

REZONING REPORT

► **FILE #:** 6-F-19-RZ

AGENDA ITEM #: 26

AGENDA DATE: 6/13/2019

► **APPLICANT:** RALPH SMITH / PLS

OWNER(S): Disney Joint Venture

TAX ID NUMBER: 67 A B 008

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 7606 Old Clinton Pike

► **LOCATION:** East side Old Clinton Pike, north of W Emory Road

► **APPX. SIZE OF TRACT:** 4 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Old Clinton Pike is a collector with a pavement width of 23 feet and a ROW width of approximately 44 feet.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

► **PRESENT ZONING:** A (Agricultural) & RB (General Residential)

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

► **EXISTING LAND USE:** Agricultural/Forestry/Vacant

► **PROPOSED USE:** Individual lots with duplexes

DENSITY PROPOSED: 4.5 du/ac

EXTENSION OF ZONE:

HISTORY OF ZONING:

SURROUNDING LAND USE AND ZONING: North: Single Family Residential / RB (General Residential) - A (Agricultural)

South: Commercial - SC (Shopping Center)

East: Agricultural/Forestry/Vacant - OA (Office Park)

West: Agricultural/Forestry/Vacant - CA (General Business)

NEIGHBORHOOD CONTEXT: This property is across the street from a mobile home park to the northwest and is adjacent to a strip mall shopping center to the south. There is a post office behind this parcel to the southeast. It is otherwise surrounded by single family residential and either vacant or agricultural land.

STAFF RECOMMENDATION:

► **Staff recommends that County Commission APPROVE PR (Planned Residential) zoning up to 4.5 du/ac.**

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. The property is located in the Planned Growth Area of the Growth Policy Plan.
2. The area has developed as a mix of uses with commercial, retail, and residential uses nearby.

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. A planned unit development shall be compatible with the surrounding or adjacent zones and this shall be determined by the Planning Commission during the Use on Review process.

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 with up to 4.5 du/ac is compatible with the LDR sector plan designation; any impacts will be addressed during the use on review process.
2. The site is located within the Parental Responsibility Zone for Powell Middle School.
3. There is an opportunity to add connectivity to the shopping center to the south, which would connect to sidewalks on W. Emory Rd.
4. County Commission has started requiring grading at the front of the property in some subdivision developments to aid in possible future sidewalk construction. Staff believes this would be appropriate for this proposed development.

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 proposed amendment is consistent with and not in conflict with any adopted plans.

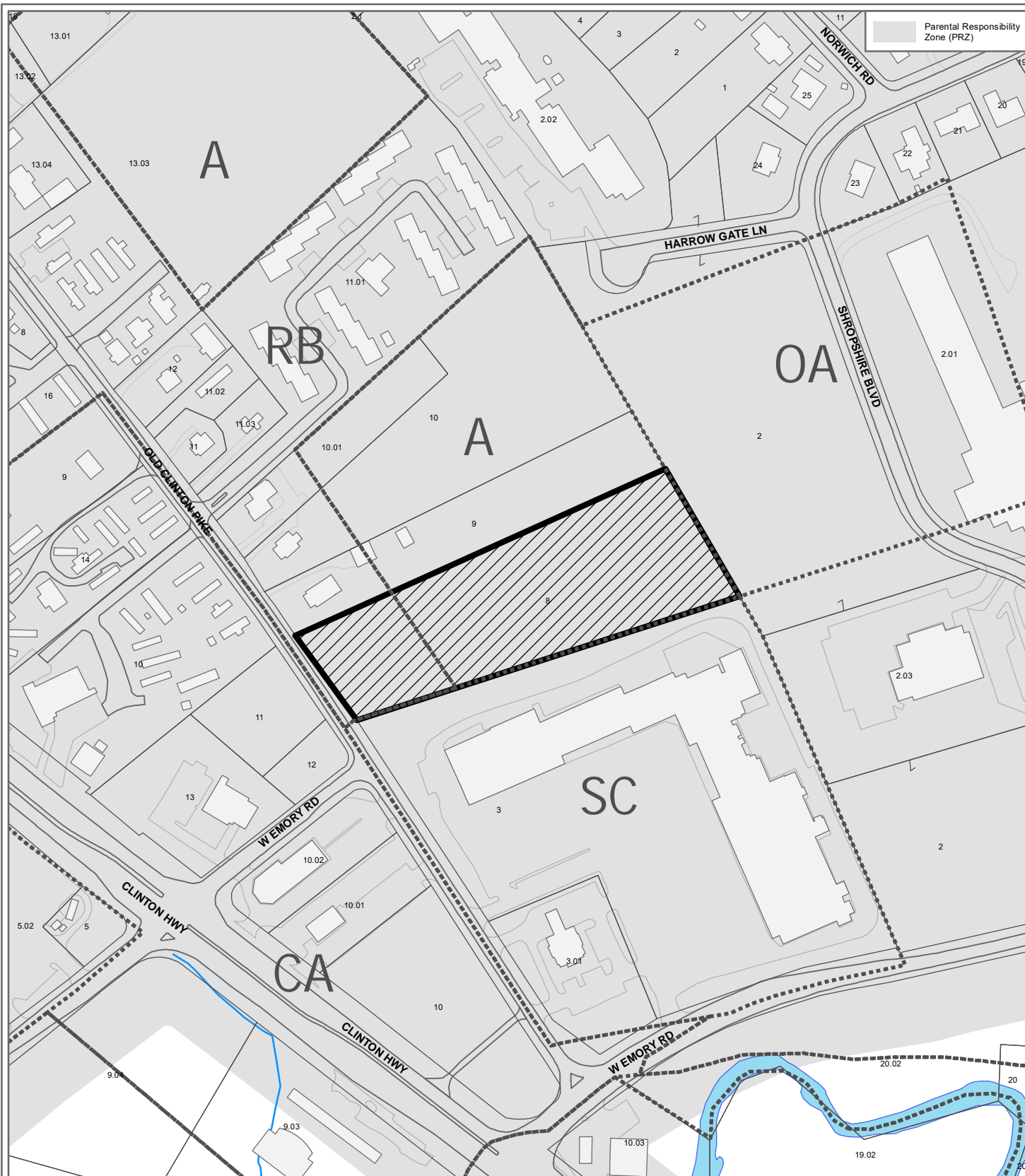
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: 1 (public school children, grades K-12)

Schools affected by this proposal: Powell Elementary, Powell Middle, and Powell 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 7/22/2019. 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.



6-F-19-RZ REZONING

From: A (Agricultural) & RB (Multifamily Residential)

To: PR (Planned Residential)



Petitioner: Smith / PLS, Ralph

Map No: 67

Jurisdiction: County



Original Print Date: 5/16/2019

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

☒ **REZONING**☐ **PLAN AMENDMENT**Name of Applicant: RALPH SMITH / PLSDate Filed: APRIL 24, 2019Meeting Date: JUNE 13, 2019Application Accepted by: M. PayneFee Amount: 600.00 File Number: Rezoning 6-F-19-RZFee Amount: TH File Number: Plan Amendment TH**PROPERTY INFORMATION**Address: 7606 OLD CLINTON PKGeneral Location: EAST SIDE OLD CLINTON PK,
APPROX. 85' NORTH OF W. EMORY RD CL
EXTENDEDParcel ID Number(s): 067AB008Tract Size: APPROX. 4 AC.Existing Land Use: VACANT / RESIDENTIALPlanning Sector: North CountyGrowth Policy Plan: PlannedCensus Tract: 61.03Traffic Zone: 197Jurisdiction: ☐ City Council _____ District
☒ County Commission 7th District**Requested Change****REZONING**FROM: RB & ATO: PR**PLAN AMENDMENT**☐ One Year Plan ☐ _____ Sector PlanFROM: N/ATO: N/A**PROPOSED USE OF PROPERTY****INDIVIDUAL LOTS WITH DUPLEXES**Density Proposed 4.5 Units/Acre

Previous Rezoning Requests: _____

☐ **PROPERTY OWNER** ☒ **OPTION HOLDER**

PLEASE PRINT

Name: DWIGHT DISNEYCompany: DISNEY JOINT VENTUREAddress: 2141 EMORY RDCity: POWELL State: TN Zip: 37849Telephone: 865-947-1581

Fax: _____

E-mail: _____

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: RALPH SMITHCompany: PROFESSIONAL LAND SYSTEMSAddress: 205 LAMAR AVECity: CLINTON State: TN Zip: 37716Telephone: 865-599-1508

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: Ralph Smith III

PLEASE PRINT

Name: RALPH SMITHCompany: PLSAddress: 205 LAMAR AVECity: CLINTON State: TN Zip: 37716Telephone: 865-599-1508E-mail: ralph6169@gmail.com

NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:

Please Print or Type in Black Ink:

(If more space is required attach additional sheet.)

Name	Address	City	State	Zip	Owner	Option
DWIGHT DISNEY	2141 EMORY RD	POWELL	TN	37716		X

Dwight Disney

Patrick H. Graves

Lisa C. Graves

Marshall R. Graves

 X

X

x


Knox Co Planning
Suite 403, City County Bldg.
400 Main St.
Knoxville, TN 37902

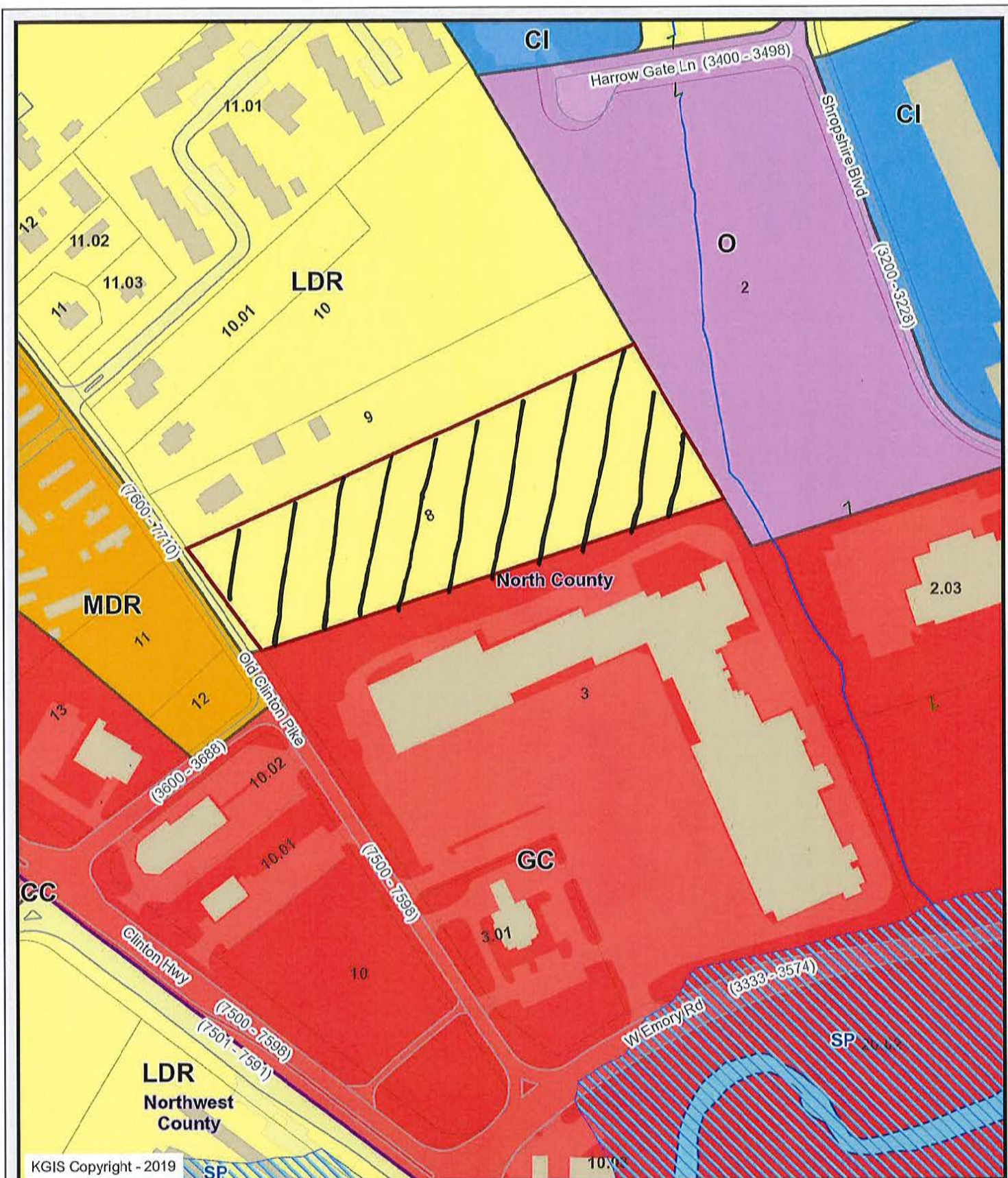
RE: Rezoning application - June 13, 2019 meeting

