



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 12-A-19-RZ **AGENDA ITEM #:** 10
12-A-19-SP **AGENDA DATE:** 1/9/2020

POSTPONEMENT(S): 12/12/2019

► **APPLICANT:** JOSEPH AND REBECCA LONGMIRE

OWNER(S): Joseph & Rebecca Longmire

TAX ID NUMBER: 15 004 AND 00401

[View map on KGIS](#)

JURISDICTION: Commission District 8

STREET ADDRESS: 9901 E. Emory Road and 9853 E. Emory Road

► **LOCATION:** North side of E. Emory Road southeast of its intersection with Dan McBee Road

► **TRACT INFORMATION:** 1.54 acres total. 9901 E. Emory Rd. (015 004) is 0.86 acres; 9853 E. Emory Rd. (015 00401) is 0.68 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: E. Emory Road is a major arterial in this location. It has a pavement width of 17 feet and a right-of-way width of 40 feet.

UTILITIES: Water Source: Luttrell-Blaine-Corryton Utility District

Sewer Source: N/A

WATERSHED: Flat Creek

► **PRESENT PLAN DESIGNATION/ZONING:** Single Family Residential and Agricultural/Forestry/Vacant / A (Agricultural)

► **PROPOSED PLAN DESIGNATION/ZONING:** Rural Residential / PR (Planned Residential)

► **EXISTING LAND USE:** Single Family Residential; detached houses

► **PROPOSED USE:** The applicant would like to have these properties platted (they are currently only deeded)

DENSITY PROPOSED: 2 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted for this property

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

North:	Agricultural/Forestry/Vacant - Agricultural - A (Agricultural) zone
South:	Agricultural/Forestry/Vacant and Single Family Residential - Agricultural - A (Agricultural) zone
East:	Agricultural/Forestry/Vacant and Rural Residential - Agricultural - RA (Low Density Residential) zone
West:	Agricultural/Forestry/Vacant - Agricultural - A (Agricultural) zone

NEIGHBORHOOD CONTEXT: This is a rural area with large lots along both sides of E. Emory Road. The smaller lots in the area average 1.08 acres in size.

STAFF RECOMMENDATION:

- ▶ **Deny the sector plan amendment request to amend this parcel's designation to Rural Residential because it is not in character with the surrounding Agricultural designation and there are no other similar land use designations nearby.**

- ▶ **Deny PR (Planned Residential) zoning because it does not meet the intent of PR zoning as described in the ordinance and it is not consistent with the sector plan, which does not allow over 1 du/ac.**

COMMENTS:

SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. There are no changes to conditions that would warrant amending the land use plan.

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. No new roads or additional utilities have been introduced in this area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There have been no obvious or significant errors or omissions in the plan.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

1. The development trend in the County is to subdivide large properties into smaller lots as areas around schools and/or utilities are in demand. The large lots along E. Emory Road (several consist of 20 acres or more) may be appropriate for smaller lot development based on utilities, topography, and other such considerations. However, amending these parcels would open this corridor for suburban development without looking at the area holistically to determine whether this would be a suitable path forward for the area. The corridor is worth investigating with the sector plan update, but amending the land use designation for a single rezoning request would not be appropriate.

State law regarding amendments of the general plan (which includes Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

- The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
- The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

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. There are no substantially changed or changing conditions in the area that would warrant a rezoning.

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

1. The proposal does not meet the intent of PR zoning as described in the zoning ordinance.
2. The zoning ordinance describes PR zoning as 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.

3. 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 current sector plan designation does not support PR zoning with up to 2 du/ac, so a plan amendment would be required. However, amending the sector plan map for these parcels sets a precedent for the Rural Residential designation in this location.

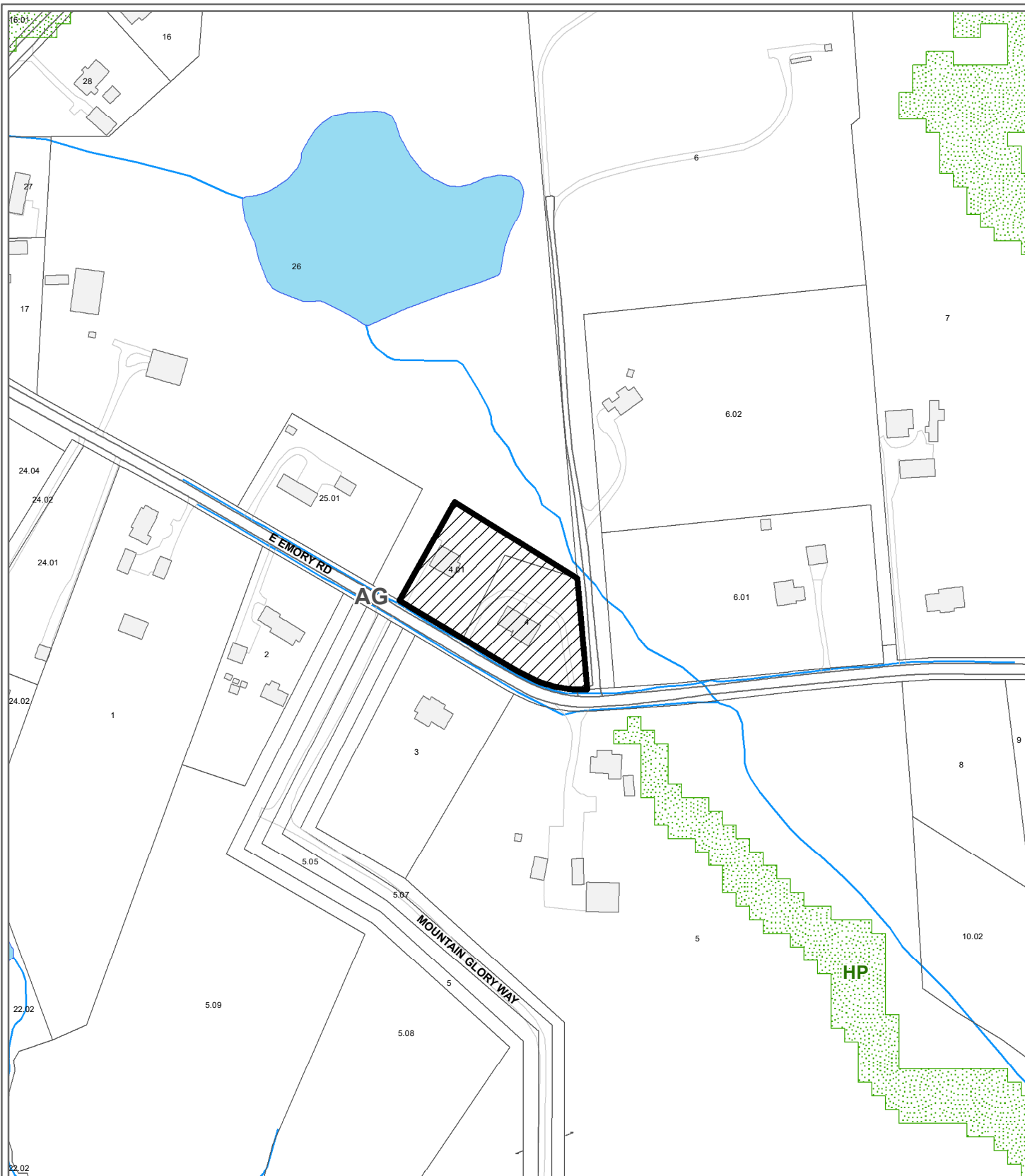
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. There are no other land use designations nearby, so a new designation would be an anomaly.
2. A sector plan designation of Rural Residential allows a higher density than Agricultural, so it would not be appropriate to amend the sector plan map for these parcels, surrounded as they are by the Agricultural designation in every direction.
3. The property is located in FEMA Flood Zone X, but it is not located in a floodway or a floodplain.
4. The parcel is not in the Hillside and Ridgetop Protection Area. It is gently sloped with the majority of the land having slopes less than 15%. The house at 9901 E. Emory Road sits atop a small hill.

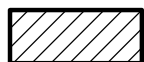
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 2/24/2020. 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.



12-A-19-SP / 12-A-19-RZ
NORTHEAST COUNTY SECTOR PLAN AMENDMENT



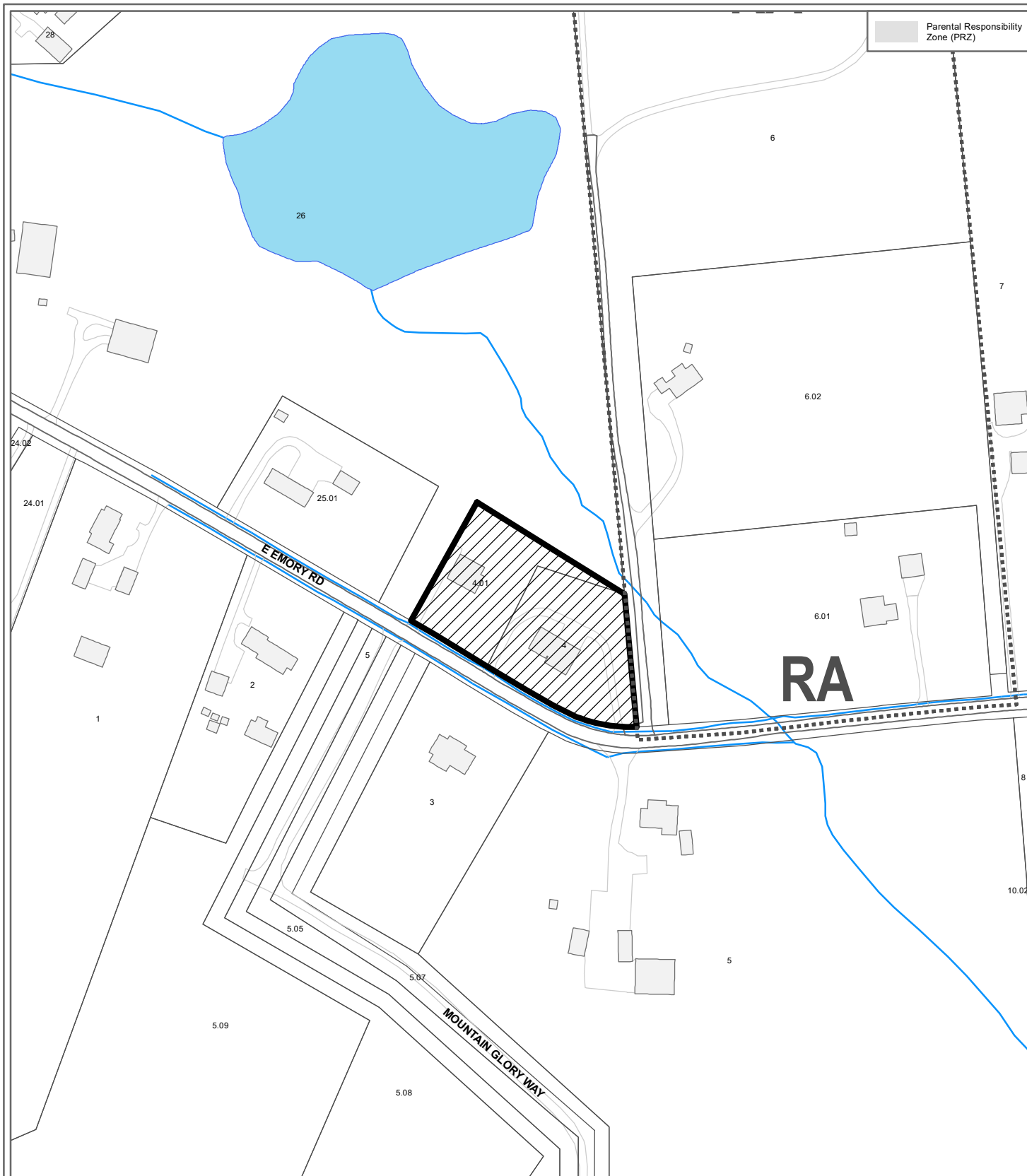
From: AG/RR (Agricultural)
 To: RR (Rural Residential)

Petitioner: Longmire, Joseph and Rebecca

Map No: 15
 Jurisdiction: County



Original Print Date: 11/6/2019 Revised: 12/20/2019
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**12-A-19-RZ
REZONING**

From: A (Agricultural)

To: PR (Planned Residential)



Petitioner: Longmire, Joseph and Rebecca

Map No: 15

Jurisdiction: County



Original Print Date: 11/6/2019 Revised: 12/20/2019
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

**KNOXVILLE-KNOX COUNTY PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTHEAST COUNTY SECTOR PLAN**

***WHEREAS**, the Knoxville-Knox County Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and*

***WHEREAS**, the Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

***WHEREAS**, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

***WHEREAS**, the Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the Northeast County Sector Plan, consistent with the requirements of the General Plan; and*

***WHEREAS**, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and*

***WHEREAS**, Joseph and Rebecca Longmire have submitted an application to amend the Sector Plan from Agricultural to Rural Residential, for property described in the application; and*

***WHEREAS**, the Planning Commission staff recommends approval of a revised amendment to the Northeast County Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and*

***WHEREAS**, the Planning Commission, at its regularly scheduled public hearing on January 9, 2020, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.*

NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the Northeast County Sector Plan, with its accompanying staff report and map, file #12-A-19-SP.

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that The Knox County Commission likewise consider this revised amendment to the General Plan 2033.

Date

Chairman

Secretary



Dori Caron <dori.caron@knoxplanning.org>

Fwd: Postpone please**Amy Brooks** <amy.brooks@knoxplanning.org>

Fri, Dec 6, 2019 at 12:45 PM

To: Commission <commission@knoxplanning.org>

Cc: Dori Caron <dori.caron@knoxplanning.org>, Gerald Green <gerald.green@knoxplanning.org>, Michelle Portier <michelle.portier@knoxplanning.org>

**AUTOMATIC POSTPONEMENTS: 30 DAYS****File #:** 12-A-19-RZ_12-A-19-SP**Meeting Date:** 12-12-2019

----- Forwarded message -----

From: **Rebecca Longmire** <rebeccalongmire@hotmail.com>

Date: Fri, Dec 6, 2019 at 11:28 AM

Subject: Re: Postpone please

To: Amy Brooks <amy.brooks@knoxplanning.org>

Yes, Amy, I want to postpone until the January meeting all aspects relating to the properties at 9853 and 9901, including the sector plan amendment. Thank you.

Rebecca Longmire

Gratitude is the parent of all virtues. (Cicero)

From: Amy Brooks <amy.brooks@knoxplanning.org>**Sent:** Thursday, December 5, 2019 3:58 PM**To:** Rebecca Longmire <rebeccalongmire@hotmail.com>**Subject:** Re: Postpone please

Hi Rebecca,

I wanted to clarify that you were including the request for the sector plan amendment as well as part of this postponement request. Is this correct?

Thank you,

Amy

On Thu, Dec 5, 2019 at 3:55 PM Rebecca Longmire <rebeccalongmire@hotmail.com> wrote:

Amy, please postpone for one month our request to change the zoning on 9853 and **9901 East Emory Road** in Corryton. Thank you.

Rebecca Longmire

Gratitude is the parent of all virtues. (Cicero)



DEVELOPMENT REQUEST

DEVELOPMENT

- ☐ Development Plan
☐ Use on Review / Special Use

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☒ Plan Amendment
☒ Rezoning

OCT 04 2019

Knoxville-Knox County
Planning

Joseph Longmire / Rebecca Longmire

Applicant

10/4/19

Date Filed

12/12/19

Meeting Date (if applicable)

12-A-19-RZ / 12-A-19-SP

File Number(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

JOSEPH Longmire / Rebecca Longmire

Name

Company

9909 East Emory Rd Corryton TN 37721

Address

City

State

Zip

865-607-2966 rebecca.longmire@hotmail.com

Phone

Email

CURRENT PROPERTY INFO

Joseph & Rebecca Longmire 9909 E Emory Corryton

Owner Name (if different)

Owner Address

015/004

Owner Phone

9901 East Emory Rd 9853 East Emory 015/00401

Property Address

Parcel ID

Corryton / East Emory - NORTH SIDE

General Location

9901
.83

Tract Size

9853

.66 acres

District 8

Jurisdiction (specify district above)

☐ City ☒ County

Zoning District

NORTH EAST

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

Private house

Existing Land Use

Septic (Y/N)

Sewer Provider

Water Provider

N/A

LBC

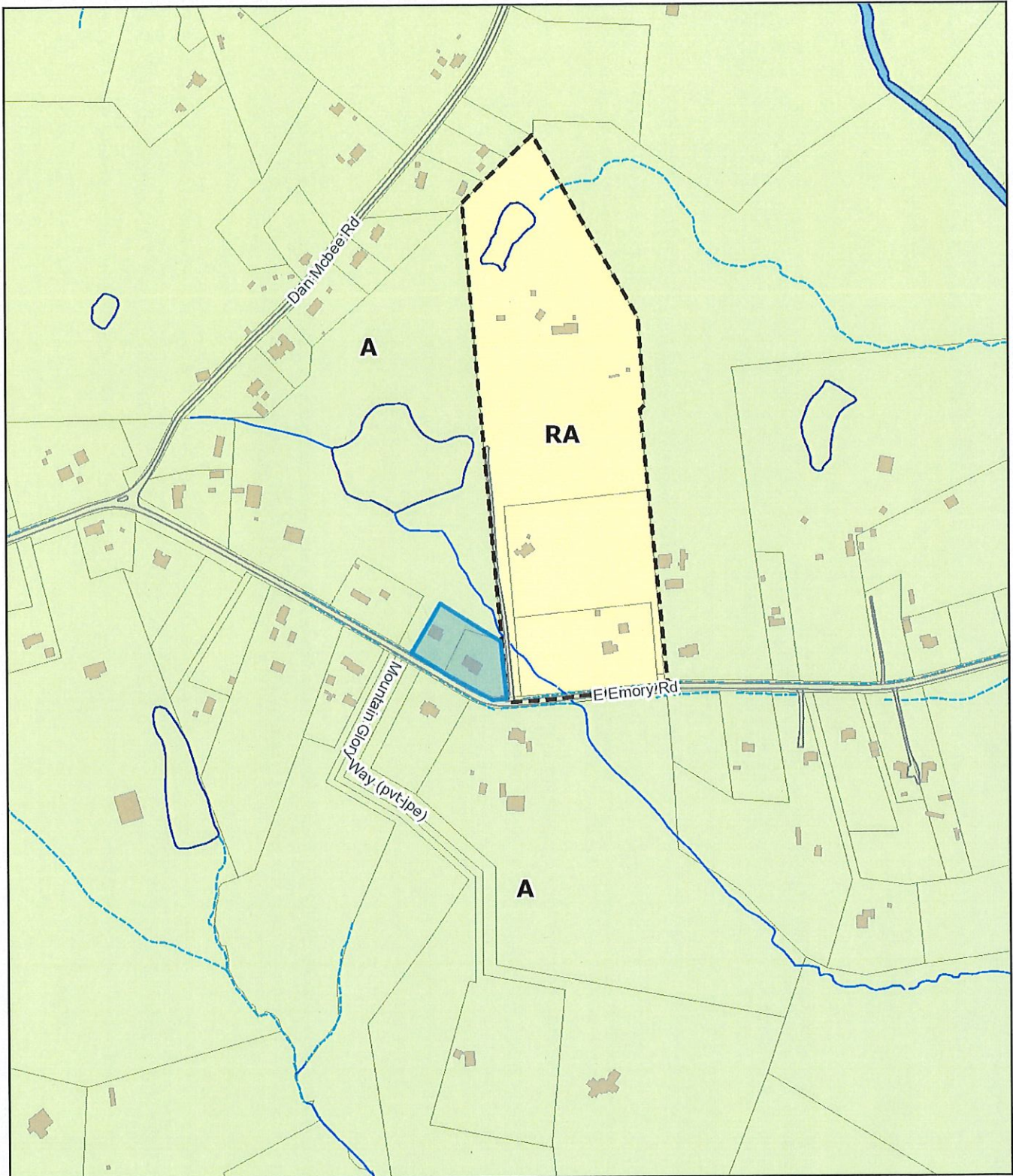
REQUEST

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): _____		
	<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 _____		
	<input checked="" type="checkbox"/> Zoning Change: <u>PR up to 2 du/ac</u> Proposed Zoning <input checked="" type="checkbox"/> Plan Amendment Change: <u>Rural Residential</u> Proposed Plan Designation(s) <u>Residential</u> <u>2 du/ac</u> <u>N/A</u> <input checked="" type="checkbox"/> Proposed Property Use (specify) Proposed Density (units/acre) Previous Rezoning Requests <input type="checkbox"/> Other (specify): _____		

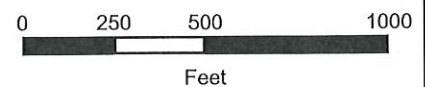
STAFF USE ONLY	PLAT TYPE <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request ADDITIONAL REQUIREMENTS <input type="checkbox"/> Design Plan Certification (Final Plat only) <input type="checkbox"/> Use on Review / Special Use (Concept Plan only) <input type="checkbox"/> Traffic Impact Study	FEE 1: <u>RZ</u> \$ <u>600.00</u> FEE 2: <u>SP</u> \$ <u>600.00</u> FEE 3: 	TOTAL: <u>\$1200.00</u> receipt #35878
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AUTHORIZATION

<u>[Signature]</u> Staff Signature	<u>Liz Albertson</u> Please Print	<u>10/4/19</u> Date
<u>[Signature]</u> Applicant Signature	<u>Rebecca Longmire</u> Please Print	<u>10/4/19</u> Date



