



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 8-J-21-RZ

AGENDA ITEM #: 16

8-C-21-SP

AGENDA DATE: 8/12/2021

► **APPLICANT:** CARMAN M. HALL

OWNER(S): Mildred A. Walker

TAX ID NUMBER: 76 01302

[View map on KGIS](#)

JURISDICTION: Commission District 6

STREET ADDRESS: 10001 W. Emory Rd. (10005 W. Emory Rd)

► **LOCATION:** Northwest side of W. Emory Road, northeast of the intersection with Oak Ridge Highway

► **TRACT INFORMATION:** 2 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via W. Emory Rd, a minor collector with a pavement width of 19-ft 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 PLAN DESIGNATION/ZONING:** AG (Agricultural) & HP (Hillside Protection) / A (Agricultural)

► **PROPOSED PLAN DESIGNATION/ZONING:** RR (Rural Residential) & HP (Hillside Protection) / PR (Planned Residential)

► **EXISTING LAND USE:** Single-family residential

► **DENSITY PROPOSED:** 2 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted.

SURROUNDING LAND USE, PLAN DESIGNATION,

North: Single-family residential / AG (Agriculture) & HP (Hillside Protection) / A (Agriculture)

ZONING

South: Rural residential / AG (Agriculture) & HP (Hillside Protection) / A (Agriculture)

East: Rural residential / AG (Agriculture) & HP (Hillside Protection) / A (Agriculture)

West: Single-family residential / AG (Agriculture) & HP (Hillside Protection) / A (Agriculture)

NEIGHBORHOOD CONTEXT: This area is within a 1/4 of a mile of the intersection of W. Emory Road and

STAFF RECOMMENDATION:

- ▶ **Approve RR (Rural Residential) & HP (Hillside Protection) because it is consistent with the surrounding development.**

- ▶ **Approve PR (Planned Residential) zoning up to 2 du/ac because it is consistent with the surrounding development.**

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. This property is approximately 1.9 acres with two single-family residential homes currently located on the A (Agriculture) zoned lot, making the structures existing non-conforming.
2. This amendment to RR (Rural Residential) acknowledges the current conditions and recommends a rezoning to PR (Planned Residential).

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

1. The West Knox Utility District has recently added a new wastewater treatment facility to expand capacity in the Northwest County Sector.
2. A new elementary school will be constructed within a mile of this location.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. Across Knox County, there are many sub-standard parcels that have A (Agriculture) zoning because they are smaller than an acre in size and have a single-family residential home located on them.
2. This property could have been shown as RR (Rural Residential) in the previous sector plan update to acknowledge that they should be rezoned to PR (Planned Residential) up to 2 du/ac to bring them into compliance with the zoning ordinance.

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

1. Population in the Northwest County sector continues to outpace other parts of Knox County.
2. Creating residential lots that conform with the zoning ordinance helps meet the demand for housing.

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.

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6.30.01, THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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 West Knox Utility District has recently added a new wastewater treatment facility to expand capacity in the Northwest County Sector.
2. A new elementary school will be constructed within a mile of this location.
3. This rezoning allows for additional residential development to meet the growing demand for housing in this sector.

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. This rezoning could permit the subdivision of the property into two parcels, so that each home may be on its own lot and be in compliance with the zoning ordinance.
2. It is not anticipated that any adverse effects would arise from this rezoning, as similar densities are in the area currently.
3. There are currently two homes on this A (Agriculture) zoned lot that is slightly less than 2 acres in size. This rezoning may permit subdivision of the lot so that the existing houses sit on separate parcels.

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 staff recommended rezoning to PR up to 2 du/ac is consistent with the recommended plan amendment to RR (Rural Residential) for the Northwest County Sector Plan at this location, and is consistent with the slope analysis and the Growth Policy Plan.
2. Since the adoption of the Growth Policy Plan in 2001 a rezoning to RA (Low Density Residential) is not permitted in the Rural Area.

ESTIMATED TRAFFIC IMPACT: 28 (average daily vehicle trips)

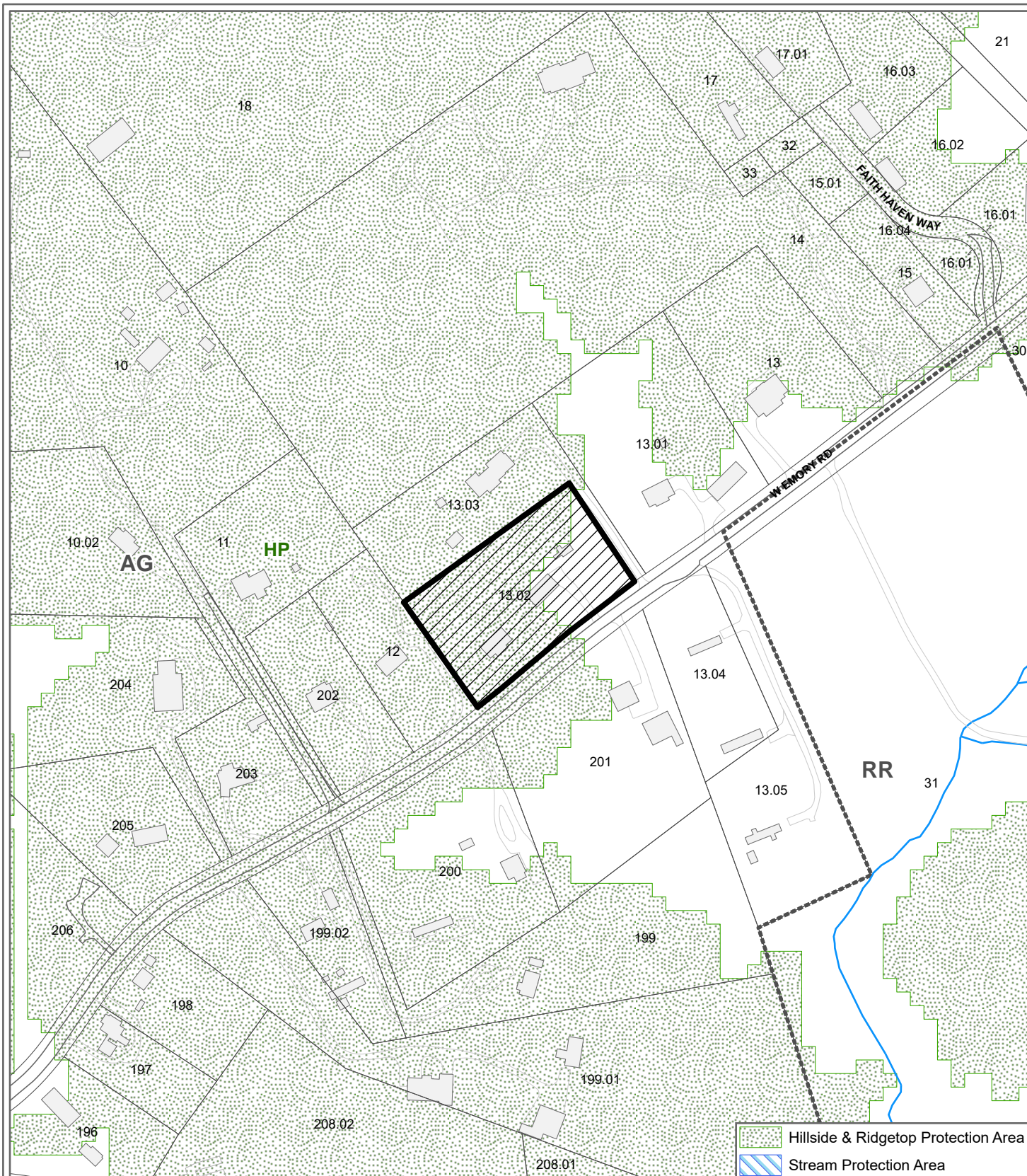
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate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

If approved, this item will be forwarded to Knox County Commission for action on 9/27/2021. 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.



8-C-21-SP / 8-J-21-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT

From: AG (Agricultural) & HP (Hillside Protection)

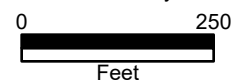
To: RR (Rural Residential) & HP (Hillside Protection)

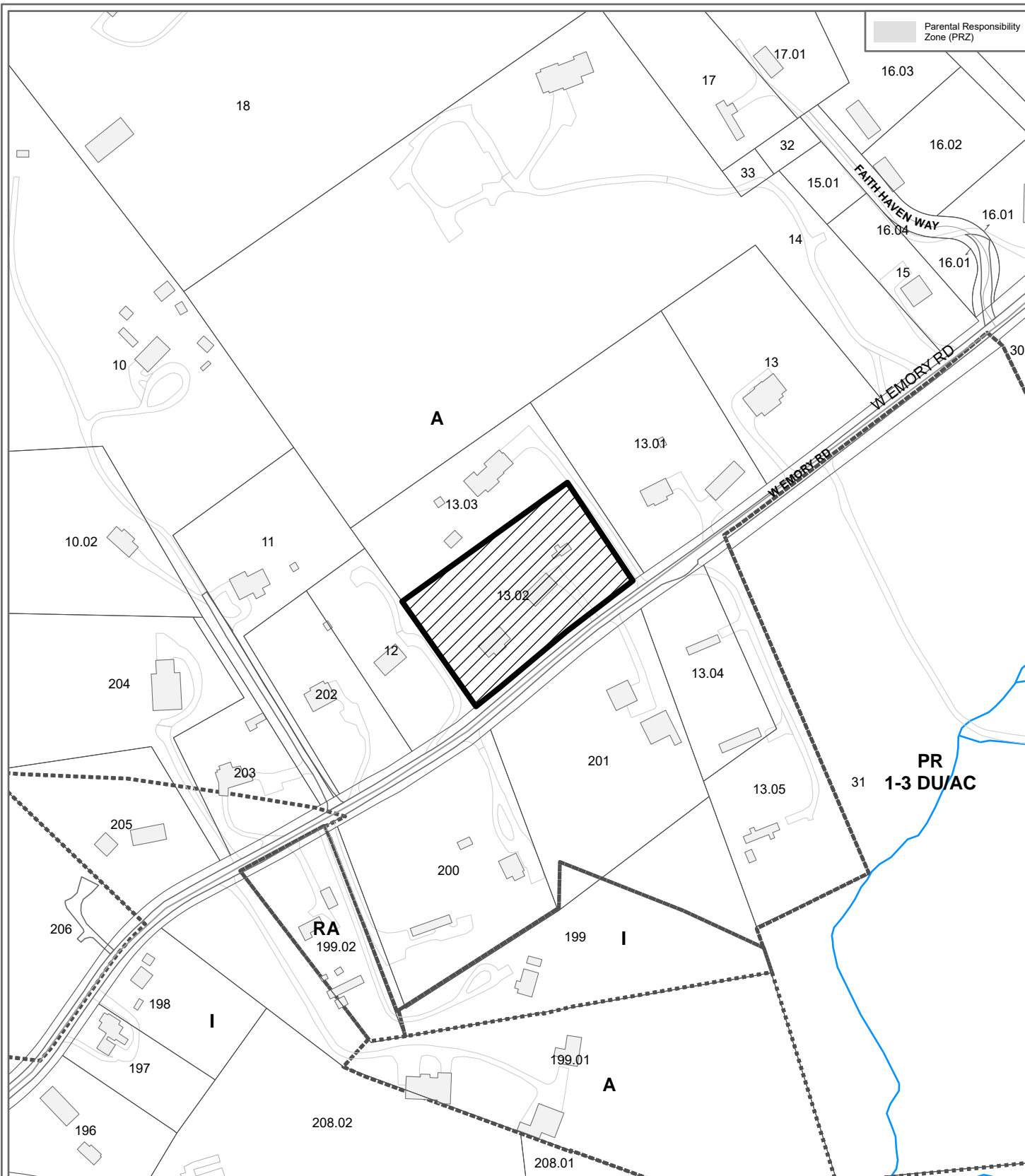
Petitioner: Hall, Carman M.

Map No: 76

Jurisdiction: County

Original Print Date: 7/6/2021 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

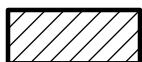




8-J-21-RZ REZONING

From: A (Agricultural)

To: PR (Planned Residential)



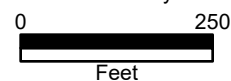
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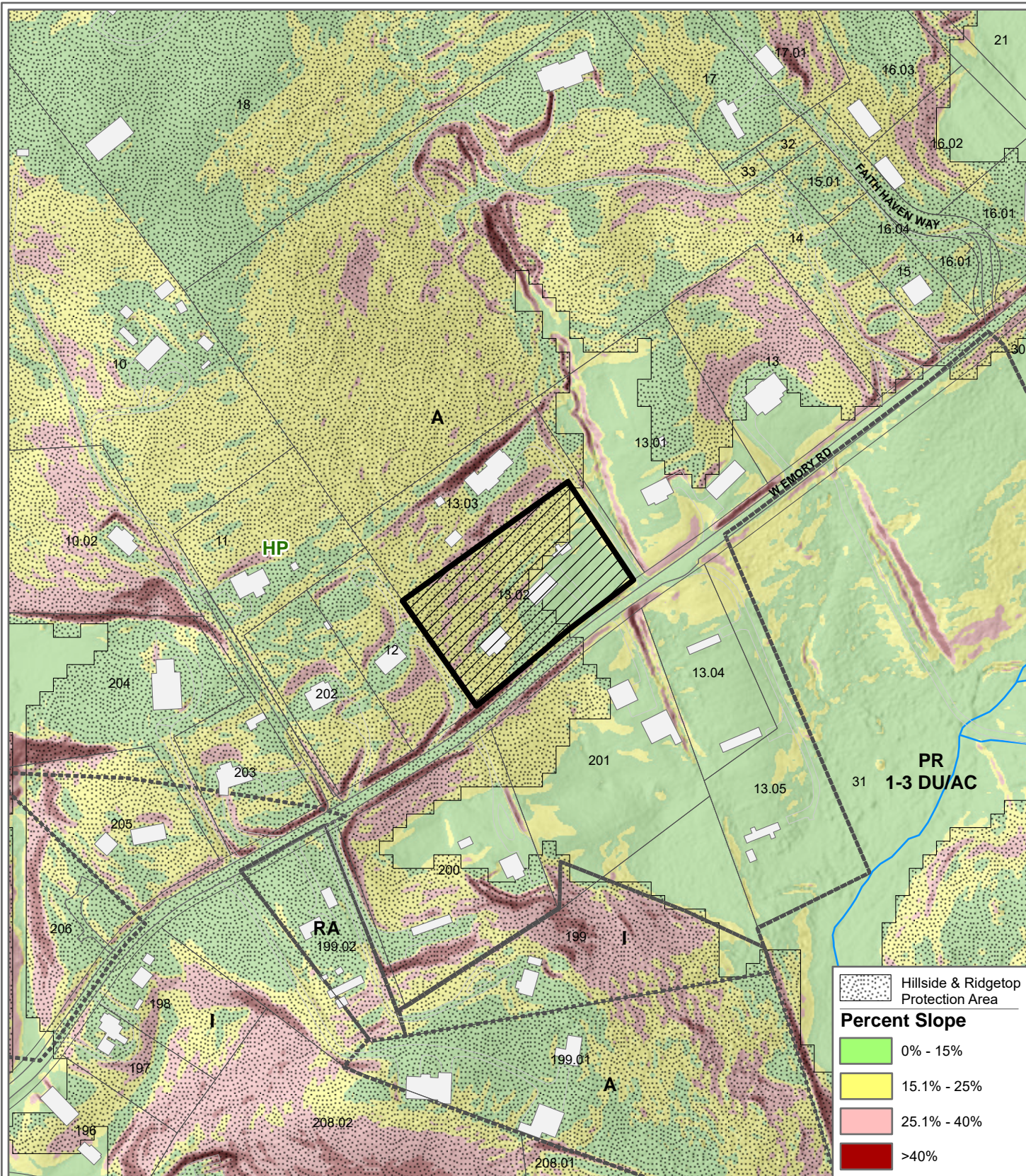
Revised:

Petitioner: Hall, Carman M.

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Jurisdiction: County

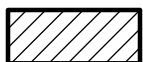




8-J-21-RZ / 8-C-21-SP SLOPE ANALYSIS

From: A (Agricultural)

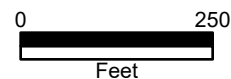
To: PR (Planned Residential)



Petitioner: Hall, Carman M.

Map No: 76

Jurisdiction: County



Original Print Date: 7/7/2021 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

8-J-21-RZ / 8-C-21-RZ

	Acres
Non-Hillside Portions	0.53

Hillside and Ridgetop Protection Area

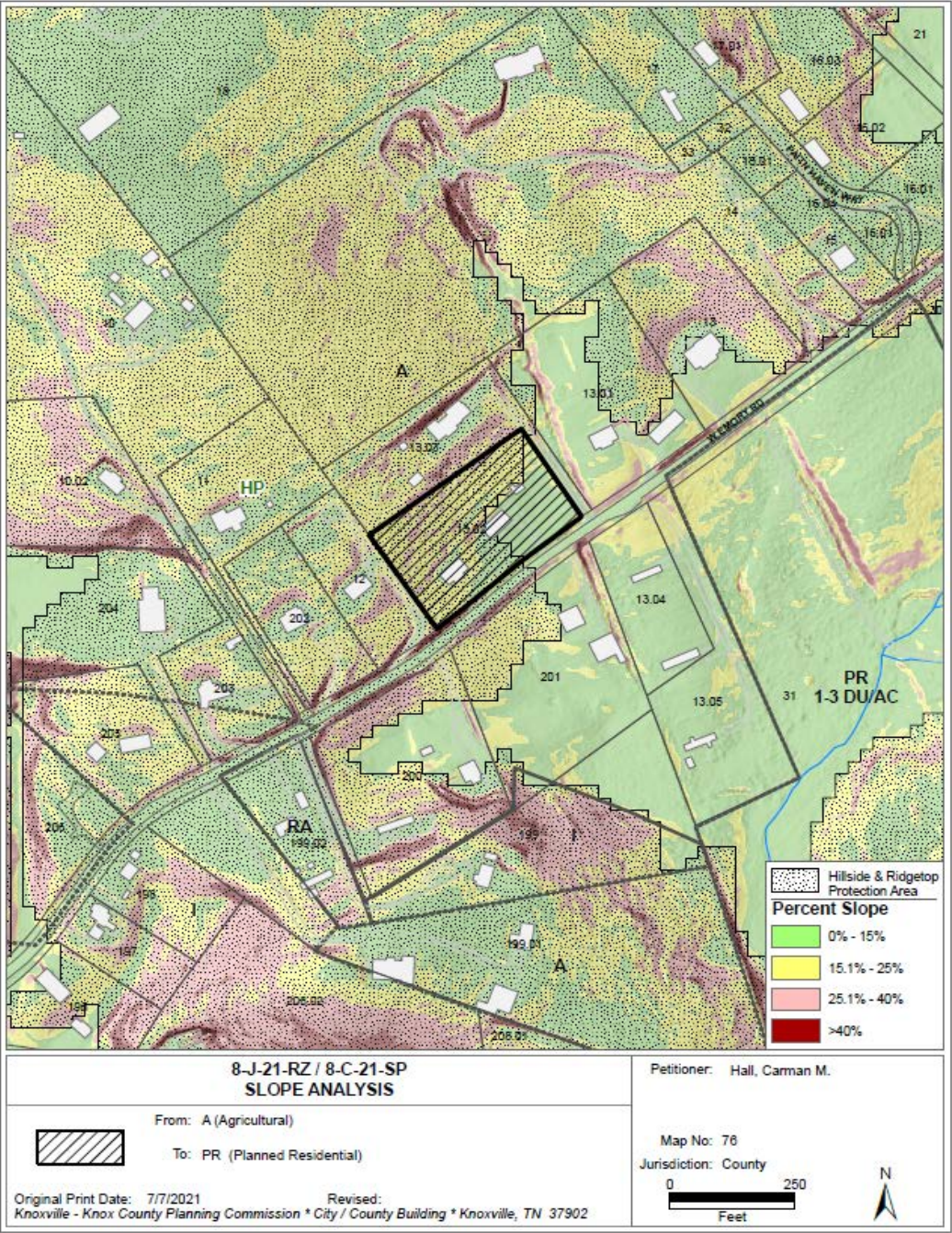
Value	Percent Slope	Count	Acres
1	0%-15%	395	0.23
2	15%-25%	1733	0.99
3	25%-40%	329	0.19
4	>40%	1	0.00
			1.41

Ridgetop Area	0
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Site Total	1.94
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CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Non-Hillside	0.53	100%	0.5
0-15% Slope	0.23	100%	0.2
15-25% Slope	0.99	50%	0.5
25-40% Slope	0.19	20%	0.0
Greater than 40% Slope	0	10%	0.0
Ridgetops	0		
Subtotal: Sloped Land	1.41	Recommended disturbance budget within Hillside Protection Area (acres)	0.8
Total Acreage	1.94		1.3

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	0.53	2.00	1.1
0-15% Slope	0.23	2.00	0.5
15-25% Slope	0.99	2.00	2.0
25-40% Slope	0.19	0.50	0.1
Greater than 40% Slope	0	0.20	0.0
Ridgetops	0	3.00	0.0
Subtotal: Sloped Land	1.41		2.5
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	1.94	1.85	3.6
Proposed Density (Applicant)	1.94	1.00	1.9



**KNOXVILLE-KNOX COUNTY PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTHWEST 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 Northwest 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**, Carman M Hall has submitted an application for an amendment to the Northwest County Sector Plan for property described in the application; and*

***WHEREAS**, the Planning Commission recommends approval of an amendment to the Sector Plan from Agricultural and Hillside Protection to Rural Residential and Hillside Protection 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 August 12, 2021, 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 Northwest County Sector Plan, with its accompanying staff report and map, file #8-C-21-SP.

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

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

Date

Chairman

Secretary

Exhibit B. 8-J-21-RZ / 8-O-21-SP Contextual Images

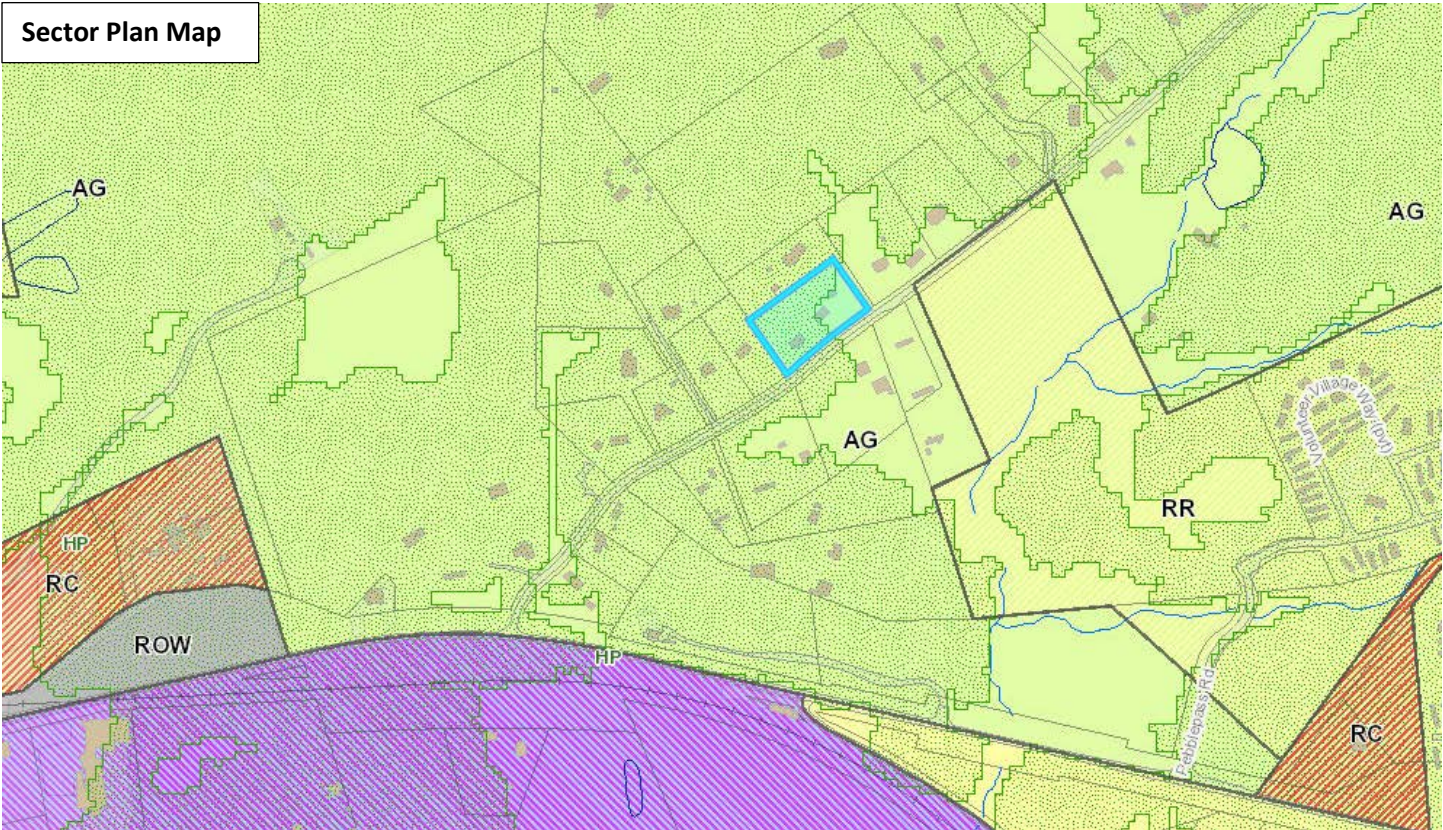
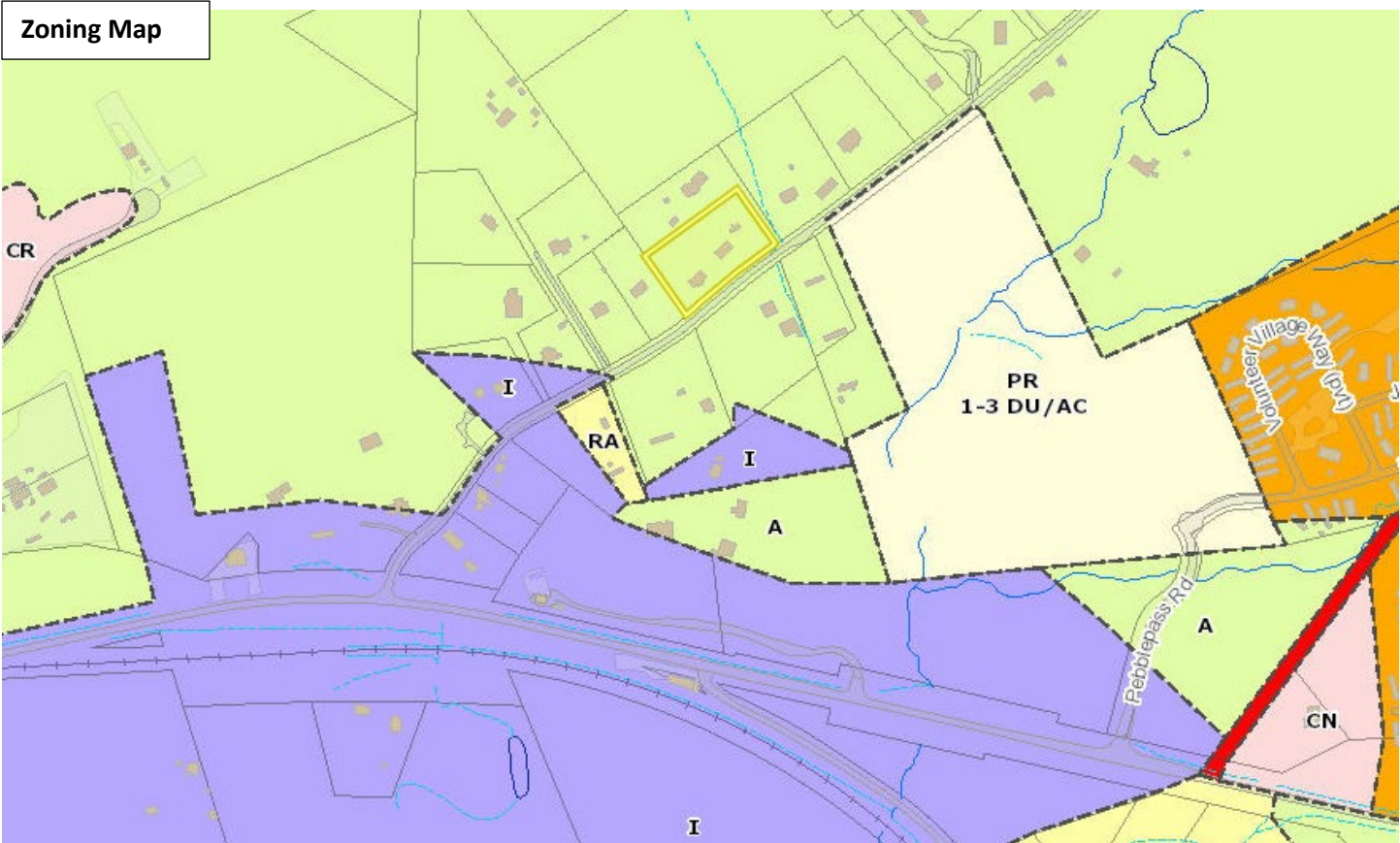