Dear Sirs,

Please allow Ralph Smith / PLS to represent Disney Joint Venture in our application to rezone tax parcel 067AB008, aka 7606 Old Clinton Pike, from the current "AG" and "RB" zoning to "PR" zoning. Thank you.

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

A handwritten signature in black ink that reads "Dwight Disney". The signature is written in a cursive, flowing style with a large initial 'D'.



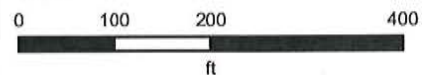
KGIS Copyright - 2019

Letter Portrait

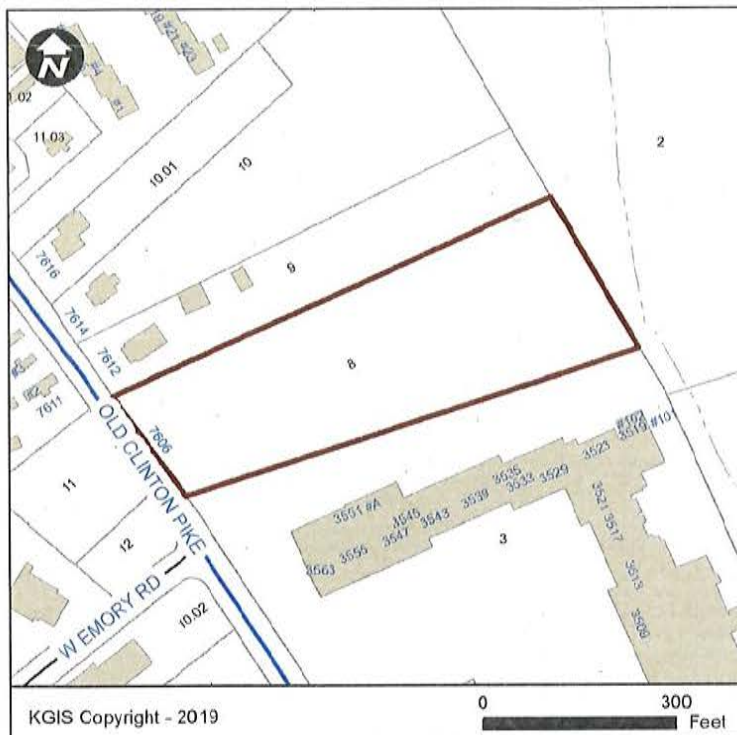
Knoxville - Knox County - KUB Geographic Information System



Printed: 4/30/2019 at 9:17:58 AM



KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

Parcel 067AB008 - Property Map and Details Report**Property Information**

Parcel ID:	067AB008
Location Address:	7606 OLD CLINTON PIKE
CLT Map:	67
Insert:	A
Group:	B
Condo Letter:	
Parcel:	8
Parcel Type:	
District:	E6
Ward:	
City Block:	
Subdivision:	KNOXVILLE NURSERY FARM PT 3 PT 4
Rec. Acreage:	4
Calc. Acreage:	0
Recorded Plat:	6 - 44
Recorded Deed:	20180912 - 0016785
Deed Type:	Deed: Gift Deed
Deed Date:	9/12/2018

Address Information

Site Address: 7606 OLD CLINTON PIKE
POWELL - 37849

Address Type: RESIDENTIAL

Site Name:

Owner Information

GRAVES PATRICK H & GRAVES LISA C & GRAVES MARSHALL R

5704 STOCKTON VALLEY RD
LOUDON, TN 37774

The owner information shown in this section does **not** necessarily reflect the person(s) responsible for Last Year's property taxes. Report any errors to the Knox County Property Assessor's office at (865) 215-2365.

Jurisdiction Information

County: KNOX COUNTY

City / Township:

MPC Information

Census Tract: 61.03

Planning Sector: North County

Please contact Knox County Metropolitan Planning Commission (MPC) at (865) 215-2500 if you have questions.

Political Districts

Voting Precinct: 73

Voting Location: Powell High School (Clark Duncan Complex)
7523 BRICKYARD RD

TN State House: 16 Bill Dunn

TN State Senate: 5 Randy McNally

County Commission: 7 Charles Busler

School Zones

Elementary: POWELL ELEMENTARY

Intermediate:

Middle: POWELL MIDDLE

High: POWELL HIGH

Please contact Knox County Schools Transportation and Zoning Department at (865) 594-1550 if you have questions.

City Council:

School Board: 7 Patti Bounds

Please contact Knox County Election Commission at (865) 215-2480 if you have questions.

Disclaimer: KGIS makes no representation or warranty as to the accuracy of this map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any damage, loss, or liability arising from any use of the map product. Independent verification of all information contained on this map should be obtained by any user.

Proprietary Info: The map products and databases on this Web Site have been copyrighted by the KGIS Policy Board. The KGIS Policy Board hereby reserves all rights thereto, and no portion of the products or databases on this Web Site may be reproduced in any form or by any means without the express written authorization of the KGIS Policy Board or its authorized agents.



