

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 10-E-20-RZ **Related File Number:**
Application Filed: 8/18/2020 **Date of Revision:**
Applicant: BEN MULLINS O/B/O PRIMOS LAND COMPANY, LLC

PROPERTY INFORMATION

General Location: North side of W. Emory Rd., west side of Black's Ferry Rd.
Other Parcel Info.:
Tax ID Number: 78 038 **Jurisdiction:** County
Size of Tract: 24.39 acres
Accessibility: Access is via W Emory Road, a TDOT owned major arterial, with a pavement width of 24 feet within a right-of-way width of 100 feet. Access is also via Blacks Ferry Road, a local street, with a pavement width of 17.8 feet within a right-of-way width of 50 feet.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/forestry/vacant
Surrounding Land Use:
Proposed Use: **Density:** up to 5 du/ac
Sector Plan: Northwest County **Sector Plan Designation:** LDR & HP
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The area is a mix of large agricultural, rural residential lots and single family residential neighborhoods.

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

Street: 5913 W. Emory Rd.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural) & CA (General Business)
Former Zoning:
Requested Zoning: PR (Planned Residential)
Previous Requests: 5-F-20-RZ
Extension of Zone: No.
History of Zoning: 5-F-20-RZ: PR up to 5 du/ac was denied by County Commission.

PLAN INFORMATION (where applicable)

Current Plan Category:

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:

Liz Albertson

Staff Recomm. (Abbr.):

Approve PR (Planned Residential) up to 4 du/ac. (Applicant requested PR up to 5 du/ac).

Staff Recomm. (Full):

Comments:

In June of 2020 Knox County Commission denied a rezoning of the rear 22.29 acres (a part of parcel 078 038) to PR (Planned Residential) up to 4 du/ac, so this portion of the property remained A (Agriculture) zoning. However, the applicant has submitted a new application incorporating the 2.1 acre frontage along Emory Road that is currently zoned CA (General Business) into a request to rezone the entirety of parcel 078 038 to PR (Planned Residential) up to 5 du/ac.

REZONING REQUIREMENTS FROM ZONING ORDINANCES (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 population of Knox County continues to grow and additional opportunities for residential development are needed.
2. Residential zoning in the area allows similar densities.

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

1. The proposed amendment to PR zoning is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational, and cultural facilities which are integrated with the total project by unified architectural and open space treatment.
2. Each planned unit development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the planning commission by review of the development plans.

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 staff recommended maximum density of 4 du/ac could result in a build out of a total of 95 dwelling units.
2. The applicant should consider every effort to provide connectivity to Patriot Way during the Use on Review process.
3. The property is located in FEMA Flood Zone X but does not contain any floodplain areas.
4. The property contains land in the HP (Hillside and Ridgetop Protection) area. The slope analysis supports 3.77 du/ac.

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 Northwest County sector plan's Low Density Residential designation supports PR zoning up to 5 du/ac in the Planned Growth Area of the Knoxville-Knox County Growth Policy Plan.
2. The request does not appear to be in conflict with any adopted plans.

Action:

Approved

Meeting Date: 10/8/2020

Details of Action:

Summary of Action: Approve PR (Planned Residential) up to 4 du/ac. (Applicant requested PR up to 5 du/ac).

Date of Approval: 10/8/2020

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: 11/16/2020

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:

4 du/ac with deed restrictions for the common area; only entrance and exit being on Emory road

Date of Legislative Appeal:

Effective Date of Ordinance: