

REZONING REPORT

▶ **FILE #:** 3-E-19-RZ

AGENDA ITEM #: 29

AGENDA DATE: 3/14/2019

▶ **APPLICANT:** RALPH SMITH

OWNER(S): Mike Campbell

TAX ID NUMBER: 66 091.02

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 5133 W Emory Rd

▶ **LOCATION:** East side of Cate Rd., North side of W. Emory Rd.

▶ **APPX. SIZE OF TRACT:** 2.4 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

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.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** A (Agricultural)

▶ **ZONING REQUESTED:** RA (Low Density Residential)

▶ **EXISTING LAND USE:** Rural residential

▶ **PROPOSED USE:** Residential

EXTENSION OF ZONE: Yes

HISTORY OF ZONING:

SURROUNDING LAND USE AND ZONING: North: House (under construction) / RA (Low Density Residential)

South: Emory Rd., houses / PR (Planned Residential) up to 4.2 du/ac

East: Vacant land / A (Agricultural)

West: Cate Rd., condominiums / PR (Planned Residential) at 1-5 du/ac

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

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE RA (Low Density Residential) zoning, subject to two conditions.**

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.

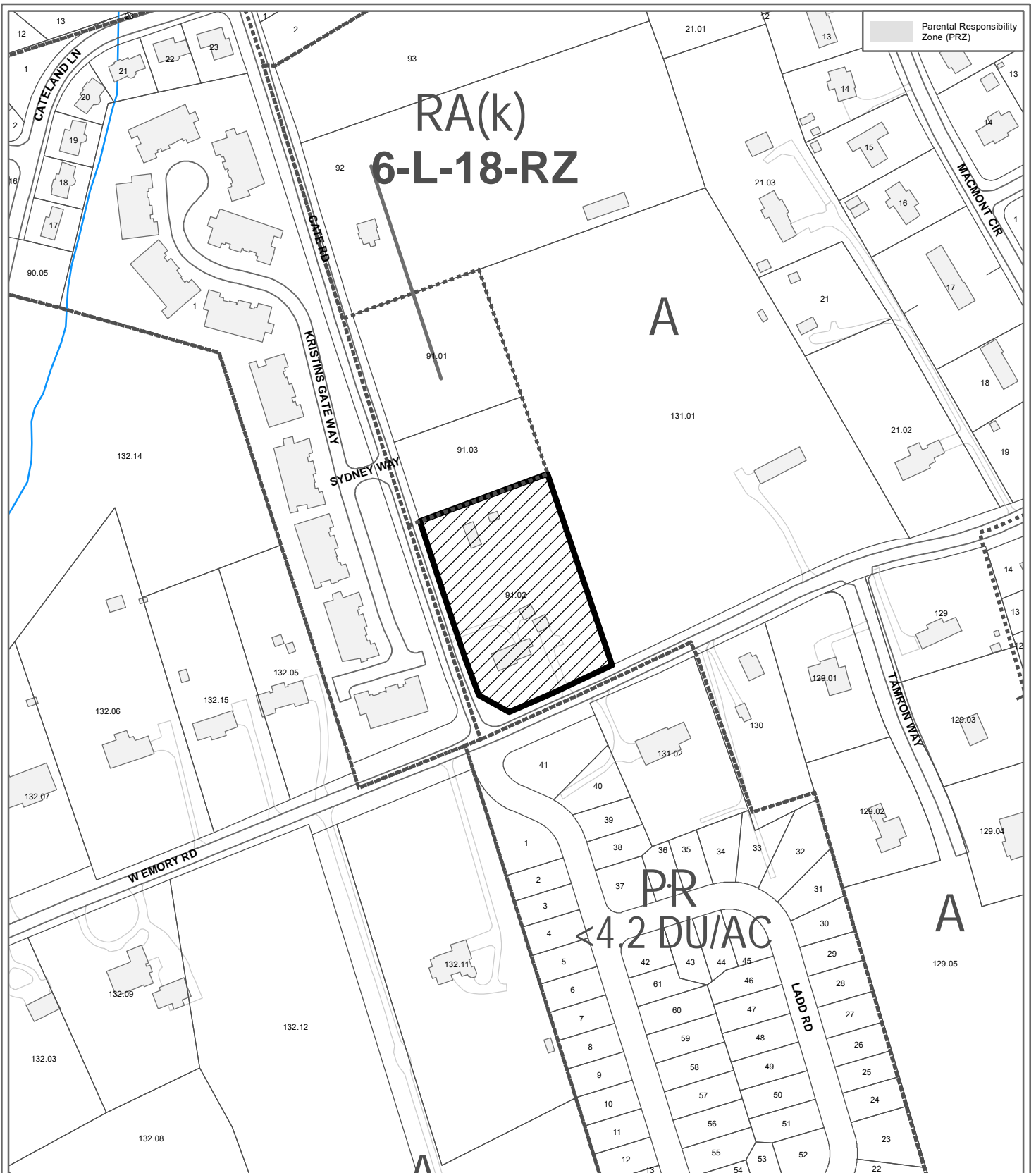
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

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

- School-age population (ages 5–18) is estimated using data from a variety of sources.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. 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 4/22/2019. 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.



**3-E-19-RZ
REZONING**

Petitioner: Smith, Ralph



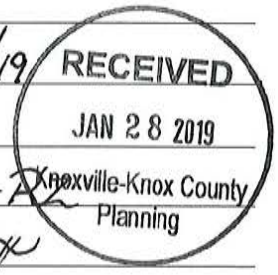
From: A (Agricultural)
To: RA (Low Density Residential)

Map No: 66
Jurisdiction: County



REZONING **PLAN AMENDMENT**

Name of Applicant: Ralph Smith
 Date Filed: 1/28/19 Meeting Date: 3/14/19
 Application Accepted by: M Payne
 Fee Amount: 500 ⁰⁰/₁₀₀ File Number: Rezoning 3-E-19-22
 Fee Amount: 74 File Number: Plan Amendment 74



PROPERTY INFORMATION

Address: 5133 W. EMORY RD.
 General Location: N.E. QUAD INTERSECTION OF
E/S CATE ROAD AND W. EMORY RD.
 Parcel ID Number(s): 066 09102
 Tract Size: 2.2 AC.
 Existing Land Use: RESIDENTIAL
 Planning Sector: Northwest County
 Growth Policy Plan: Planned
 Census Tract: 60.03
 Traffic Zone: 209
 Jurisdiction: City Council 6th District
 County Commission District

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT
 Name: MIKE CAMPBELL- HEIR OF WILLIS CAMPBELL
 Company: _____
 Address: 5133 W EMORY RD
 City: POWELL State: TN Zip: 37849
 Telephone: 615-948-1189
 Fax: _____
 E-mail: mcamp77346@bellsouth.net

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:
 PLEASE PRINT Ralph Smith
 Name: _____
 Company: Professional Land Systems
 Address: 205 Lamar Ave
 City: Clinton State: TN Zip: 37716
 Telephone: 865-599-1508
 Fax: 888.232.8718
 E-mail: ralph6169@gmail.com

Requested Change
REZONING

FROM: A
 TO: RA

PLAN AMENDMENT

One Year Plan _____ Sector Plan
 FROM: _____
 TO: _____

PROPOSED USE OF PROPERTY

RESIDENTIAL

 Density Proposed _____ Units/Acre
 Previous Rezoning Requests: _____

APPLICATION AUTHORIZATION

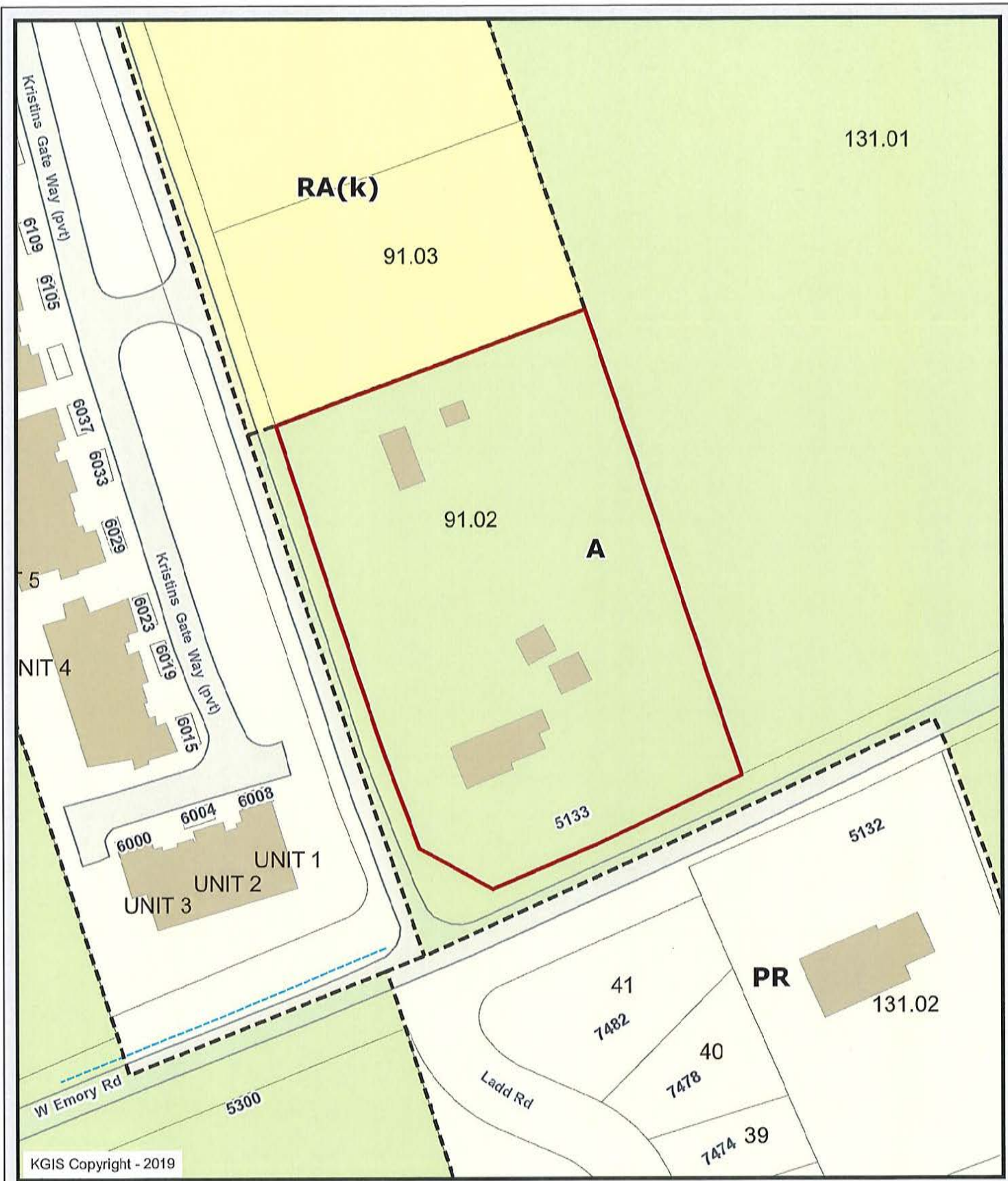
I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.
 Signature: Ralph Smith
 PLEASE PRINT
 Name: Ralph Smith
 Company: Professional Land Systems
 Address: 205 Lamar Ave
 City: Clinton State: TN Zip: 37716
 Telephone: 865-599-1508
 E-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
MIKE CAMPBELL	5133 W EMORY RD	POWELL	TN	37849	X	



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Letter Portrait

Knoxville - Knox County - KUB Geographic Information System

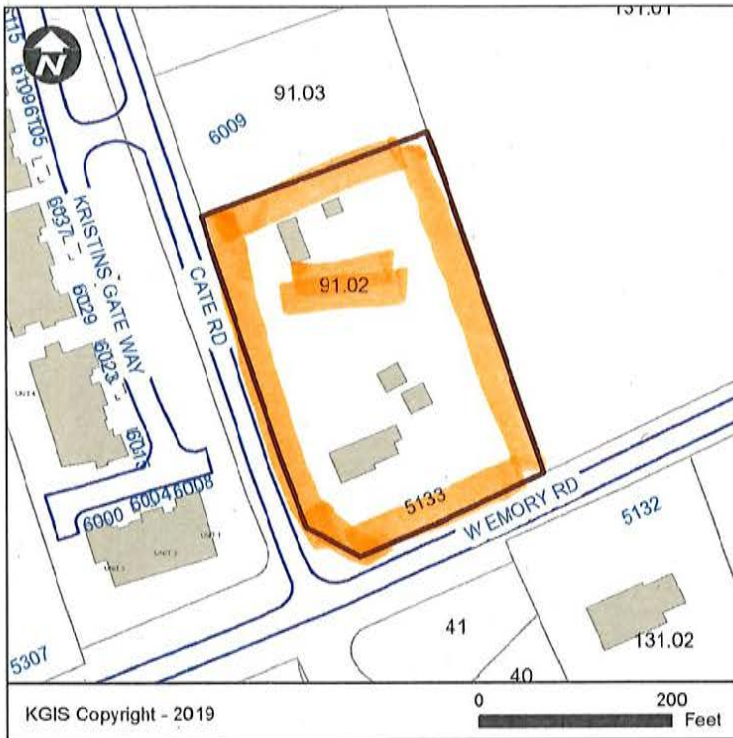


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Parcel 066 09102 - Property Map and Details Report



Property Information

Parcel ID:	066 09102
Location Address:	5133 W EMORY RD
CLT Map:	66
Insert:	
Group:	
Condo Letter:	
Parcel:	91.02
Parcel Type:	
District:	W6
Ward:	
City Block:	
Subdivision:	
Rec. Acreage:	
Calc. Acreage:	2.40
Recorded Plat:	-
Recorded Deed:	20180220 - 0049090
Deed Type:	Deed:Full Coven
Deed Date:	2/20/2018

Address Information

Site Address: 5133 W EMORY RD
 POWELL - 37849
 Address Type: RESIDENTIAL
 Site Name:

Owner Information

WILLIS H CAMPBELL (TRUST)
 PO BOX 6838
 KNOXVILLE, TN 37914
 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: 60.03
 Planning Sector: Northwest County
 Please contact Knox County Metropolitan Planning Commission (MPC) at (865) 215-2500 if you have questions.

Political Districts

Voting Precinct: 63N
 Voting Location: Karns Middle School
 2925 GRAY HENDRIX RD
 TN State House: 89 Roger Kane
 TN State Senate: 5 Randy McNally
 County Commission: 6 Brad Anders

School Zones

Elementary: KARNs ELEMENTARY
 Intermediate:
 Middle: KARNs MIDDLE
 High: KARNs HIGH
 Please contact Knox County Schools Transportation and Zoning Department at (865) 594-1550 if you have questions.

City Council:
 School Board: 6 Terry Hill
 Please contact Knox County Election Commission at (865) 215-2480 if you have questions.

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Michael L. Campbell
PO Box 604, Powell, TN 37849
615-948-1189 mcamp77346@bellsouth.net



1/25/19

Knox County Planning

Good Afternoon

This is to advise that Professional Land Systems/Ralph Smith is authorized to act on my behalf with regard to the property rezoning application.

Please advise of any additional authorization needed to complete this process.

Sincerely,

Michael L. Campbell



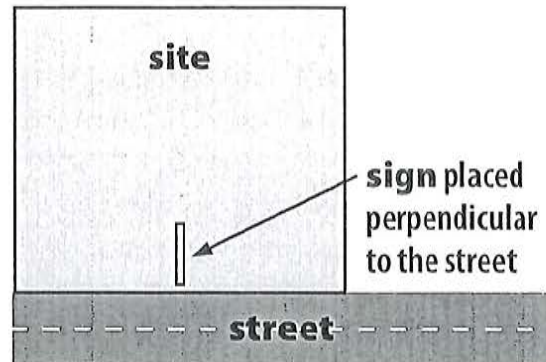
REQUIRED SIGN POSTING AGREEMENT

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 MPC Administrative Rules and Procedures.

At the time of application, MPC 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 MPC 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. MPC 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 MPC 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 MPC 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:

2/27/19 and 3/15/19
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: [Handwritten Signature]

Printed Name: NED FERGUSON

Phone: 805 689 6169 Email: NED.FERGUSON@GMAIL.COM

Date: 1-28-19

MPC File Number: 3-E-19-RZ