

# CASE SUMMARY

## APPLICATION TYPE: REZONING

KNOXVILLE-KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N

T E N N E S S E E

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**File Number:** 5-E-16-RZ                      **Related File Number:**  
**Application Filed:** 3/23/2016              **Date of Revision:**  
**Applicant:** RUFUS H. SMITH & CO.

### PROPERTY INFORMATION

**General Location:** South side W. Emory Rd., southeast of Cate Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 66 131                      **Jurisdiction:** County  
**Size of Tract:** 17 acres  
**Accessibility:** Access is 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:** Residence, outbuildings and vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Detached residential subdivision                      **Density:** 5 du/ac  
**Sector Plan:** Northwest County              **Sector Plan Designation:** LDR & STPA  
**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:** 5132 W Emory Rd  
**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:** None noted  
**Extension of Zone:** Yes, extension of PR zoning from the northwest  
**History of Zoning:** None noted

### 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.:

## **MPC ACTION AND DISPOSITION**

**Planner In Charge:** Michael Brusseau

**Staff Recomm. (Abbr.):** RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 5 du/ac.

**Staff Recomm. (Full):** PR zoning at the requested density is consistent with the sector plan designation and will allow uses compatible with the surrounding land uses and zoning pattern. The site is relatively flat with few environmental constraints, so is appropriate for development at the maximum density allowed under the LDR sector plan designation.

**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. This site is accessed from W. Emory Rd., a major arterial street, and is in the vicinity of other residential developments that are zoned PR and RA at comparable densities.
2. The property is located in the Planned Growth Area on the Growth Policy Plan and is proposed for low density residential uses on the sector plan, consistent with the proposal.
3. The proposed low density residential zoning and development is compatible with the scale and intensity of the surrounding development and zoning pattern.
4. The site is appropriate to be developed under PR zoning at the maximum permissible density in the LDR category. The site does not have significant slope or other environmental constraints, and has access to a major collector street.
5. The PR zone requires use on review approval of a development plan by MPC prior to construction. This will provide the opportunity for staff to review the plan and address issues such as traffic circulation, lot layout, recreational amenities, drainage, types of units and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.

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

1. 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. Additionally, the zoning states that each development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the Planning Commission by review of development plans. Staff maintains that PR is the most appropriate zone for this development.

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. At the requested density of up to 5 du/ac on the 17 acres reported, up to 85 dwelling units could be proposed for the site. If developed with detached residential units, as proposed, this would add approximately 893 trips to the street system and about 45 children to the school system. If more than 750 trips are generated, a traffic impact study will be required to be submitted along with development plans.
2. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.
3. The approval of this request will allow the applicant to submit a development plan with up to 85 dwelling units for MPC's consideration. MPC staff would expect the development plan to show vehicular street stub-outs and/or pedestrian connections to the adjacent properties for future development. If possible, the access road to the proposed development from W. Emory Rd. should line up with Cate Rd. on the north side of the road.

4. The Knox County Greenways coordinator has requested that a greenway easement be established along the rear (south) property line for a future greenway. MPC staff will expect the applicant to work with the Greenways coordinator to locate the greenway easement and show this easement on the proposed development plans.
5. Public water and sanitary sewer utilities are available to serve the site.

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 uses for this property, consistent with the requested PR zoning at up to 5 du/ac.
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 could lead to future requests for PR zoning, consistent with the sector plan's low density residential proposal for the area.

Upon final approval of the rezoning, the developer will be required to submit a development plan for MPC consideration of use on review approval prior to the property's development. The plan will show the property's proposed development, landscaping and street network and will also identify the types of residential units that may be constructed. Grading and drainage plans may also be required at this stage, if deemed necessary by Knox County Engineering and MPC staff.

**Action:** Approved **Meeting Date:** 5/12/2016

**Details of Action:**

**Summary of Action:** Recommend the Knox County Commission approve PR (Planned Residential) zoning at a density up to 5 dwelling units per acre

**Date of Approval:** 5/12/2016 **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:** 6/27/2016 **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:**

Told MPC to make sure the safety study or the look that County is doing gets taken care of.

**Date of Legislative Appeal:** **Effective Date of Ordinance:**