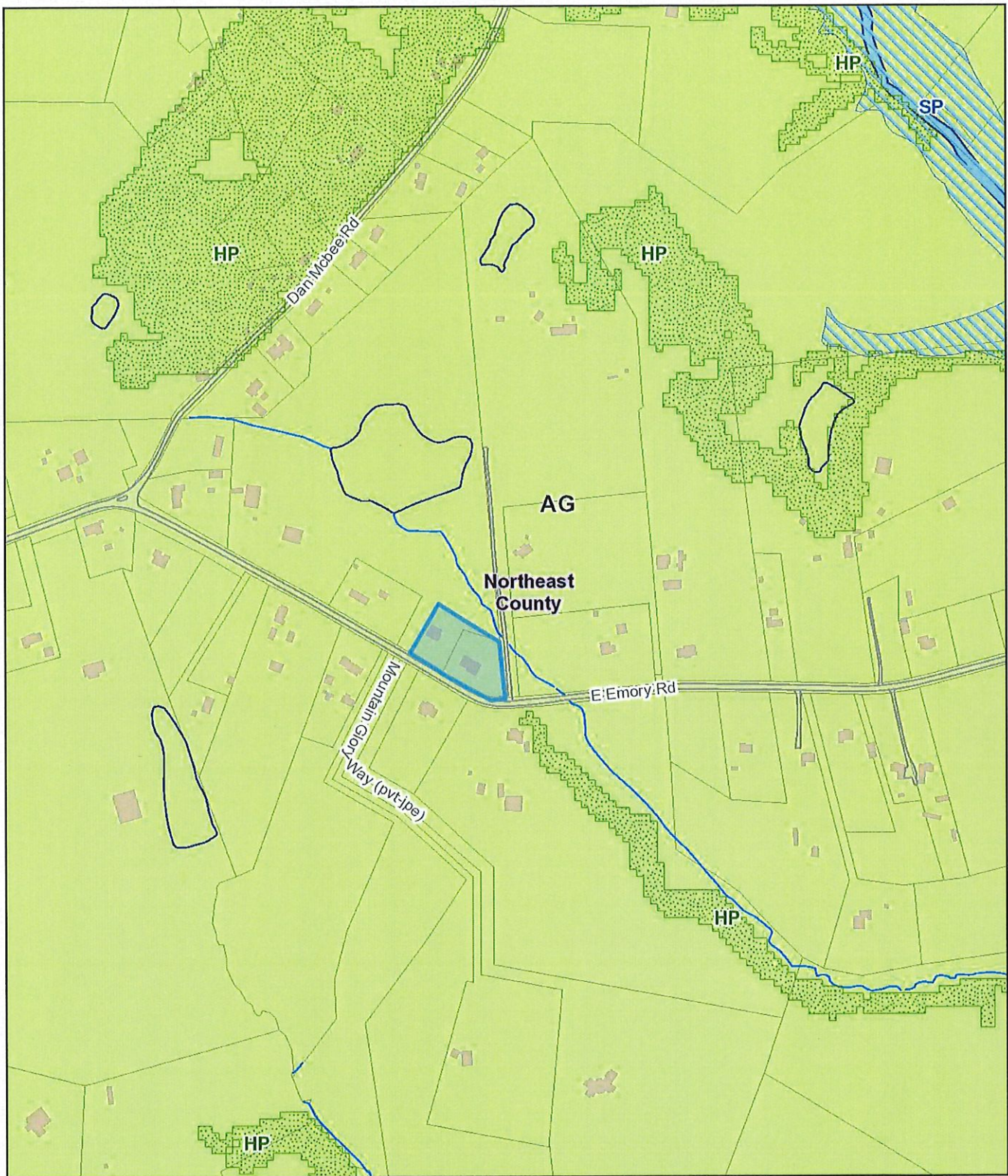
12-A-19-RZ & 12-A-19-SP
Joseph Longmire / Rebecca Longmire



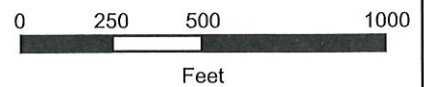
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12-A-19-RZ & 12-A-19-SP Joseph Longmire / Rebecca Longmire



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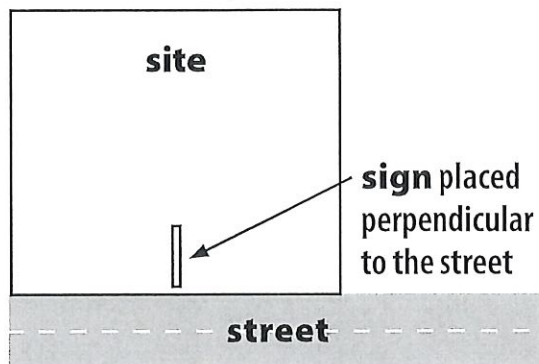
REQUIRED SIGN POSTING AGREEMENT

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:

11/27/19 and 12/13/19
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: Rebecca Longmire

Printed Name: Rebecca Longmire

Phone: 865-607-2966 Email: rebecca.longmire@hotmail.com

Date: 10/4/19

File Number: 12-A-19-RZ & 12-A-19-SP