residential)  
**Previous Requests:**  
**Extension of Zone:** No, but PR with up to 3 du/ac is adjacent to the south.  
**History of Zoning:** None noted.

## PLAN INFORMATION (where applicable)

**Current Plan Category:** Agriculture/forestry/vacant

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:

Samiul Haque

Staff Recomm. (Abbr.):

Approve the PR (Planned Residential) zone with up to 8 du/ac because it would be consistent with the Knox County Comprehensive Plan and the growing pattern of this area, subject to 2 conditions.

Staff Recomm. (Full):

1. During the Development Plan review, ensuring that the property has viable access to Schaad Road. If access to Schaad Road is not feasible, the property owner may be required to make appropriate improvements to Ball Camp Pike as deemed necessary by the Knox County Engineering & Public Works Department.
2. No grading permit shall be issued until the construction of Schaad Road is complete.

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 COUNTY GENERALLY:

1. This area has been transitioning from large agricultural lots to single family residential since the early 2000s. The new Schaad Road expansion that is under construction will provide improved pedestrian access and traffic capacity to accommodate more residential development in the vicinity.
2. There is a service-oriented commercial node planned to be developed at the intersection of Schaad Rd and Bakertown Rd 0.7-miles to the west of the subject property. It would be accessible by sidewalk with the completion of Schaad Rd. This prospective commercial asset supports consideration of more residential intensity for the subject property.

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

1. The PR zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. The subject property is partially within the HP (Hillside Protection) area with some steep slopes. It also has a blue-line stream running through the the parcel, which requires a 50-ft buffer. The PR zone would enable concentrated development in the optimal portions of the property.
2. Houses, duplexes and multi-dwelling structures and developments are permitted in the PR zone. At 8 du/ac, this 8.07-acre property could accommodate up to 64 dwelling units.
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 would be compatible with the surrounding land uses.

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. No significant adverse impacts anticipated to occur with the PR zone. The property's location along Schaad Road and its proximity to Amherst Elementary support the recommended density.
2. Any development under the PR zone would require development plan approval by the Planning Commission. The Knox County Engineering & Public Works Department has indicated that access to Schaad Road should be limited to a right-in, right-out entry/exit. If any geographic or unforeseeable conditions prohibit vehicular access via Schaad Road, the development plan review would ensure that the proposed development is compatible with the development pattern and infrastructure along Ball Camp Pike. The property owner may be required to make appropriate improvements to Ball Camp Pike if deemed necessary by the Knox County Engineering & Public Works Department.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE COMPREHENSIVE PLAN OF KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The proposed PR zone with 8 du/ac is consistent with the subject property's location in the Knox County Urban Growth Boundary of the Growth Policy Plan.
2. The proposed rezoning is compatible with the property's split CMU (Corridor Mixed-use) and SR (Suburban Residential) place types as designated in the Comprehensive Plan. The CMU place type allows consideration of the PR zone with a density of up to 24 du/ac as a partially related zone, whereas the SR place type allows up to 12 du/ac.
3. Partially related zone considerations must meet additional criteria provided in Appendix H of the Comprehensive Plan to ensure their compatibility with the place type. The PR zone with 8 du/ac is appropriate here because it would permit uses and development forms that are consistent with the primary and secondary uses described in the place type (criteria 1 of this section).
4. The rezoning request is not in conflict with any other adopted plans for this area.

**Action:** Approved with Conditions **Meeting Date:** 8/8/2024

**Details of Action:**

**Summary of Action:** Approve the PR (Planned Residential) zone with up to 8 du/ac because it would be consistent with the Knox County Comprehensive Plan and the growing pattern of this area, subject to 2 conditions.

**Date of Approval:** 8/8/2024 **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:** 9/16/2024

**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:**