REVISED
APRIL 18, 2019
FILE 10817

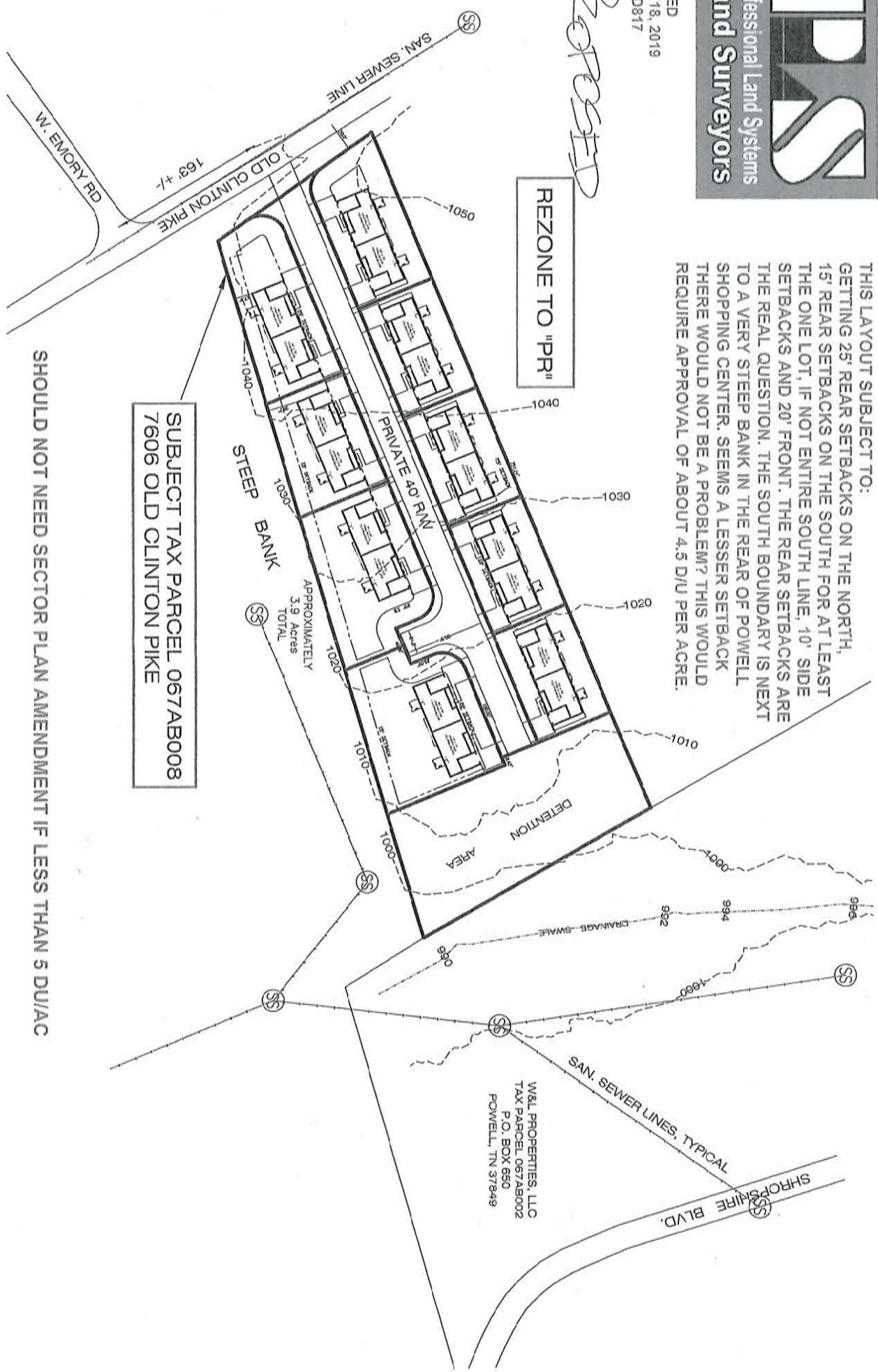
Revised

THIS LAYOUT SUBJECT TO:
GETTING 25' REAR SETBACKS ON THE NORTH,
15' REAR SETBACKS ON THE SOUTH FOR AT LEAST
THE ONE LOT, IF NOT ENTIRE SOUTH LINE, 10' SIDE
SETBACKS AND 20' FRONT. THE REAR SETBACKS ARE
THE REAL QUESTION. THE SOUTH BOUNDARY IS NEXT
TO A VERY STEEP BANK IN THE REAR OF POWELL
SHOPPING CENTER. SEEMS A LESSER SETBACK
THERE WOULD NOT BE A PROBLEM? THIS WOULD
REQUIRE APPROVAL OF ABOUT 4.5 D/U PER ACRE.

REZONE TO "PR"

SUBJECT TAX PARCEL 067AB008
7606 OLD CLINTON PIKE

SHOULD NOT NEED SECTOR PLAN AMENDMENT IF LESS THAN 5 DU/AC



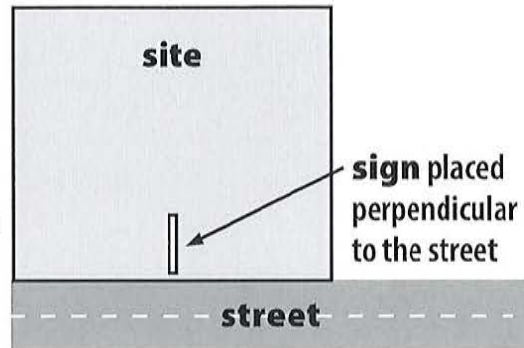
REQUIRED SIGN POSTING AGREEMENT

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:

5/29/19 and 6/14/19
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: 

Printed Name: RALPH SMITH

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

Date: 4-24-19

File Number: 6-F-19-RZ