Exhibit B. 8-J-21-RZ / 8-O-21-SP Contextual Images

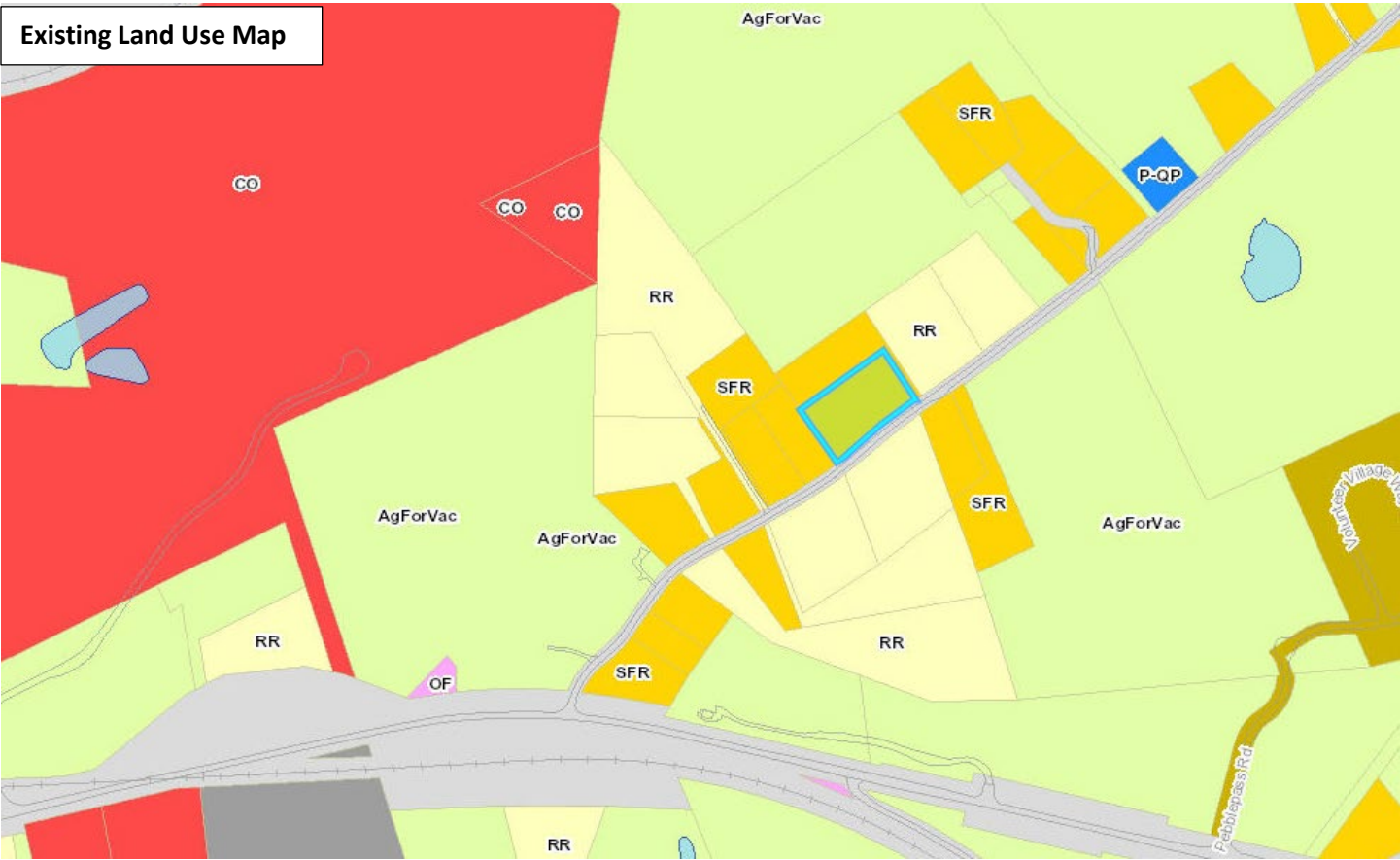


Exhibit B. 8-J-21-RZ / 8-O-21-SP Contextual Images





Development Request

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ SP ☐ OYP
☒ Rezoning

Carman M Hall

Applicant Name

Affiliation

May 11, 2021

Date Filed

Meeting Date (if applicable)

File Number(s)
8-J-21-RZ
8-C-21-SP

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

Carman M Hall

Name

Company

10005 W Emory Rd

Knoxville

TN

37931

Address

City

State

ZIP

865-255-1446

threeofakind1020@comcast.net

Phone

Email

CURRENT PROPERTY INFO

Mildred A Walker

10001 W Emory Rd

Owner Name (if different)

Owner Address

Owner Phone

10005 W Emory Rd

10001 W Emory Rd

076 01302

Property Address

Parcel ID

West Knox Utility District

Y

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

Northwest side W Emory Rd, northeast of (apprx) 2.0 acres
the intersection with Oak Ridge Hwy

General Location

Tract Size

☐ City ☒ County

6th

A

SFR

District

Zoning District

Existing Land Use

Northwest County

AG/HP

Rural Area

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

DEVELOPMENT REQUEST☐ Development Plan ☐ Use on Review / Special Use ☐ Hillside Protection COA☐ Residential ☐ Non-Residential

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Unit / Phase Number _____

☐ Combine Parcels☐ Divide Parcel

Total Number of Lots Created _____

☐ Other (specify) _____☐ Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST☒ Zoning Change~~Residential-Agricultural~~ **PR**

Proposed Zoning

☒ Plan Amendment Change**RR**
Proposed Plan Designation(s)

2 acres/2 dwellings

Proposed Density (units/acre)

Previous Rezoning Requests

☐ Other (specify) _____

Pending Plat File Number

STAFF USE ONLY**PLAT TYPE**☐ Staff Review☐ Planning Commission**ATTACHMENTS**☐ Property Owners / Option Holders☐ Variance Request**ADDITIONAL REQUIREMENTS**☐ Design Plan Certification (*Final Plat*)☐ Use on Review / Special Use (*Concept Plan*)☐ Traffic Impact Study☐ COA Checklist (*Hillside Protection*)

Fee 1

0324 600.00

Fee 2

0526 600.00

Fee 3

Total

\$1200.00**AUTHORIZATION**

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

Carman Hall
Applicant Signature

Carman M Hall

Please Print

May 11, 2021

Date

865-255-1446

threeofakind1020@comcast.net

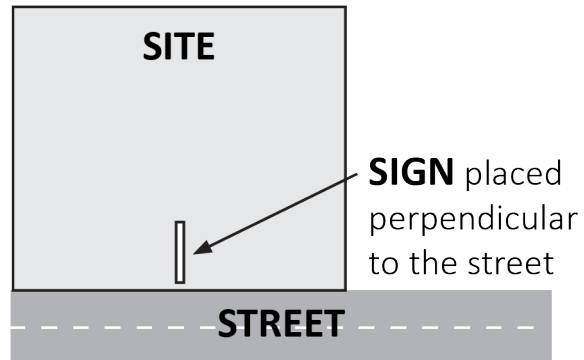
Phone Number

Email

Sherry Michienzi
Staff Signature**SHERRY MICHIEZI**
Please Print

Date

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:

_____ and _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: _____

Date: _____

File Number: _____

- ☐ Sign posted by Staff
- ☐ Sign posted by Applicant