

REZONING REPORT

▶ **FILE #:** 7-L-19-RZ (REVISED) **AGENDA ITEM #:** 25
 POSTPONEMENT(S): 7/11/2019 **AGENDA DATE:** 8/8/2019
 ▶ **APPLICANT:** RALPH SMITH / PLS
 OWNER(S): Disney Joint Venture

TAX ID NUMBER: 66 093 066KH, 003, 004, 005, AND 006 [View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 0 Cate Road

▶ **LOCATION:** East side of Cate Road, north, south and east of Gina Way at the intersection of Cateland Lane.

▶ **APPX. SIZE OF TRACT:** 8.3 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Cate Road, a minor collector, with a pavement width of 18.7' feet and a right-of-way width of 60' feet.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** A (Agricultural) and RA (Low Density Residential)

▶ **ZONING REQUESTED:** PR (Planned Residential)

▶ **EXISTING LAND USE:** Agriculture/Forestry/Vacant, single family residential

▶ **PROPOSED USE:** Duplexes

DENSITY PROPOSED: 4 du/ac

EXTENSION OF ZONE: PR up to 5 is across the street to the west of the property.

HISTORY OF ZONING: 5-I-96-RZ (A to RA), 10-E-19-RZ (RA to RB denied), 1-L-17-RZ (A to RA)

SURROUNDING LAND USE AND ZONING: North: Single family residential - A (Agriculture)

South: Rural residential - A (Agriculture)

East: Single family residential, rural residential - A (Agriculture)

West: Single family residential, multi-family residential - PR (Planned Residential) up to 5 du

NEIGHBORHOOD CONTEXT: The area is primarily single family residential and rural residential with some multi-family residential across the street to the east.

STAFF RECOMMENDATION:

▶ **Approve PR (Planned Residential) zoning up to 4 du/ac.**

Staff recommends approval of PR (Planned Residential) zoning up to 4 du/ac, which would allow for the development of 33 dwelling units, consistent with the LDR (Low Density Residential) designation for this property. The property is also within the Planned Growth Area of the Growth Policy Plan with water and sewer service in the area.

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. PR zoning up to 4 du/ac is consistent with the existing the LDR (Low Density Residential) designation for this property.
2. The majority of the surrounding development consists of low density residential uses and zoning, consistent with the recommended zoning and density.

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. 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. PR zoning up to 4 du/ac is compatible with surrounding development and should have a minimal impact on adjacent properties.
2. The closed contours as shown on the property appear to be from the prior presence of a pond on the property as shown in Exhibit A. This map shows a 2003 aerial photo of the property with current topographic contour line data. However, the applicant should contact Knox County Engineering to discuss site design prior to submission of a use-on-review application.

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 appropriately proposes low density residential uses for the site, consistent with the recommended PR zoning up to 4 du/ac.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This recommended zoning does not present any apparent conflicts with any other adopted plans.

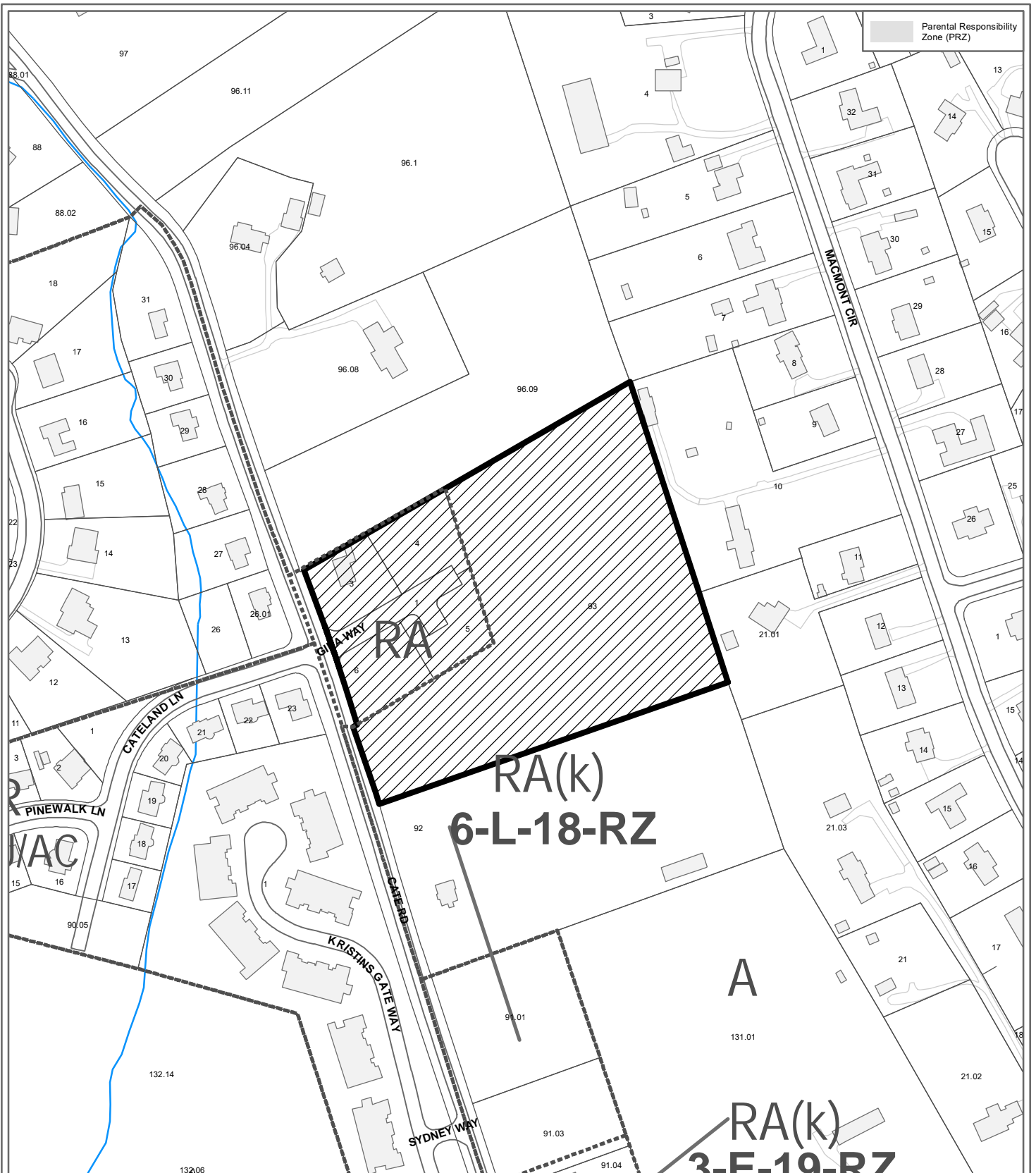
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: 2 (public school children, grades K-12)

Schools affected by this proposal: Karns Elementary, Karns Middle, and Karns High.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

If approved, this item will be forwarded to Knox County Commission for action on 9/23/2019. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**7-L-19-RZ
REZONING**

From: A (Agricultural) & RA (Low Density Residential)
To: PR (Planned Residential)



Petitioner: Smith / PLS, Ralph

Map No: 66

Jurisdiction: County



Original Print Date: 6/18/2019 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

7/2/2019

7-L-19-RZ-PP 7-11-19

Knoxville - Knox County Planning Mail - Forwarded File 7-L-19-RZ, July 11 meeting

Subject: File 7-L-19-RZ, July 11 meeting
To: Michelle Portier <michelle.portier@knoxplanning.org>

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Michelle,

Please postpone this file for 30 days (to the Aug. 8th meeting) so we can have time to discuss our options some more. I look forward to meeting with you on Monday, July 8th at 3:30 P.M. Thanks for your time and have a great Fourth of July weekend.

--

Ralph Smith
Professional Land Systems
205 Lamar Ave.
Clinton, TN 37716
O: 865-457-4606
C: 865-599-1508
ralph@plsurvey.com



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Michelle Portier, AICP
Planner
865.215.3821



Knoxville-Knox County Planning | KnoxPlanning.org
400 Main Street, Suite 403 | Knoxville, TN 37902



DEVELOPMENT REQUEST

DEVELOPMENT

- Development Plan
- Use on Review / Special Use

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
- Rezoning

ORIG. 5-28-19, REVISED 7-11-19

AUG. 8, 2019

7-L-19-RZ **REVISED**

Date Filed

Meeting Date

File Numbers(s)

APPLICATION CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

RALPH SMITH

PROFESSIONAL LAND SYSTEMS

Name

Company

205 LAMAR AVE

CLINTON

TN

37716

Address

City

State

Zip

865-599-1508

ralph6169@gmail.com

Phone

Email

CURRENT PROPERTY INFO

DISNEY JOINT VENTURE

2141 W EMORY RD POWELL TN 37849

865-947-1581

Owner Name (if different)

