

REZONING REPORT

▶ **FILE #:** 7-I-20-RZ

AGENDA ITEM #: 16

AGENDA DATE: 7/9/2020

▶ **APPLICANT:** S & E PROPERTIES

OWNER(S): William H. & Carol A. Marshall

TAX ID NUMBER: 77 098

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 8520 W. Emory Rd.

▶ **LOCATION:** South side of W. Emory Road, west of Beaver Ridge Rd.

▶ **APPX. SIZE OF TRACT:** 19.68 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via W Emory Road, a major arterial with a pavement width of 26 feet within a right-of-way width of 100 feet.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** A (Agricultural) & F (Floodway)

▶ **ZONING REQUESTED:** PR (Planned Residential) & F (Floodway)

▶ **EXISTING LAND USE:** Agriculture/forestry/vacant

▶ **DENSITY PROPOSED:** 5 du/ac

EXTENSION OF ZONE: Yes, PR (Planned Residential) up to 5 du/ac is adjacent to the north.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Rural residential, multi-family residential -

South: Rural residential, agriculture/forestry/vacant -

East: Agriculture/forestry/vacant -

West: Agriculture/forestry/vacant -

NEIGHBORHOOD CONTEXT: This area is characterized by large lot agricultural land primarily in the floodplain of Beaver Creek with smaller lot, single family residential, rural residential and multifamily residential primarily to the west and north of W Emory Road.

STAFF RECOMMENDATION:

▶ **Approve PR (Planned Residential) zoning up to 5 du/ac and F (Floodway) because it is consistent with the sector plan designation of MDR (Medium Density Residential) and SP (Stream Protection) for this 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. The Northwest County Sector continues to be the most rapidly growing area of Knox County and additional opportunities for a variety of types of residential development are warranted.
2. This area is also served by water and wastewater services and the relatively new Karns Valley Drive.

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

1. PR (Planned Residential) 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.
3. The F (Floodway Zone) was established for the purpose of meeting the needs of the streams to carry floodwaters of a five hundred (500) year frequency flood and protecting the river, creek channels and floodplains from encroachment so that flood heights and flood damage will not be increased; to provide the necessary regulations for the protection of the public health and safety in areas subject to flooding; and to reduce the financial burdens imposed on the community by floods and the overflow of lands.
4. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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 5 du/ac will require a public review of a proposed site plan as part of the use on review process.
2. The required use on review process will address any issues related to the compatibility of the surrounding developments and land uses.
3. 8.22 acres of the site remains in the F (Floodway) zone and cannot be counted toward the density calculation for the residential development of the PR (Planned Residential) portion of the site when a site plan is submitted for use on review.
4. The PR (Planned Residential) zone would be limited to the remaining 11.46 acres of the site. At 5 du/ac, the maximum number of dwelling units is 57.
5. The applicant is encouraged to work with Knox County Engineering to address concerns related to the adjacent floodplain area of Beaver Creek.

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 PR (Planned Residential) zone up to 5 du/ac and F (Floodway) zone are consistent with all adopted plans.

ESTIMATED TRAFFIC IMPACT: 620 (average daily vehicle trips)

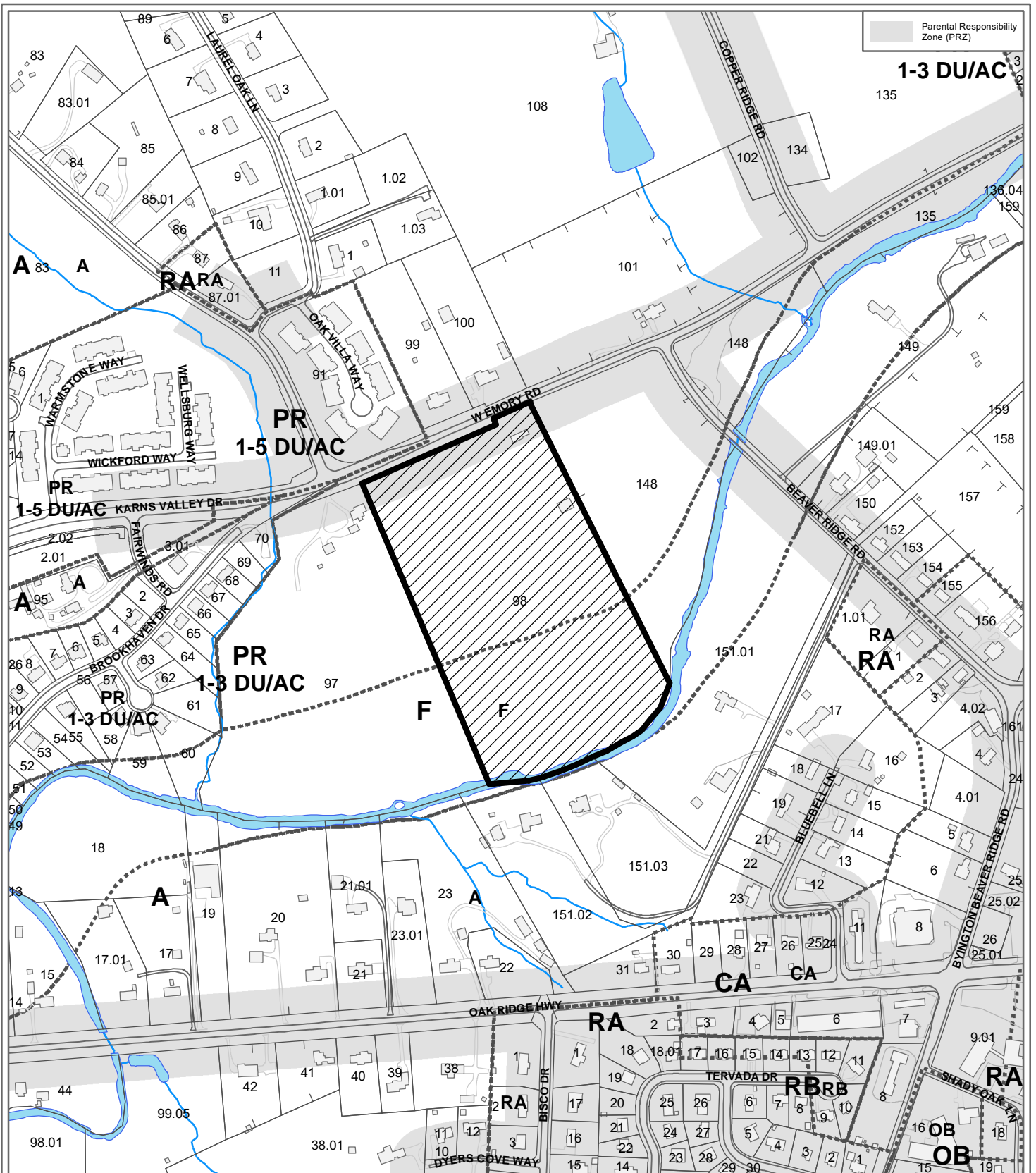
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 23 (public school children, grades K-12)

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

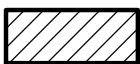
- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries 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 8/24/2020. 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-I-20-RZ
REZONING**

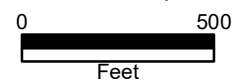
From: A (Agricultural) & F (Floodway)
To: PR (Planned Residential) & F (Floodway)



Petitioner: S & E Properties

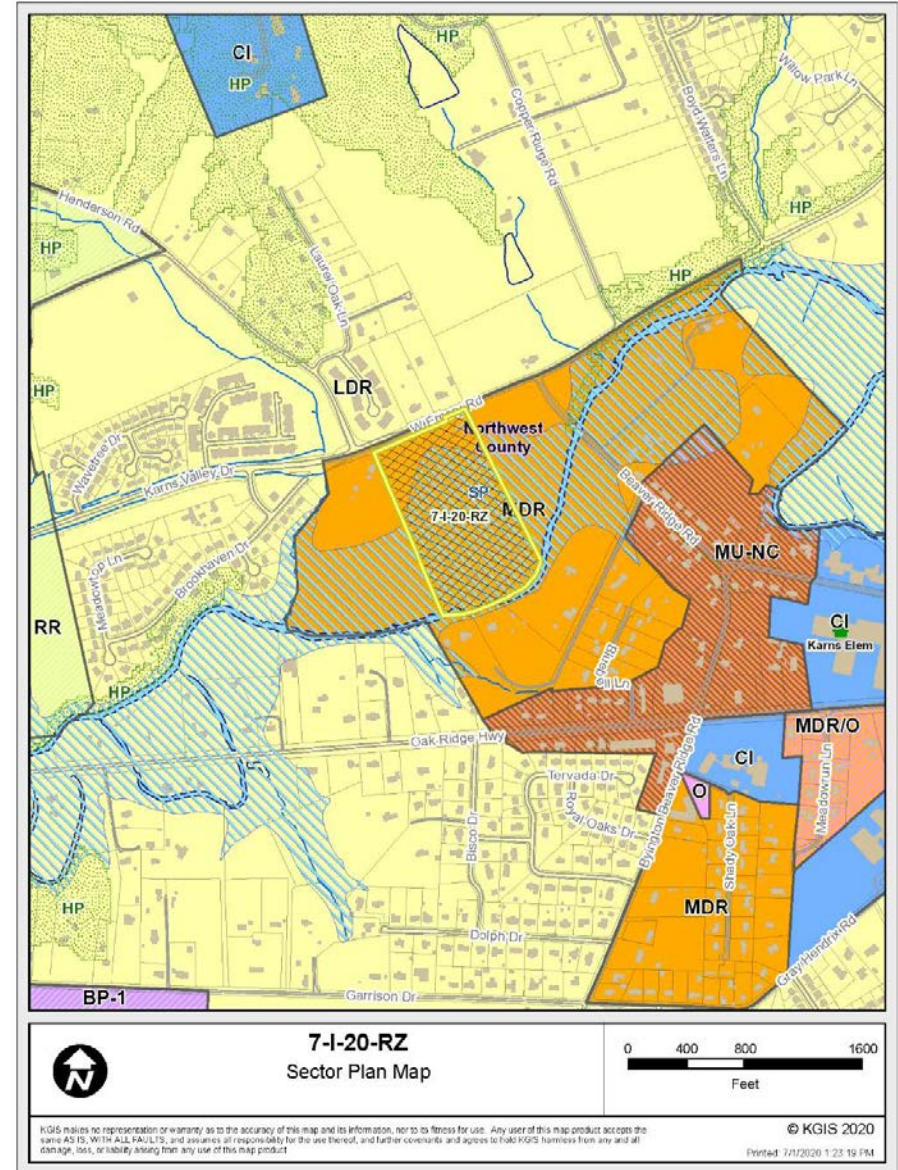
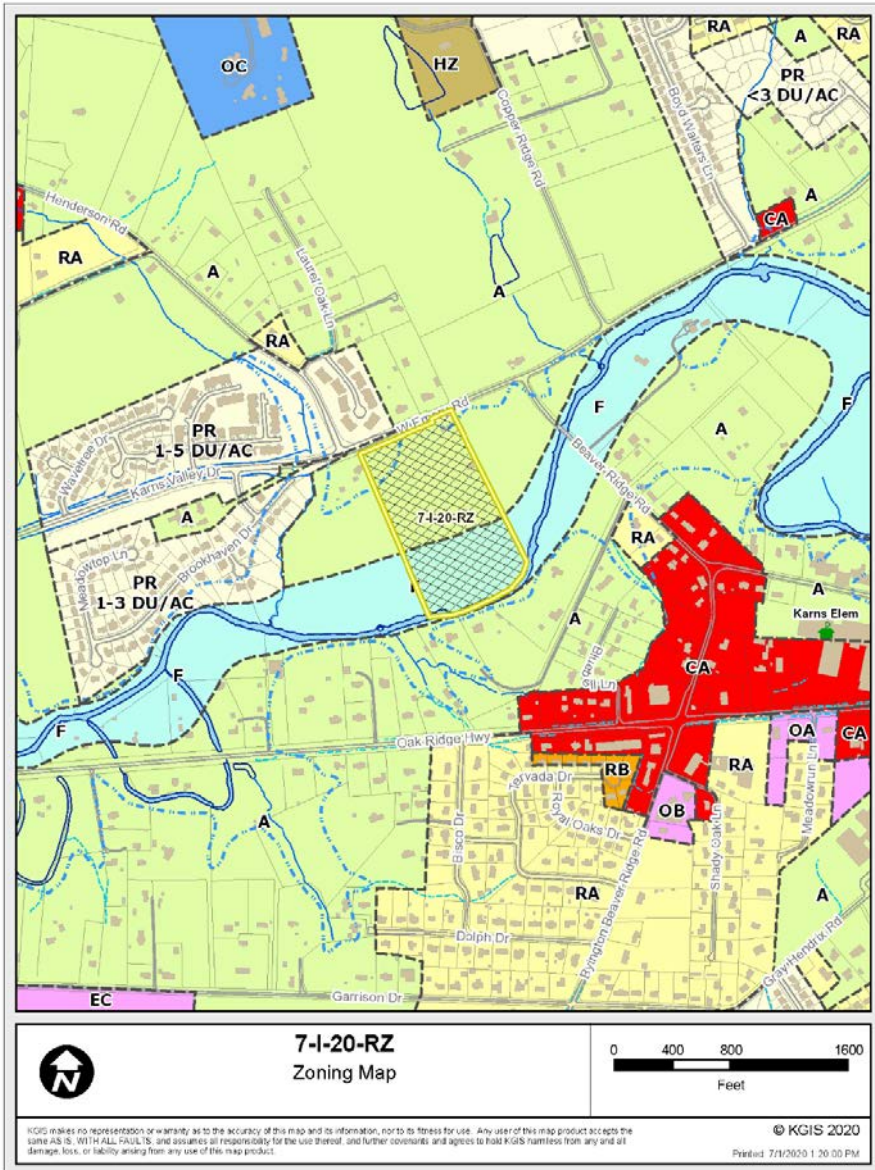
Map No: 77

Jurisdiction: County

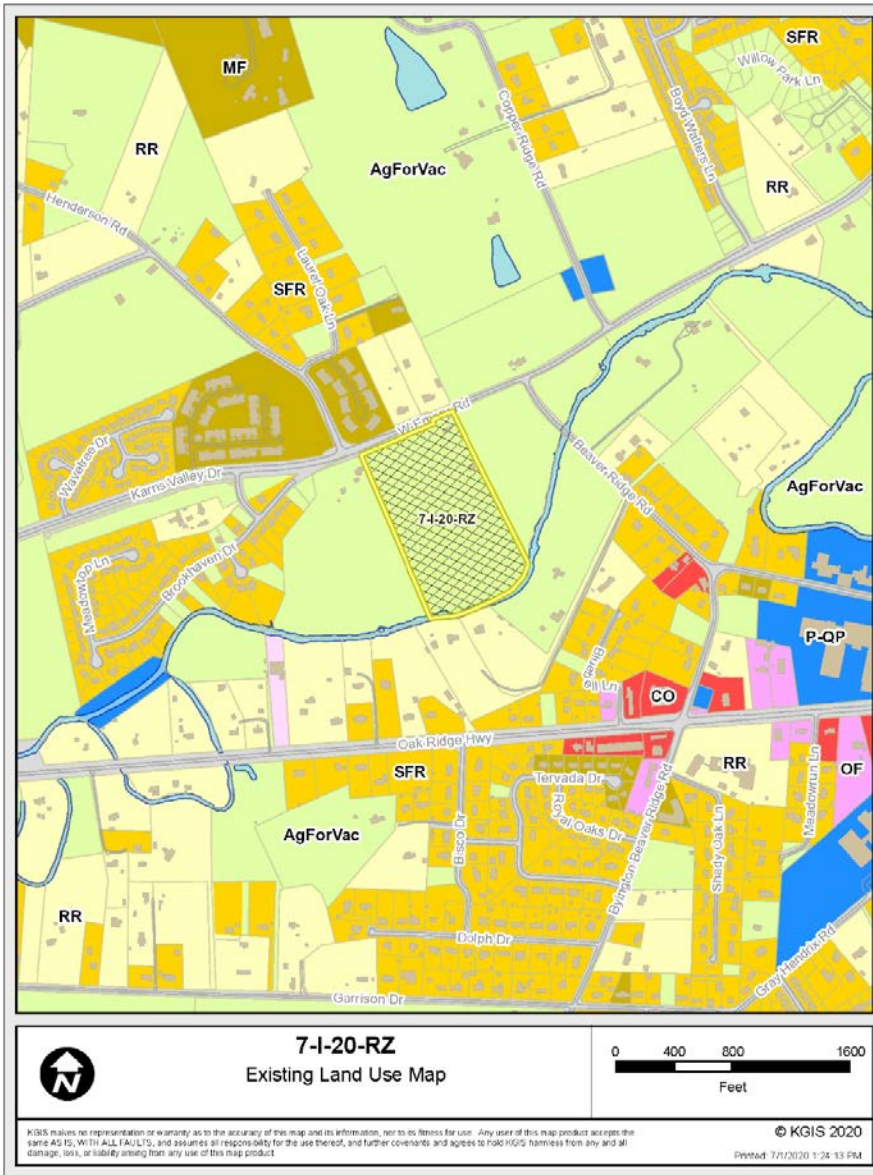


Original Print Date: 6/16/2020 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

7-I-20-RZ: Exhibit A – Contextual Images



7-I-20-RZ: Exhibit A – Contextual Images





DEVELOPMENT REQUEST

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
- Rezoning

S+E Properties

Applicant Name

Affiliation

May 28, 2020

Date Filed

July 9, 2020

Meeting Date (if applicable)

7-I-20-RZ

File Numbers(s)

CORRESPONDENCE

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

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

Eric Moseley

S+E

Name

Company

405 Montford

Knoxville

TN

37919

Address

City

State

Zip

865-454-3727

Phone

eric.moseley@icloud.com

Email

CURRENT PROPERTY INFO

Marshall

Owner Name (if different)

8520 W. Emory

Owner Address

Owner Phone

8520 W. Emory

Property Address

077-098

Parcel ID

w/ side beaver Ridge / south side w/ Emory

General Location

19.68 ac.

Tract Size

Comm. district 6

Jurisdiction (specify district above)

- City
- County

A / F
Zoning District

Northwest County

Planning Sector

PGA MDR

Sector Plan Land Use Classification

PGA

Growth Policy Plan Designation

Residence and vacant land

Existing Land Use

WKUD

Sewer Provider

WKUD

Water Provider


W

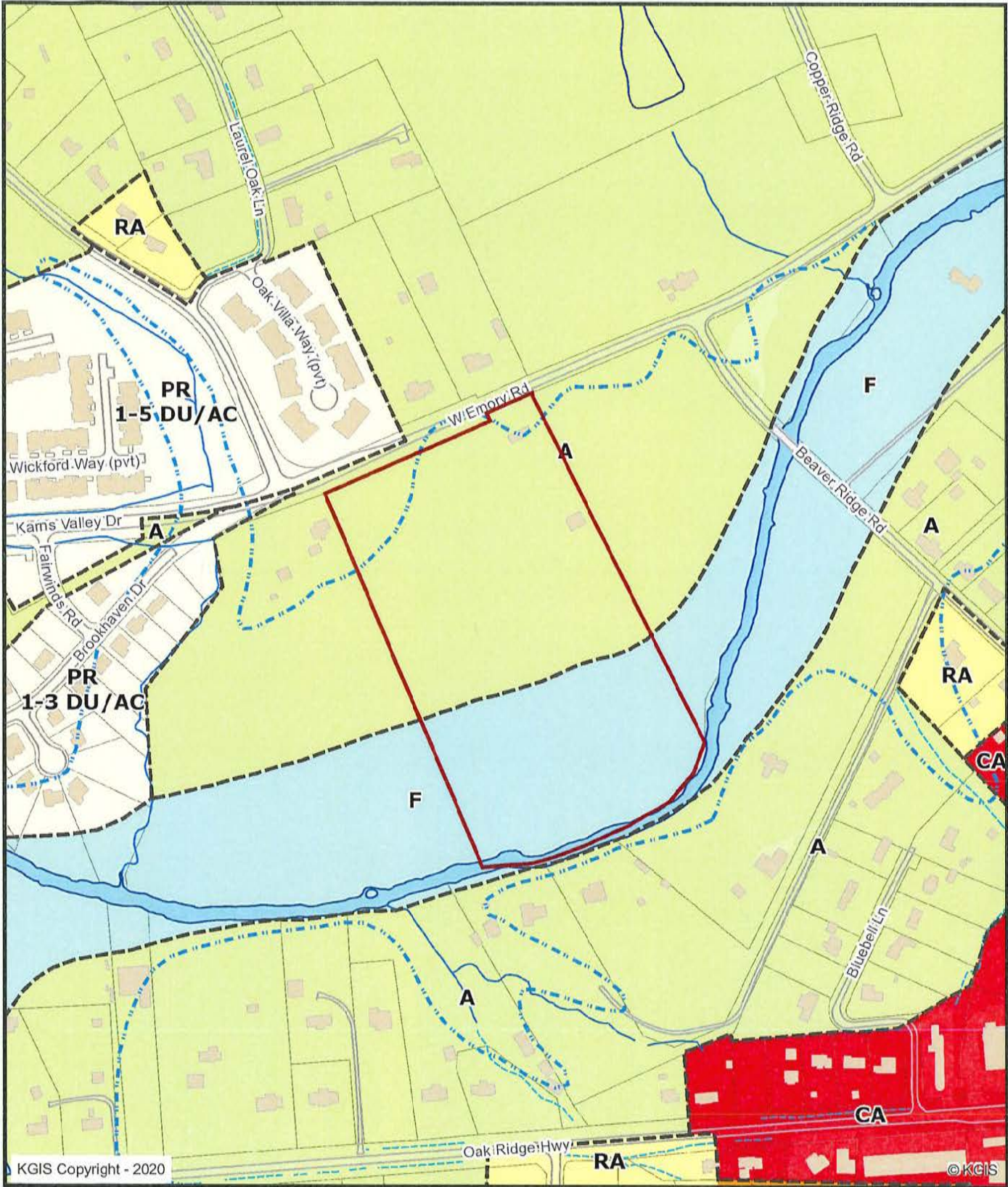
REQUEST

DEVELOPMENT	<input type="checkbox"/> Development Plan <input type="checkbox"/> Use on Review / Special Use <input type="checkbox"/> Residential <input type="checkbox"/> Non-Residential <input type="checkbox"/> Home Occupation (specify): _____ <input type="checkbox"/> Other (specify): _____
