

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 5-B-21-UR **Related File Number:** 5-SA-21-C
Application Filed: 3/22/2021 **Date of Revision:**
Applicant: JOSH SANDERSON PRIMOS LAND COMPANY, LLC

PROPERTY INFORMATION

General Location: South side of W. Emory Rd., west side of Beaver Ridge Rd., southeast of Henderson Rd. intersection
Other Parcel Info.:
Tax ID Number: 77 098 & PART OF 148 **Jurisdiction:** County
Size of Tract: 31.12 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: vacant (farm land)
Surrounding Land Use:
Proposed Use: Detached residential subdivision **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** MDR (Medium Density Residential) & SPA (Stream
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

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

Street: 8520 W. Emory Rd.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) pending & F (Floodway)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
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:

Staff Recomm. (Abbr.):

APPROVE the development plan for up to 42 detached dwelling units on individual lots and reduction of the peripheral setback from 35 feet to 25 feet along W. Emory Road and Beaver Ridge Road frontages where the 25-foot common area is provided, as shown on the Concept Plan, subject to 1 condition.

Staff Recomm. (Full):

1) Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the PR district and the criteria for approval of a use on review.

Comments:

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 – SECTION 2)
The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

1) THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.

A. The Northwest County Sector Plan recommends LDR (Low Density Residential) uses for this site with a maximum of 5 du/ac. The property was rezoned to PR up to 3 du/ac and the proposed subdivision has a density of 2.08 du/ac (excluding the 10.88 acres zoned F [Floodway]) or 2.34 du/ac (excluding the 13.2 acres classified as Floodway by FEMA).

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

A. The PR (Planned Residential) zone 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. 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.

B. The proposed subdivision will have detached residential lot sizes that are comparable to others in the area.

C. The property was rezoned to PR up to 3 du/ac and the proposed subdivision has a density of 2.08 du/ac (excluding the 10.88 acres zoned F [Floodway]) or 2.34 du/ac (excluding the 13.2 acres classified as Floodway by FEMA).

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. The proposed single-family detached subdivision has a similar character as other residential subdivisions in this area.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

A. A significant amount of the subject site is within the FEMA floodway and a majority of the site is within the 100-year or 500-year floodplain. Up to half of the 100-year floodplain can be filled and this line is shown on the Concept Plan as the No-Fill Line and in Exhibit A. The subdivision can meet the Knox County development standards and should have minimal impact on downstream properties.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. The development will have direct access to W. Emory Road which is a major arterial street.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE

ENVIRONMENT FOR THE PROPOSED USE.

A. If the finished floor elevation of the houses is 1-foot above the 500-year floodplain as required, flooding from Beaver Creek should not pose a hazard.

B. There are no other known uses in the area that could be a potential hazard or create an undesirable environment for the proposed residential use.

Action: Approved

Meeting Date: 5/13/2021

Details of Action:

Summary of Action:

APPROVE the development plan for up to 42 detached dwelling units on individual lots and reduction of the peripheral setback from 35 feet to 25 feet along W. Emory Road and Beaver Ridge Road frontages where the 25-foot common area is provided, as shown on the Concept Plan, subject to 1 condition.

Date of Approval: 5/13/2021

Date of Denial:

Postponements:

Date of Withdrawal:

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Board of Zoning Appeals

Date of Legislative Action:

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: