

REZONING REPORT

▶ **FILE #:** 5-F-20-RZ

AGENDA ITEM #: 12

AGENDA DATE: 5/14/2020

▶ **APPLICANT:** PRIMOS LAND COMPANY, LLC

OWNER(S): Primos Land Company, LLC

TAX ID NUMBER: 78 038 (PART OF)

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 5913 W. Emory Rd.

▶ **LOCATION:** North side of W. Emory Rd., west side of Blacks Ferry Rd.

▶ **APPX. SIZE OF TRACT:** 22.29 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via W Emory Road, a TDOT owned major arterial, with a pavement width of 24 feet within a right-of-way width of 100 feet. Access is also via Blacks Ferry Road, a local street, with a pavement width of 17.8 feet within a right-of-way width of 50 feet.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

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

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

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

▶ EXTENSION OF ZONE: No.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Rural residential - A (Agricultural)

South: Single family residential, Agriculture/forestry/vacant - CA (General Business)

East: Single family residential - RA (Low Density Residential)

West: Single family residential, Agriculture/forestry/vacant - RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: The area is a mix of large agricultural, rural residential lots and single family residential neighborhoods.

STAFF RECOMMENDATION:

▶ Approve PR (Planned Residential) up to 4 du/ac. (Applicant requested PR up to 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 Northwest County Sector remains the fastest growing sector in Knox County.
2. Residential zoning in the area allows similar densities.

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. 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. The staff recommended maximum density of 4 du/ac could result in a build out of a total of 89 dwelling units.
2. The applicant should consider every effort to provide connectivity to Patriot Way during the Use on Review process.
3. The property is located in FEMA Flood Zone X but does not contain any floodplain areas.
4. The property contains land in the HP (Hillside and Ridgetop Protection) area. The slope analysis supports 3.75 du/ac.

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's Low Density Residential designation supports PR zoning with up to 5 du/ac in the Planned Growth Area of the Knoxville-Knox County Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: 1110 (average daily vehicle trips)

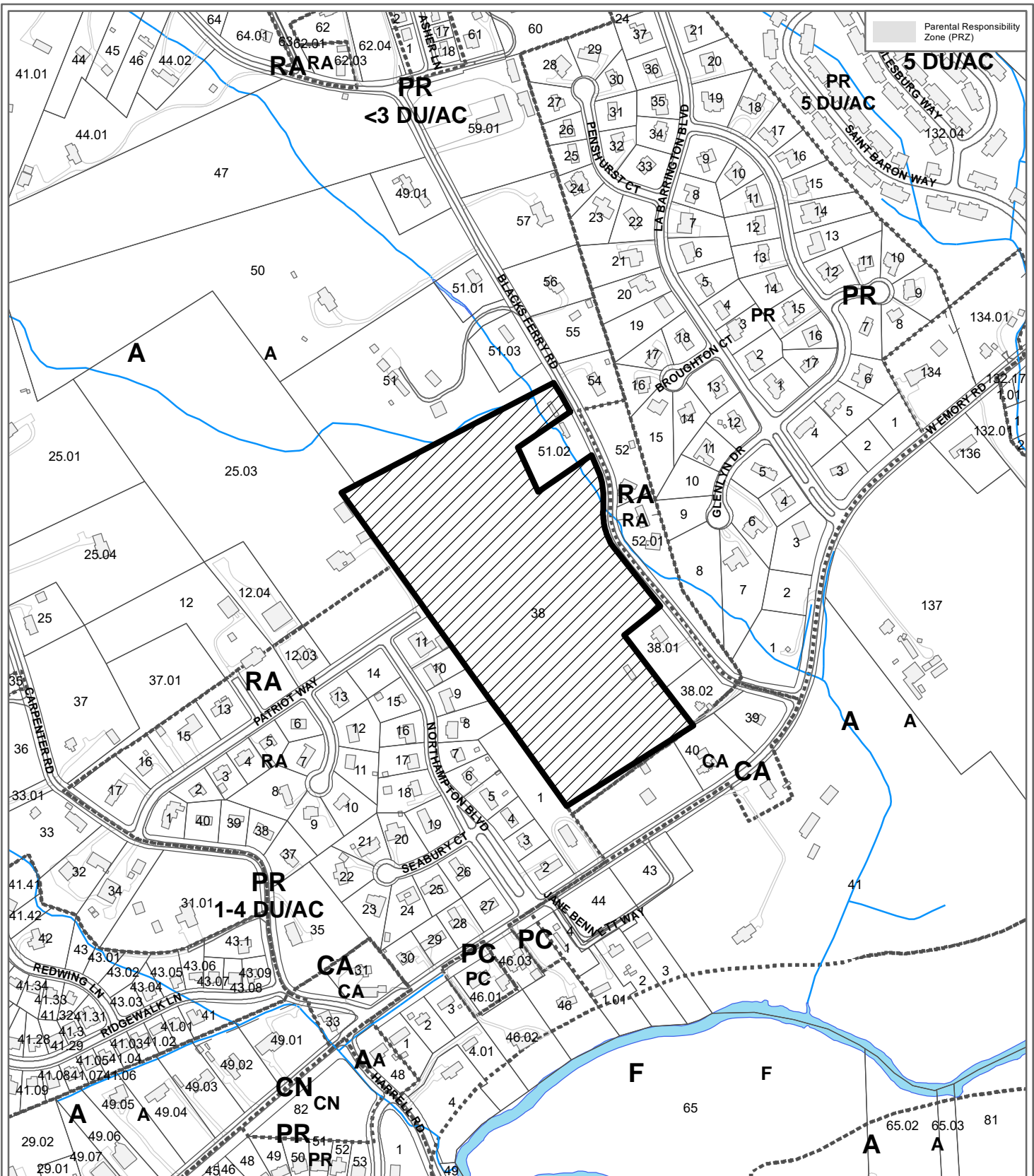
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 44 (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 6/22/2020. 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.



**5-F-20-RZ
REZONING**

From: A (Agricultural)
To: PR (Planned Residential)

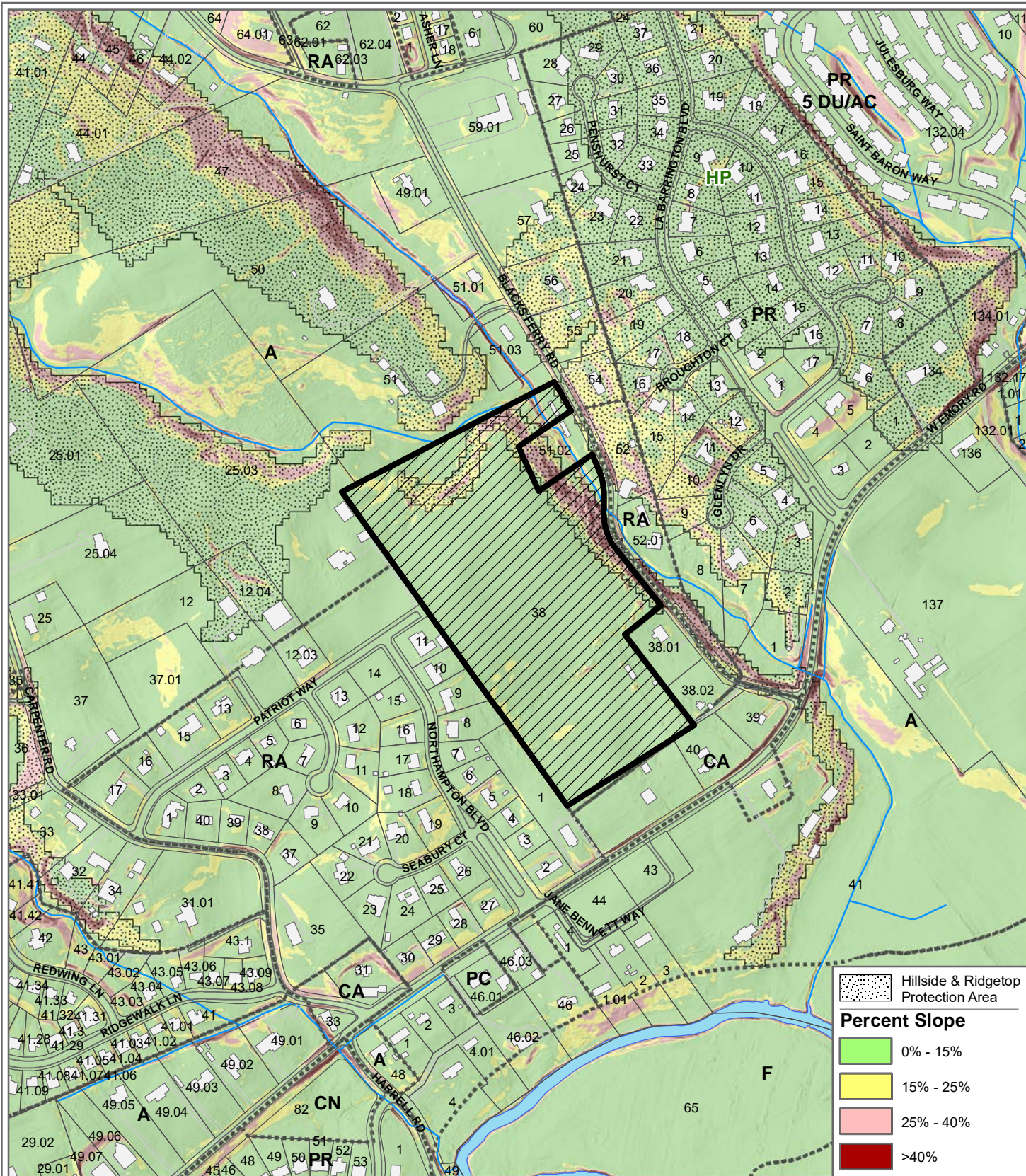


Petitioner: Primos Land Company, LLC

Map No: 78
Jurisdiction: County



Original Print Date: 4/6/2020 Revised:
Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902



**5-F-20-RZ
REZONING - SLOPE ANALYSIS**

From: A (Agricultural)
To: PR (Planned Residential)



Original Print Date: 4/20/2020 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Primos Land Company, LLC

Map No: 78
Jurisdiction: County



5-F-20-RZ Slope Analysis

Non-Hillside Portions			Acres
			19.06
Hillside and Ridgetop Protection Area			
Value	Percent Slope	Count	Acres
1	0%-15%	915	0.53
2	15%-25%	1508	0.87
3	25%-40%	1222	0.70
4	>40%	544	0.31
			2.40
Ridgetop Area			0
Site Total			21.46

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	19.06	4.00	76.2
0-15% Slope	0.53	4.00	2.1
15-25% Slope	0.87	2.00	1.7
25-40% Slope	0.7	0.50	0.4
Greater than 40% Slope	0.31	0.20	0.1
Ridgetops	0	4.00	0.0
Subtotal: Sloped Land	2.41		4.3
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	21.47	3.75	80.5
Proposed Density (Applicant)	21.47	5.00	107.4

From Hillside & Ridgetop Protection Plan, page 33

LOW DENSITY AND RURAL RESIDENTIAL USES

Density and Land Disturbance Guidelines

As proposals for changes to the zoning map and development plans/concept plans are considered, the following factors are recommended to determine the overall allowable density for residential rezonings and the overall land disturbance allowable in new development or subdivisions for those portions of parcels that are within the Hillside and Ridgetop Protection Area. These factors should be codified as regulations in the future. The areas of the Growth Policy Plan referenced below are presented on page 18.

Table 3: Residential Density and Land Disturbance Guidelines for Recommendations on Changes to the Zoning Map and Development Plan/Concept Plan Review within the Hillside and Ridgetop Protection Area that is within the Urban Growth and the Planned Growth Area

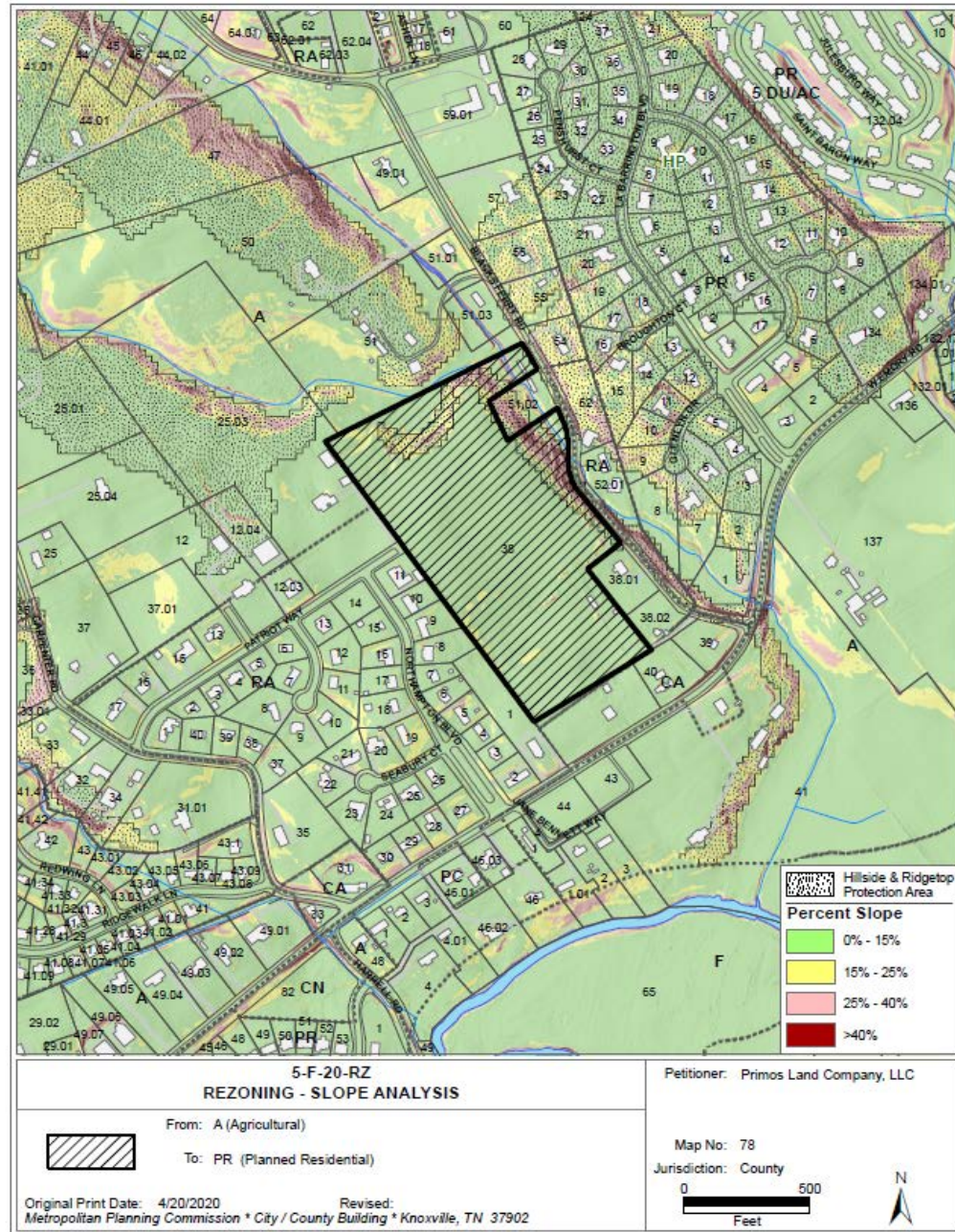
Percent of Slope	Recommended Maximum Density Factor*	Recommended Maximum Land Disturbance Factor**
0 - 15	Knox County: 5 dua City of Knoxville: 6 dua	100%
15 - 25	2 dua	50%
25 - 40	0.5 dua	20%
40 or more	0.2 dua	10%
Ridgetops***	***	***

dua: dwelling units per acre

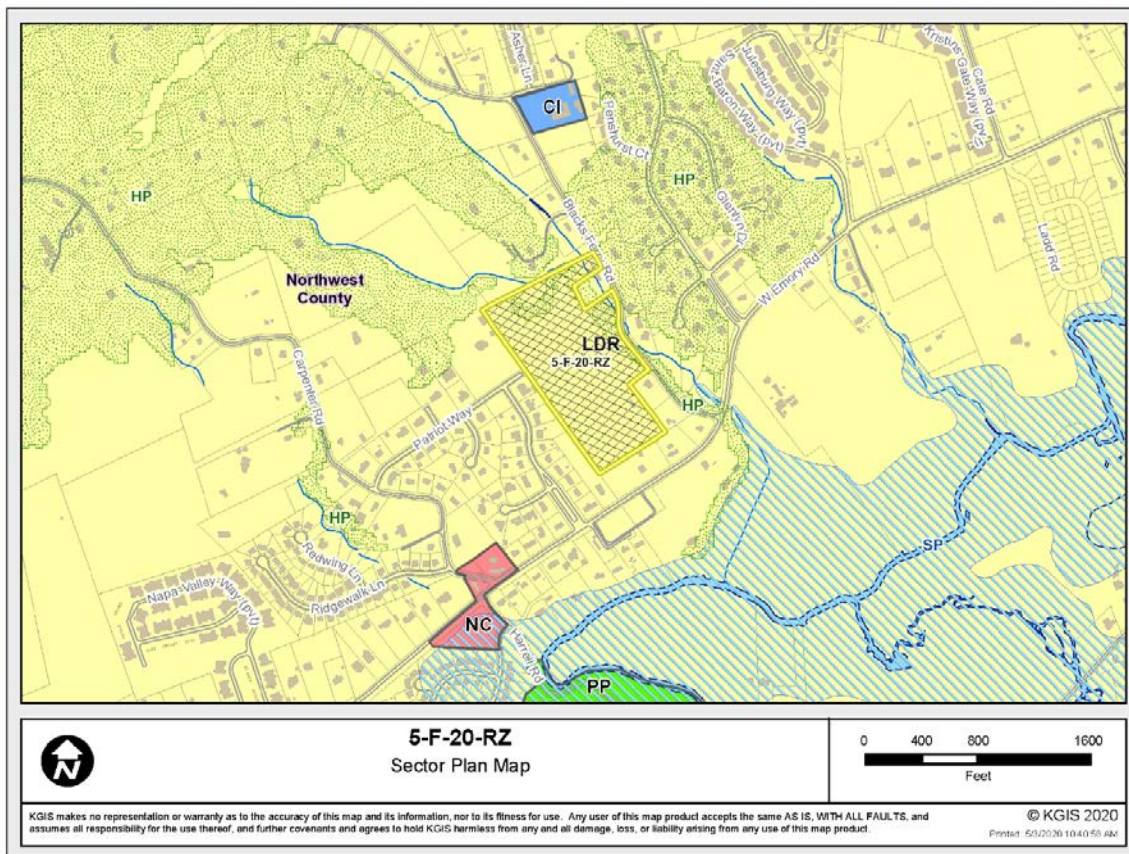
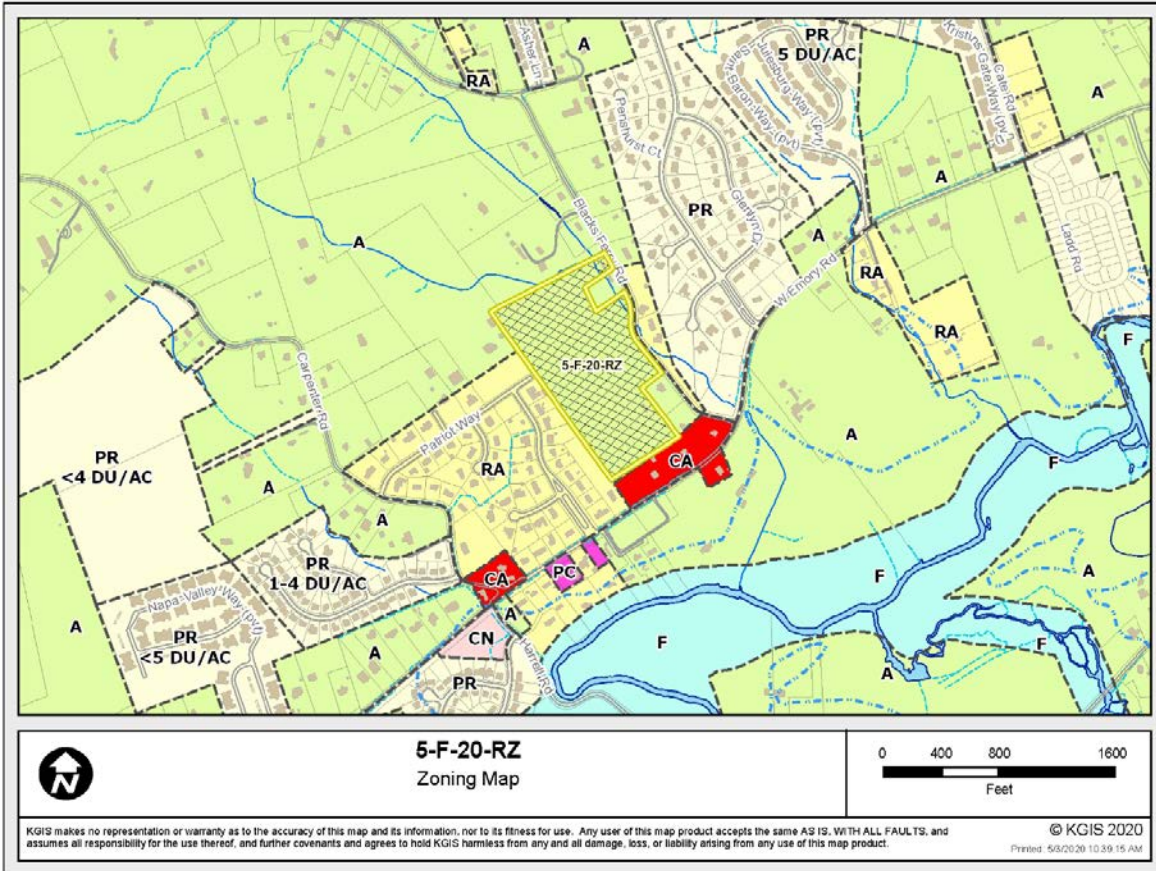
* These factors should be considered guidelines to determine an overall recommended residential density for requests for changes to the zoning map to planned residential (RP-1 in the city and PR in the county) zone districts that are considered by the Metropolitan Planning Commission prior to being considered by the appropriate legislative body. The resulting zone district development right would be considered a budget for dwelling units to be applied over the entire proposed development.

** Until such time as regulations are codified by the appropriate legislative body, these factors should be considered guidelines to determine an overall recommended land disturbance area for development plans and concept plans that are considered for approval by the Metropolitan Planning Commission. The overall land disturbance area would be considered a budget for land disturbance to be applied over the entire proposed development.

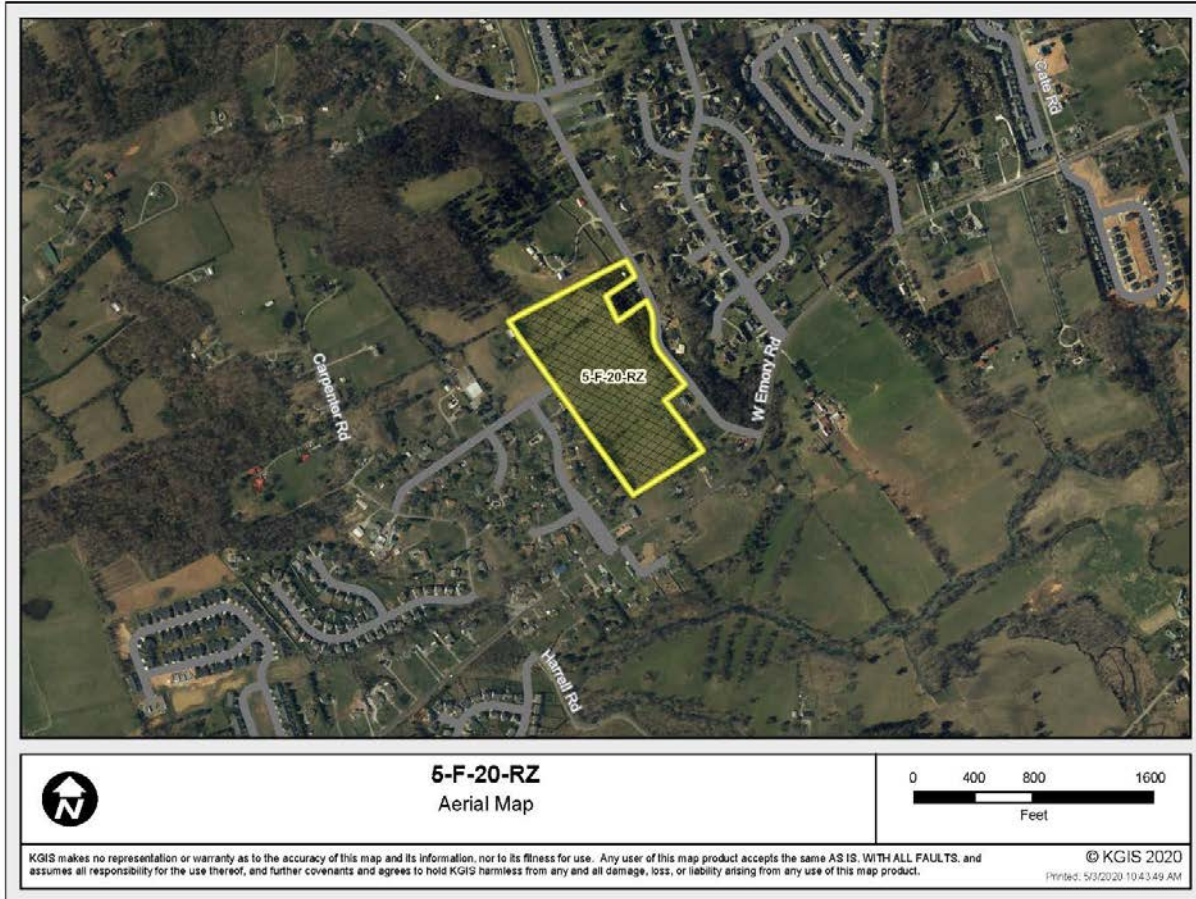
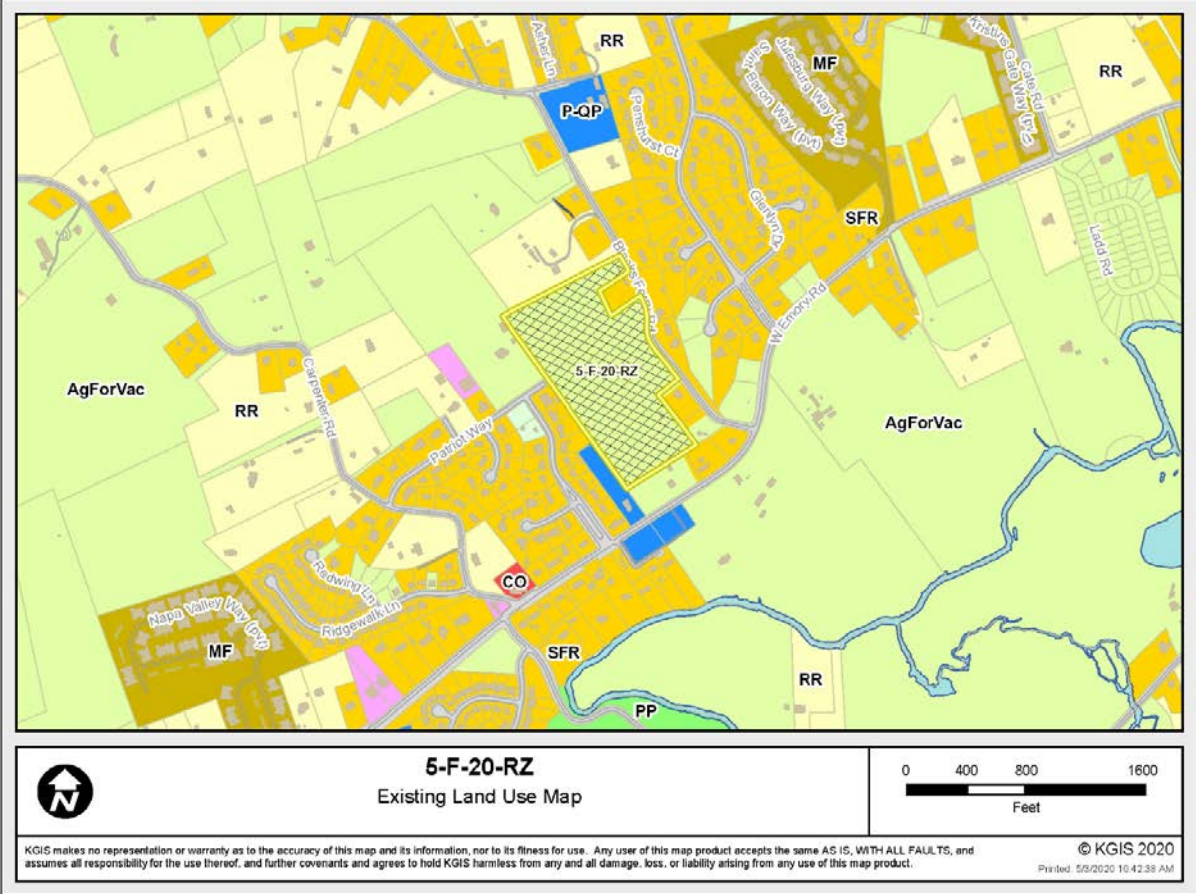
*** Ridgetops are generally the more level areas on the highest elevations of a ridge. Because the shapes of Knox County ridges are so varied (see pages 8 - 9), the ridgetop area should be determined on a case-by-case basis with each rezoning and related development proposal.



5-F-20-RZ: Exhibit A – Contextual Images



5-F-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



Primos Land Company, LLC
Applicant Name

owner
Affiliation

3-18-20
Date Filed

5-14-20
Meeting Date (if applicable)

5-F-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

WANIS A. Rghebi
Name

SGC, LLC
Company

4909 Ball Rd
Address

Knoxville, TN
City

37931
State

Zip

865-694-7756
Phone

wrghebi@sengconsultants.com
Email

CURRENT PROPERTY INFO

Primos Land Co. LLC
Owner Name (if different)

4909 Ball Rd
Owner Address

Knoxville, TN 37931
Owner Phone

865-694-7756

5913 W. Emory Rd
Property Address

Knoxville, TN
City

37931
Parcel ID

078/038

part of parcel 1038

W. Emory & Blacks Ferry Rd.
General Location

32.29 Acres
Tract Size

Co
Jurisdiction (specify district above)

- City
- County

A portion of parcel
Zoning District

Northwest County
Planning Sector

LDR
Sector Plan Land Use Classification

Planned Growth
Growth Policy Plan Designation

Farm / Vacant
Existing Land Use

N
Septic (Y/N)

WKUD
Sewer Provider

WKUD
Water Provider

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 (SU/Acre)</u> Proposed Zoning		
	<input type="checkbox"/> Plan Amendment Change: _____ Proposed Plan Designation(s)		
	<u>Single Family Residential</u> <input type="checkbox"/> Property Use (specify)	<u>SUA</u> Proposed Density (units/acre)	<u>N/A</u> Previous Rezoning Requests
	<input type="checkbox"/> Other (specify): _____		

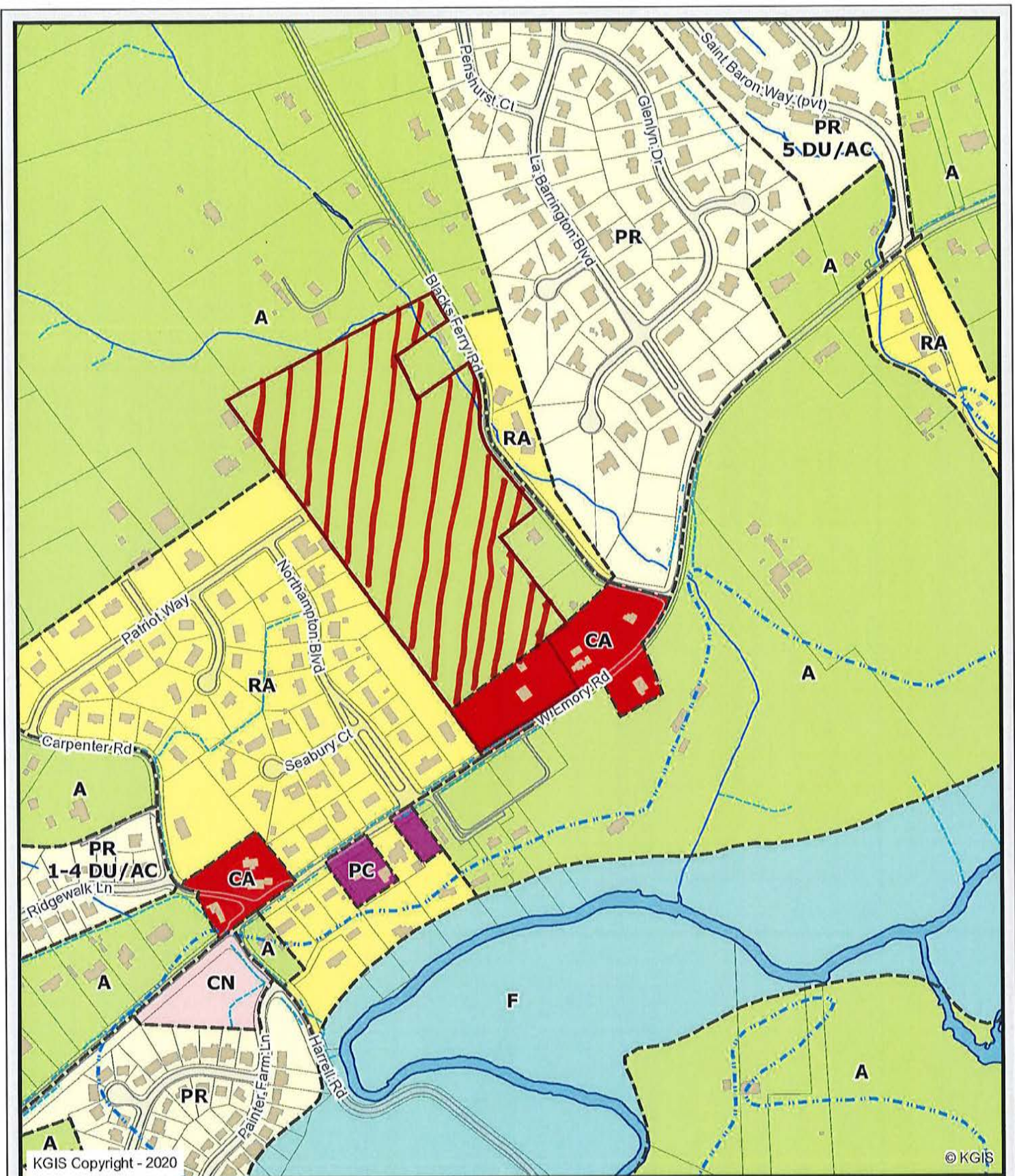
STAFF USE ONLY	PLAT TYPE <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	FEE 1: <u>0325</u>	TOTAL: <u>\$1714.50</u>
	ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	FEE 2: <u>1714.50</u>	
	ADDITIONAL REQUIREMENTS <input type="checkbox"/> Design Plan Certification (Final Plat only) <input type="checkbox"/> Use on Review / Special Use (Concept Plan only) <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.

Wanis A. Rghebi WANIS A. Rghebi 3/13/20
 Applicant Signature Please Print Date

Phone Number Email
Sherry Michienzi S. Michienzi 3-18-20
 Staff Signature Please Print Date



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5913 W. Emory Rd.

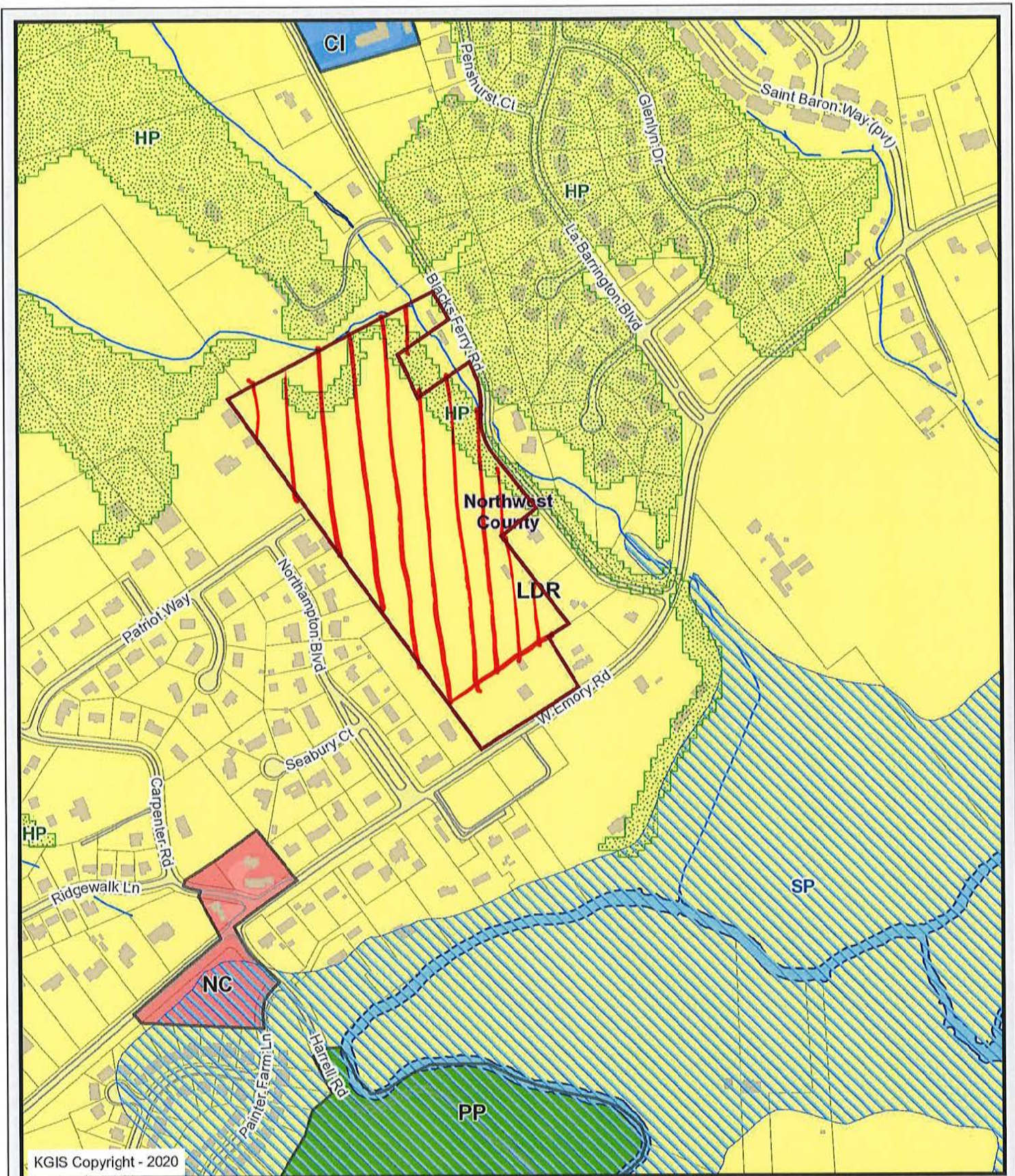
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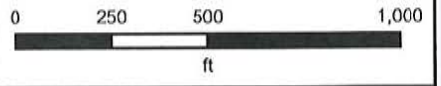


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5913 W. Emory Rd.



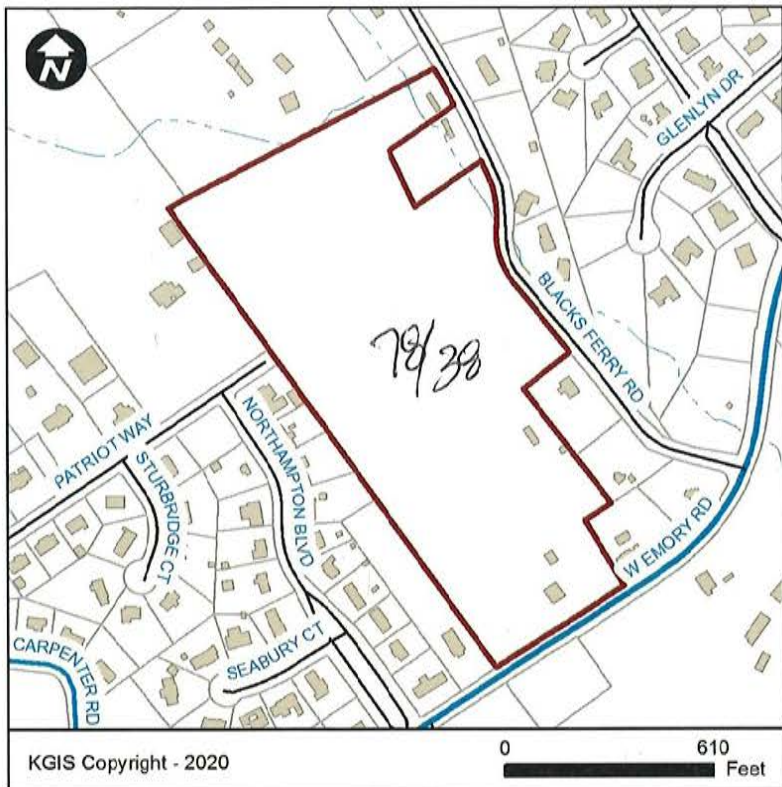
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Knoxville - Knox County - KUB Geographic Information System

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Parcel 078 038 - Property Map and Details Report



Property Information

Parcel ID: 078 038
 Location Address: 5913 W EMORY RD
 CLT Map: 78
 Insert:
 Group:
 Condo Letter:
 Parcel: 38
 Parcel Type:
 District: W6
 Ward:
 City Block:
 Subdivision: GREENBELT APP#A-2387 GREENBELT APP # A3976
 Rec. Acreage: 0
 Calc. Acreage: 24.39
 Recorded Plat: -
 Recorded Deed: 20190212 - 0047867
 Deed Type: Deed:Gift Deed
 Deed Date: 2/12/2019

Address Information

Site Address: 5913 W EMORY RD
 KNOXVILLE - 37931
 Address Type: DWELLING, SINGLE-FAMILY
 Site Name:

Owner Information

MILLER LAND AND CATTLE LLC & SPRINGPLACE APARTMENTS LIMITED PARTNERSHIP
 4909 BALL RD
 KNOXVILLE, TN 37931

PR

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 Justin Lafferty
 TN State Senate: 5 Randy McNally
 County Commission: 6 Brad Anders
 (at large seat 10) Larsen Jay
 (at large seat 11) Justin Biggs
 School Board: 6 Terry Hill

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

School Zones

Elementary: KARNS ELEMENTARY
 Intermediate:
 Middle: KARNS MIDDLE
 High: KARNS HIGH

31325.00

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

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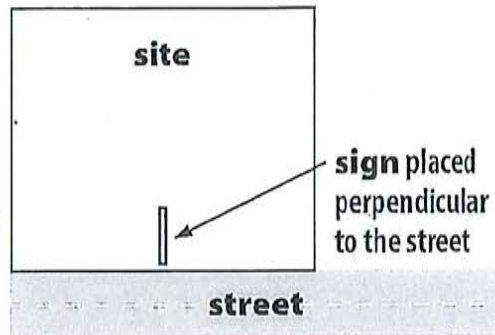
REQUIRED SIGN POSTING AGREEMENT

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:

April 29 (Wed) and May 15 (Fri)
 (15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: *Wanda Hebi*

Printed Name: Primos Land Company, LLC

Phone: 865-694-7756 Email: wrghebi@sengconsultants.com

Date: 3-18-20

File Number: 5-F-20-RZ