

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.