Owner Address

Owner Phone

CATE RD

(5 PARCELS) 066 093, 066KH003, 004, 005 & 006

Property Address

Parcel ID

NORTHEAST MARGIN CATE RD @ CATELAND LN

8.02 AC.

General Location

Tract Size

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

Jurisdiction (specify district above)

- City Council
- County Commission

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
Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

REZONING PLAN AMENDMENT

Name of Applicant: RALPH SMITH / PLS

Date Filed: 5/28/19 Meeting Date: 7/11/19

Application Accepted by: M Payne

Fee Amount: 1015.00 File Number: Rezoning 7-L-19-RZ

Fee Amount: File Number: Plan Amendment

PROPERTY INFORMATION
 Address: 0 CATE RD; 5109, 5116, 5117 GINA WAY
 General Location: NE SIDE CATE RD, DIRECTLY ACROSS FROM CATELAND LN
 Parcel ID Number(s): 066 093 & 066KH003, 004, 005 & 006
 Tract Size: APPROXIMATELY 8.3 AC.
 Existing Land Use: VACANT
 Planning Sector: Northwest County
 Growth Policy Plan: Planned
 Census Tract: 60.03
 Traffic Zone: 209
 Jurisdiction: City Council District
 County Commission 6th District

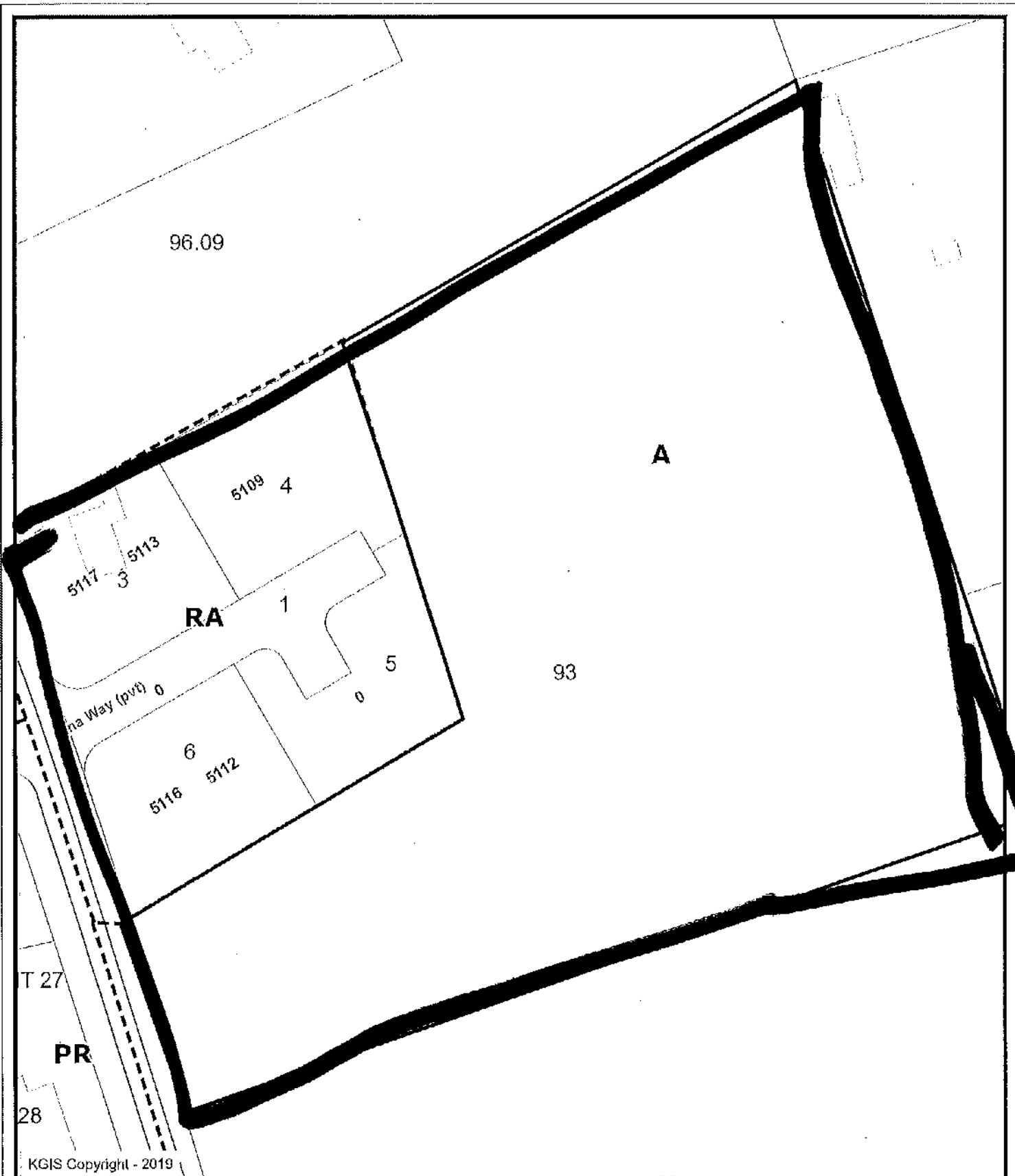
Requested Change
REZONING
 FROM: A & RA
 TO: PR
PLAN AMENDMENT
 One Year Plan Sector Plan
 FROM:
 TO:

PROPOSED USE OF PROPERTY
DUPLEXES
 Density Proposed 3 Units/Acre
 Previous Rezoning Requests: 1-L-17-RZ

PROPERTY OWNER **OPTION HOLDER**
 PLEASE PRINT
 Name: DWIGHT DISNEY
 Company: DISNEY JOINT VENTURE
 Address: 2141 EMORY RD
 City: POWELL State: TN Zip: 37849
 Telephone: 947-1581
 Fax:
 E-mail:

APPLICATION CORRESPONDENCE
 All correspondence relating to this application should be sent to:
 PLEASE PRINT
 Name: RALPH SMITH
 Company: PLS
 Address: 205 LAMAR AVE
 City: CLINTON State: TN Zip: 37716
 Telephone: 599-1508
 Fax:
 E-mail: ralph6169@gmail.com

APPLICATION AUTHORIZATION
 I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.
 Signature: [Signature]
 PLEASE PRINT
 Name: RALPH SMITH
 Company: SAME
 Address:
 City: State: Zip:
 Telephone:
 E-mail:

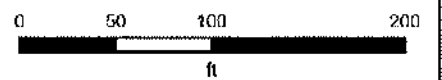


Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



Printed: 5/28/2019 at 3:24:58 PM



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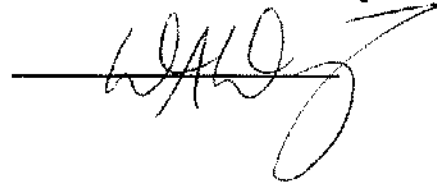
May 23, 2019

MPC
Suite 403, City County Bldg.
400 Main St.
Knoxville, TN 37902

RE: Rezoning application

Dear Sirs,

Please allow Ralph Smith / PLS to represent Disney Joint Venture in our application to rezone tax parcel 066 093, aka 0 Cate Road, and tax parcels 066KH003, 004, 005 & 006 on Gina Way, from the current "A" and "RA" zoning to "PR" zoning. Thank you.

A handwritten signature in black ink, appearing to read "Dwight Disney", is written over a horizontal line. The signature is stylized and cursive.

Dwight Disney
Disney Joint Venture
2141 Emory Rd.
Powell, TN 37849

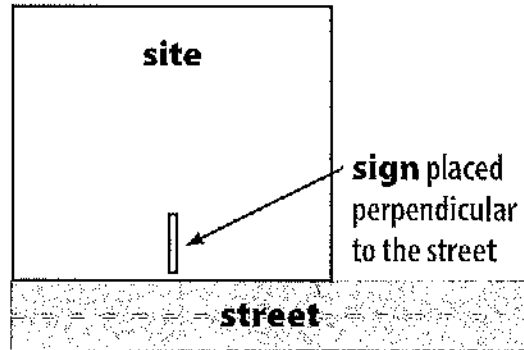
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted Administrative Rules and Procedures.

At the time of application, staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the Planning offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled Planning Commission public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next Planning Commission meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

6/26/19 and 7/12/19
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: Ralph Smith

Printed Name: RALPH SMITH

Phone: 599-1508 Email: ralph6169@gmail.com

Date: 5/28/19

File Number: 7-L-19-RZ