

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 3-E-19-RZ

Related File Number:

Application Filed: 1/28/2019

Date of Revision:

Applicant: RALPH SMITH

PROPERTY INFORMATION

General Location: East side of Cate Rd., North side of W. Emory Rd.

Other Parcel Info.:

Tax ID Number: 66 091.02

Jurisdiction: County

Size of Tract: 2.4 acres

Accessibility: Access is via Cate Rd., a minor collector street with 19' of pavement width within 50' of right-of-way, and via W. Emory Rd., a major arterial street with 23' of pavement width within 50' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Rural residential

Surrounding Land Use:

Proposed Use: Residential

Density:

Sector Plan: Northwest County

Sector Plan Designation: Low Density Residential

Growth Policy Plan: Planned Growth Area

Neighborhood Context: This area is developed with agricultural and rural to low density residential uses under A, RA and PR zoning.

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

Street: 5133 W Emory Rd

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)

Former Zoning:

Requested Zoning: RA (Low Density Residential)

Previous Requests:

Extension of Zone: Yes

History of Zoning:

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: Mike Reynolds

Staff Recomm. (Abbr.): RECOMMEND that County Commission APPROVE RA (Low Density Residential) zoning, subject to two conditions.

Staff Recomm. (Full):

1. No more than one access drive will be permitted to Cate Road, regardless of the number of lots created from the parcel.
2. No access drive will be permitted to West Emory Road, regardless of the number of lots created from the parcel.

With the recommended conditions, RA zoning is consistent with the sector plan designation and will allow uses compatible with the surrounding land uses and zoning pattern.

Comments: 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. RA zoning is compatible with the scale and intensity of the surrounding development and zoning pattern in the area.
2. If approved, the applicant would have the potential to subdivide the property into lots of less than 1 acre, which is the minimum lot size under the current A zoning. The requested RA zoning will allow minimum lot sizes of 10,000 sqft, if connected to sanitary sewer.
3. When the subdivision across Emory Rd. was approved in 2016, the turn lane was required to be installed on Emory Rd. at the Cate Rd. intersection. The eastbound turn lane is directly in front of the subject property which makes any new curb cuts to Emory Rd. from the potentially dangerous. Since the property has access to Cate Rd., staff is recommending that there be a condition that no access will be permitted to W. Emory Rd.

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

1. RA zoning provides for residential areas with low population densities. These areas are intended to be defined and protected from encroachment of uses not performing a function necessary to the residential environment.
2. Based on the above description, this site is appropriate for RA zoning.
3. If connected to sewer, the RA zone allows detached residential development with a minimum lot size of 10,000 sqft. Without sewer, the minimum lot size is 20,000 sqft, subject to approval by Knox County Health Department.

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 rezoning to RA will allow the applicant to subdivide the 2.4 acre site into several more residential lots than the current A zoning, which requires a minimum lot size of one acre.
2. The impact to the street system will be minimal, especially with the recommended condition allowing only one curbcut on Cate Rd. and no access to Emory Rd. The property immediately to the north of the subject site was rezoned RA in 2018 and also has a condition that only one access will be allowed to Cate Rd., regardless of the number of lots created.
3. The proposed zoning is compatible with surrounding development, and there should be minimal impact to the surrounding area and no adverse affect to any other part of the County.
4. Public water and sewer utilities are available in the area, but may need to be extended to serve the

site.

5. No other area of the County will be impacted by this rezoning request.

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 proposes low density residential use for the site, consistent with the requested RA zoning.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request may lead to future rezoning requests on surrounding properties zoned Agricultural that are consistent with the low density residential sector plan designation in the area.
4. The proposal does not present any apparent conflicts with any other adopted plans.

Action: Approved with Conditions **Meeting Date:** 3/14/2019

Details of Action:

1. No more than two access drive will be permitted to Cate Road, regardless of the number of lots created from the parcel.
2. No new access drive will be permitted to West Emory Road, regardless of the number of lots created from the parcel.

Summary of Action: RECOMMEND that County Commission APPROVE RA (Low Density Residential) zoning, subject to two conditions.

Date of Approval: 4/11/2019 **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: 4/22/2019

Ordinance Number:

Disposition of Case: Approved

If "Other":

Amendments:

Date of Legislative Appeal:

Date of Legislative Action, Second Reading:

Other Ordinance Number References:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: