

# **USE ON REVIEW REPORT**

▶ FILE #: 1-A-24-UR	AGENDA ITEM #: 41		
	AGENDA DATE: 1/11/2024		
APPLICANT:	RALPH SMITH		
OWNER(S):	Disney Joint Venture		
TAX ID NUMBER:	77 142 View map on KGIS		
JURISDICTION:	County Commission District 6		
STREET ADDRESS:	7509 W EMORY RD		
LOCATION:	North side of W Emory Rd, east side of Howard Bennett Way		
APPX. SIZE OF TRACT:	1.7 acres		
SECTOR PLAN:	Northwest County		
GROWTH POLICY PLAN:	Planned Growth Area		
ACCESSIBILITY:	The three new lots would be accessed via a shared driveway off of W Emory Road, a major arterial street with a pavement width of 27 ft within a 70-ft right-of-way.		
UTILITIES:	Water Source: West Knox Utility District		
	Sewer Source: West Knox Utility District		
WATERSHED:	Beaver Creek		
► ZONING:	RA (Low Density Residential)		
EXISTING LAND USE:	Single Family Residential		
PROPOSED USE:	3 duplexes on separate lots		
DENSITY PROPOSED:	3.5 du/ac		
HISTORY OF ZONING:	Rezoned from A to RA in 2023 (1-R-23-RZ)		
SURROUNDING LAND	North: Agricultural/forestry/vacant - RA (Low Density Residential)		
USE AND ZONING:	South: Single family residential - PR (Planned Residential) up to 3 du/ac, A (Agricultural)		
	East: Single family residential - RA (Low Density Residential)		
	West: Private right-of-way, single family residential - RA (Low Density Residential)		
NEIGHBORHOOD CONTEXT:	This area is primarily single family residential with some large agricultural lots.		

#### **STAFF RECOMMENDATION:**

#### Approve the request for 3 duplexes, subject to 3 conditions.

1. Subdividing the property into separate lots as shown on the site plan and meeting all applicable requirements of the platting process and Subdivision Regulations.

2. Meeting all applicable requirements of the Knox County Zoning Ordinance.

3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.

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#### COMMENTS:

This request is for three duplexes on a 1.7-acre lot zoned RA. The RA zone does not allow multiple duplexes on a single lot, so the property needs to be subdivided before the building permit phase. The proposed subdivision will be served by a 25-ft wide Shared Permanent Access Easement (SPAE). The existing one-story, single-family structure on the property will be demolished.

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10, SECTION 2)

The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.

A. The Northwest County Sector Plan recommends LDR (Low Density Residential) land use with less than 5 du/ac in the County. The proposed subdivision has a density of 3.53 du/ac.

B. The proposed density is also compatible with the subject property's location in the Planned Growth Area of the Growth Policy Plan.

C. The General Plan's development policy 9.3 encourages that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities. The duplexes are one story and will be similar in scale and height to the surrounding neighborhood.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

A. The RA zone is intended to provide for residential areas with low population densities. The proposed duplexes are permitted via the Use on Review process.

B. The proposed lot size for each of the three lots is well over 12,000 sf, which is the minimum lot size for a duplex in the RA zone.

C. The site plan and elevations as provided conform to the dimensional standards of the RA zone (Article 5.11.04 - 5.11.11) and off-street parking requirements (Article 3.50 - 3.51).

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATIONS OF BUILDINGS IN THE VICINITY.

A. The proposed duplex subdivision has a similar character to other residential subdivisions in this area. Each lot of the 5-lot subdivision north of the property has been approved for duplex development by the Planning Commission on separate occasions (1-B-22-UR, 2-C-12-UR, 1-B-98-UR). Two of these lots currently accommodate duplex structures.

B. The surrounding area is characterized by one- and two-story houses. The proposed single-story structure will be compatible in size and scale with the neighboring single-family houses.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC CONGESTION OR OTHER IMPACTS WHICH MAY DETRACT FROM THE IMMEDIATE ENVIRONMENT.

A. The proposed duplexes are considered low-density residential uses and are compatible with other lowdensity residential uses.

5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

A. The development will have one driveway access to Emory Road, a major arterial street. The proposed SPAE layout is preliminarily approved by the Knox County Department of Engineering and Public Works, subject to further review during the plating process.

B. Three duplexes would be a minor increase in density for the area and would not significantly impact traffic on surrounding streets.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed residential use.

ESTIMATED TRAFFIC IMPACT: 76 (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: 1 (public school children, grades K-12)

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

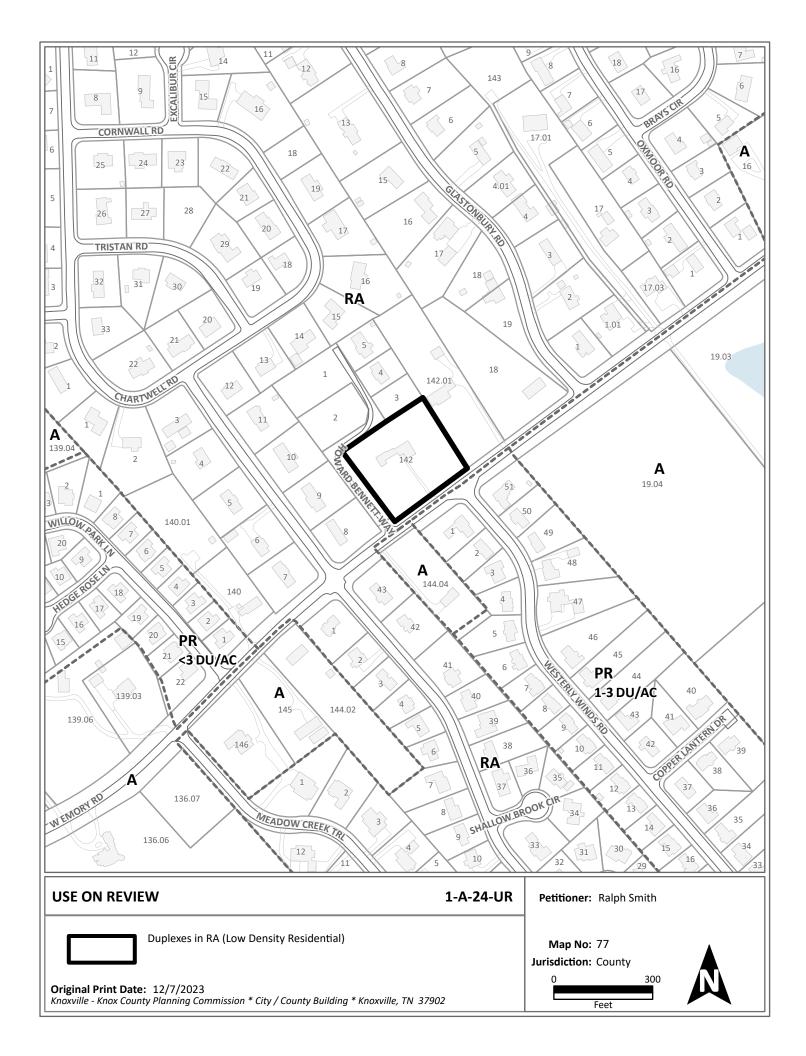
• Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.

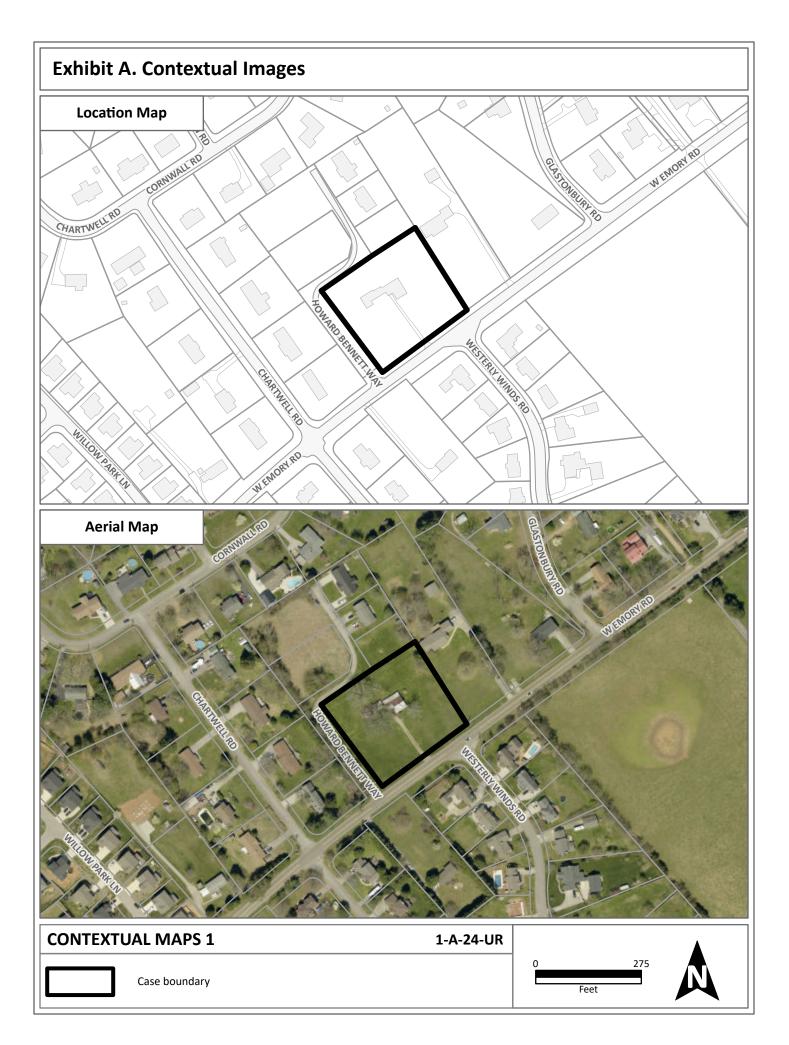
• Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.

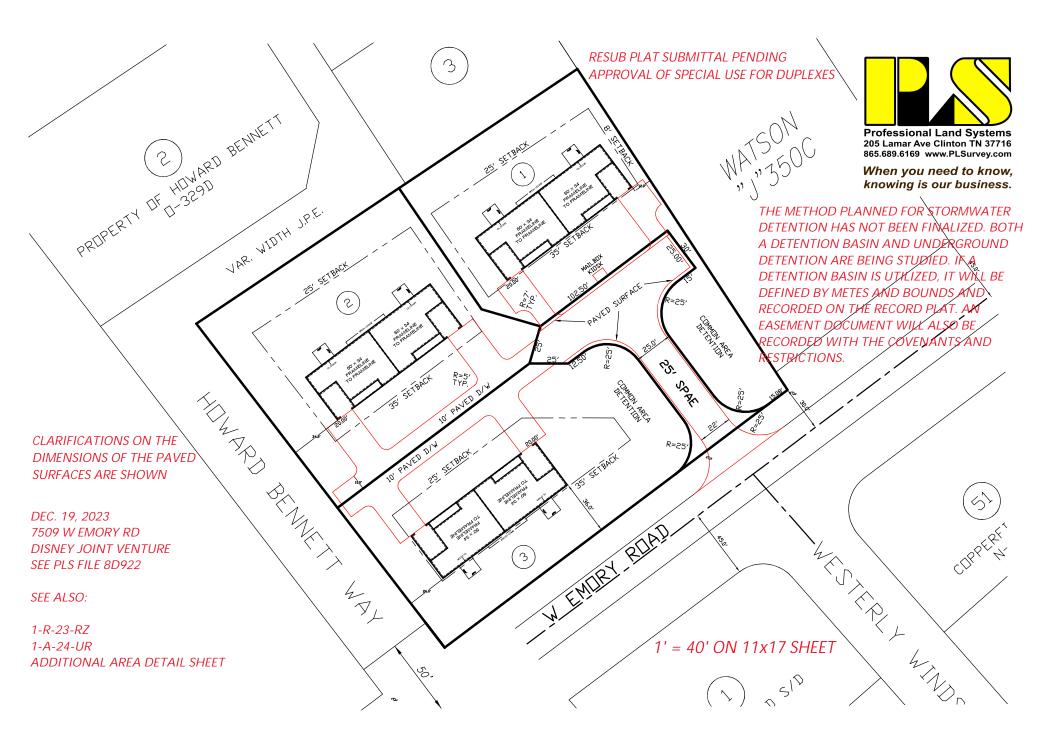
• Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.

• 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.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed.







# LOT AREA DETAILS



Professional Land Systems 205 Lamar Ave Clinton TN 37716 865.689.6169 www.PLSurvey.com

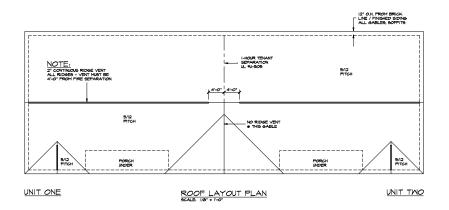
When you need to know, knowing is our business.

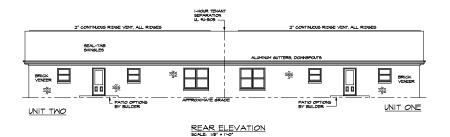
S.F. PAVING , , , , , , Feet 'sa. 3,490 THC BUIL DING. TUTAL 0.146 Acres 6,371 Sq. Feet A90 5.5. The PAVING 3492 - 125 BUILDIN 6688 TUTAL B A90 5.F PAVING DEC. 18, 2023 BUILDING AREA 7509 W EMORY RD **DISNEY JOINT VENTURE** SEE PLS FILE 8D922 TUTAL 6,597 SEE ALSO 1-R-23-RZ 1-A-24-UR



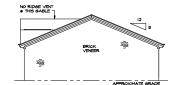
FRONT ELEVATION - UNIT ONE

FRONT ELEVATION - UNIT TWO

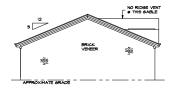




NOTE: All vindow door, accessory 4 trim styles are indicated for illustration only and are subject to approval/change by Gereal contractor all such changes shall conform to applicable local, istate / national building codes



RIGHT ELEVATION

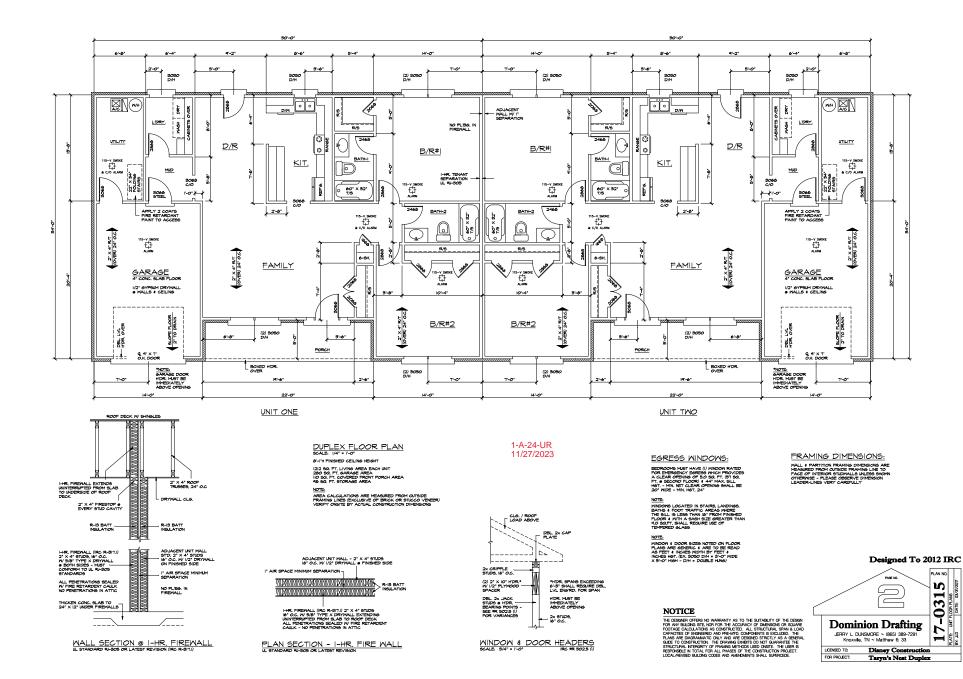


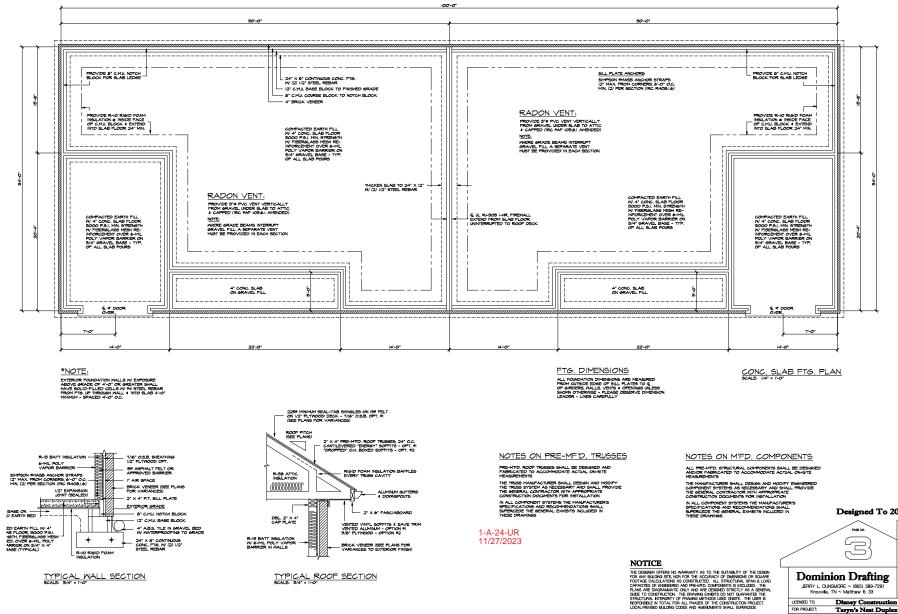
LEFT ELEVATION

1-A-24-UR 11/27/2023

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Designed To 2012 IRC

PLAN NO.

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**J31** ME WAY



# **Development Request**

	DEVELOPMENT	SUBDIVISION	ZONING
Planning KNOXVILLE I KNOX COUNTY	<ul> <li>Development Plan</li> <li>Planned Development</li> <li>Use on Review / Special Use</li> <li>Hillside Protection COA</li> </ul>	Concept Plan Final Plat	<ul> <li>Plan Amendment</li> <li>Sector Plan</li> <li>One Year Plan</li> <li>Rezoning</li> </ul>
Ralph Smith			
Applicant Name		Affiliation	
11/29/2023	1/11/2024	1-A-24-UR	
Date Filed	Meeting Date (if applicable)	File Number(s)	
CORRESPONDENCE	All correspondence related to this application sh	nould be directed to the app	proved contact listed below.
<b>Ralph Smith Professional Land S</b> Name / Company	Systems		
205 Lamar Ave. Ave. Clinton TN	37716		
Address			
865-599-1508 / ralph6169@gma	ail.com		
Phone / Email			
CURRENT PROPERTY INFO	D		
Disney Joint Venture	7721 La Barrington Blvd Powell T	N 37849 86	5-947-1581
Owner Name (if different)	Owner Address	Ow	vner Phone / Email
7509 W EMORY RD			
Property Address			
77 142		1.7	acres
Parcel ID	Part of P	Parcel (Y/N)? Tra	act Size
West Knox Utility District	West Knox Utility D	District	
Sewer Provider	Water Provider		Septic (Y/N)
STAFF USE ONLY			
North side of W Emory Rd, east	side of Howard Bennett Way		
General Location			
			the Desident'-1
City Commission District 6	RA (Low Density Residential) Zoning District	Single Fam Existing La	nily Residential
_ ,	-	-	
orthwest County LDR (Low Density Residential)		Planned G	irowth Area

Sector Plan Land Use Classification

Growth Policy Plan Designation

DEVELOPMENT REQUEST					
Development Plan  Plann	ed Development	✔ Use on Review	v / Special Use	Related City	Permit Number(s)
Hillside Protection COA		Residential	Non-residential		
Home Occupation (specify)					
Other (specify) <b>Duplexes</b>					
SUBDIVSION REQUEST					
				Related Rezo	oning File Number
Proposed Subdivision Name					
Unit / Phase Number		Tota	l Number of Lots Created		
Additional Information					
Attachments / Additional Requi	irements				
ZONING REQUEST					
Zoning Change				Pending P	lat File Number
Proposed Zon	ing				
Plan					
Amendment Proposed Pla	an Designation(s)				
Proposed Density (units/acre) P	Previous Zoning Re	quests			
Additional Information	Tevious zonnig ne	quests			
STAFF USE ONLY					
PLAT TYPE			Fee 1		Total
Staff Review Planning	g Commission		\$500.00		
					-
Property Owners / Option Hold		ce Request	Fee 2		
ADDITIONAL REQUIREMEN					
Design Plan Certification (Final	Plat)		Fee 3	Fee 3	
Site Plan (Development Reques	st)				
<ul> <li>Traffic Impact Study</li> <li>Use on Review / Special Use (Coll</li> </ul>	oncent Plan)				
	Sheeperhany				
AUTHORIZATION					
I declare under penalty of perjury all associated materials are being			she/it is the owner of the p	roperty, AND 2) tl	ne application and
	Ralph Smit	th			11/29/2023
Applicant Signature	Please Prin	t			Date
Phone / Email					

	Disney Joint Venture	11/29/2023
Property Owner Signature	Please Print	Date

Ralph Smith / PLS	<b>Development</b> <ul> <li>Development Plan</li> <li>Planned Development</li> <li>Use on Review / Special</li> <li>Hillside Protection COA</li> </ul>	SUBI Co Fi	eque ivision oncept Plan nal Plat	<b>St</b> ZONING Plan Amendment SP OYP Rezoning
Applicant Name			Affilia	tion
11/27/2023	January 11, 2024			File Number(s)
Date Filed	Meeting Date (if applicab	le)	1-A	A-24-UR
CORRESPONDENCE All	correspondence related to this app	lication should be	directed to the a	pproved contact listed below.
Applicant D Property Owner	🗌 Option Holder 🔳 Project	Surveyor 🗌 Er	ngineer 🗌 Arch	itect/Landscape Architect
Ralph Smith		Professional	Land Systems	
Name		Company		
205 Lamar Ave		Clinton	TN	37716
Address		City	State	ZIP
865-599-1508	ralph6169@gmail.co	om		
Phone	Email			
CURRENT PROPERTY INFO				
Disney Joint Venture	7721 LaBarrii	ngton Blvd		865-947-1581
Property Owner Name (if different)	Property Owner	Address		Property Owner Phone
7509 W Emory Rd Knoxville	TN 37931	077 :	142	
Property Address		Parcel I	D	2
WKUD	WKUE	)		Ν
Sewer Provider	Water Provider		Septic (Y/N)	
STAFF USE ONLY				
General Location			Tract S	Size
City County District	Zoning District	Exist	ing Land Use	
Planning Sector	Sector Plan Land Use Clas	sification	Growt	h Policy Plan Designation

DEVELOPMENT R	EQUEST		
1.2%	Use on Review / Special Use Non-Residential	Hillside Protection COA	Related City Permit Number(s)
Home Occupation (spe			

Allow duplexes in RA zoning

Other (specify)

### SUBDIVISION REQUEST

			Related Rezoning File Numbe
Proposed Subdivision Name			
Unit / Phase Number	Total Number of Lots C	reated	
Other (specify)			
Attachments / Additional Requirements			
ZONING REQUEST			
Zoning Change Proposed Zoning			Pending Plat File Number
Plan Amendment Change Proposed Plan Designation(s)			
Proposed Density (units/acre) Previous Rezoning Req	uests		
Other (specify)			
STAFF USE ONLY			
PLAT TYPE	Fee 1		Total
Staff Review VPlanning Commission	0402	\$500.0	o l
ATTACHMENTS  Property Owners / Option Holders  Variance Request	Fee 2		
ADDITIONAL REQUIREMENTS		1	\$500.00
Design Plan Certification (Final Plat)	5 0	17	
Use on Review / Special Use (Concept Plan)	Fee 3		
Traffic Impact Study		ĩ.	
COA Checklist (Hillside Protection)			
AUTHORIZATION			

I declare under penalty of perjury the foregoing is true and correct:
 1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent

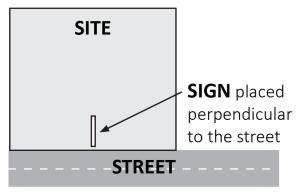
Raph White II	Ralph Smith / PLS	11-10-23
Applicant Signature	Please Print	Date
865-599-1508	ralph6169@gmail.com	
Phone Number	Email	11/29/2023, SG
hat h	Dwight Disney	11-27-23
Property Owner Signature	Please Print	Date Paid



## Sign Posting & Removal Requirement

Revised April 2021

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

### LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, 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 **not less than 12 days prior to 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 not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

12/29/2023	and	01/12/2024
(applicant or staff to post sign)		(applicant to remove sign)
Applicant Name: Ralph Smith		
Date: 11/29/2023		Sign posted by Staff
File Number: 1-A-24-UR		Sign posted by Applicant