SUBDIVISION	<input type="checkbox"/> Proposed Subdivision Name _____ Unit / Phase Number _____ <input type="checkbox"/> Parcel Change <input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel Total Number of Lots Created: _____ <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Attachments / Additional Requirements
ZONING	<input checked="" type="checkbox"/> Zoning Change: <u>PR / F</u> Proposed Zoning _____ <input type="checkbox"/> Plan Amendment Change: _____ Proposed Plan Designation(s) _____ <u>5</u> Proposed Density (units/acre) _____ Previous Rezoning Requests _____ <input type="checkbox"/> Other (specify): _____

STAFF USE ONLY	PLAT TYPE <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	FEE 1: <u>1584.00</u> <u>x 1.6</u> <u>2534.40</u>	TOTAL:
	ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	FEE 2:	\$ <u>2534.40</u>
	ADDITIONAL REQUIREMENTS <input type="checkbox"/> Design Plan Certification (<i>Final Plat only</i>) <input type="checkbox"/> Use on Review / Special Use (<i>Concept Plan only</i>) <input type="checkbox"/> Traffic Impact Study	FEE 3:	

AUTHORIZATION By signing below, I certify I am the property owner, applicant or the owners authorized representative.

 Applicant Signature	<u>Eve Moseley</u> Please Print	<u>5/18/2020</u> Date
<u>(465) 691-1111</u> Phone Number	_____ Email	
<u>Thomas Brechko</u> Staff Signature	<u>Thomas Brechko</u> Please Print	<u>5/28/2020</u> Date

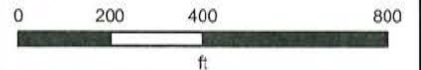


Letter Portrait

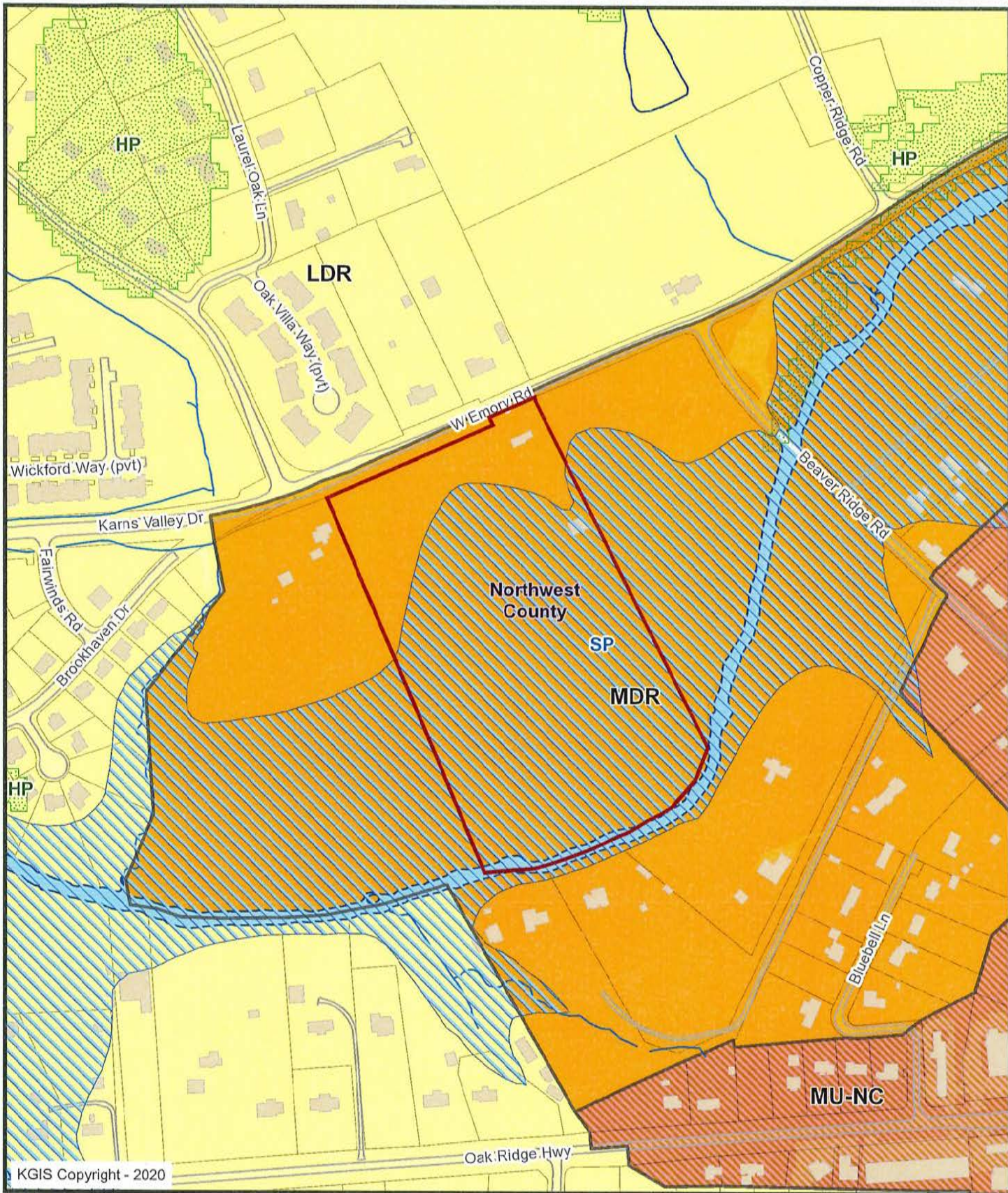
Knoxville - Knox County - KUB Geographic Information System



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Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



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Parcel 077 098 - Property Map and Details Report



Property Information

Parcel ID: 077 098
 Location Address: 8520 W EMORY RD
 CLT Map: 77
 Insert:
 Group:
 Condo Letter:
 Parcel: 98
 Parcel Type:
 District: W6
 Ward:
 City Block:
 Subdivision:
 Rec. Acreage:
 Calc. Acreage: 19.68
 Recorded Plat: -
 Recorded Deed: 20040927 - 0026241
 Deed Type: Deed:Special Wa
 Deed Date: 9/27/2004

Address Information

Site Address: 8520 W EMORY RD
 KNOXVILLE - 37931
 Address Type: DWELLING, SINGLE-FAMILY
 Site Name:

Owner Information

MARSHALL WILLIAM H & CAROL A
 8520 W EMORY RD
 KNOXVILLE, TN 37931
 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: 59.08
 Planning Sector: Northwest County
 Please contact Knox County Metropolitan Planning Commission (MPC) at (865) 215-2500 if you have questions.

Political Districts

Voting Precinct: 63
 Voting Location: Karns Middle School
 2925 GRAY HENDRIX RD
 TN State House: 89 Justin Lafferty
 TN State Senate: 7 Richard Briggs
 County Commission: 6 Brad Anders
 (at large seat 10) Larsen Jay
 (at large seat 11) Justin Biggs
 School Board: 6 Terry Hill

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.

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

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