



# PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 1-W-23-RZ  
1-J-23-SP

**AGENDA ITEM #:** 30  
**AGENDA DATE:** 1/12/2023

▶ **APPLICANT:** REBECCA WALLS  
**OWNER(S):** Raymond Arthur Popp and Diana Marriott Popp

**TAX ID NUMBER:** 76 018,021 [View map on KGIS](#)

**JURISDICTION:** Commission District 6

**STREET ADDRESS:** 0 W EMORY RD (9841 W EMORY RD)

▶ **LOCATION:** Northwest side of W Emory Rd, east of Faith Haven Way

▶ **TRACT INFORMATION:** 67.32 acres.

**SECTOR PLAN:** Northwest County

**GROWTH POLICY PLAN:** Rural Area

**ACCESSIBILITY:** Access is via W Emory Rd, a minor collector street with an 18-ft pavement width within a 60-ft right-of-way.

**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), SP (Stream Protection) / A (Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** RR (Rural Residential), HP (Hillside Protection), SP (Stream Protection) / PR (Planned Residential)

▶ **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land

▶ **DENSITY PROPOSED:** up to 3 du/ac

**EXTENSION OF PLAN DESIGNATION/ZONING:** No/No

**HISTORY OF ZONING REQUESTS:** None noted

**SURROUNDING LAND USE, PLAN DESIGNATION, ZONING**

North: River - W (Water) - AG (Agricultural) - A (Agricultural)  
South: Agriculture/forestry/vacant, single family residential, public/quasi-public land - AG (Agricultural) - A (Agricultural)  
East: Rural residential, single family residential, agriculture/forestry/vacant - AG (Agricultural) - A (Agricultural)  
West: Commercial, rural residential - AG (Agricultural) - A (Agricultural)

**NEIGHBORHOOD CONTEXT:** This rural area is comprised of single family detached homes on large to medium-sized lots, farmland and forested hillside. There's a commercial mulching operating adjacent to the west.

**STAFF RECOMMENDATION:**

- ▶ **Approve the sector plan amendment to RR (Rural Residential), HP (Hillside Protection) and SP (Stream Protection) because it is consistent with surrounding land use and trends in development.**
  
- ▶ **Approve the PR (Planned Residential) zone up to 3 du/ac because it is consistent with Growth Policy Plan guidelines and surrounding development trends, subject to one condition.**

**ZONING CONDITION**

- 1) The portion of the parcel with slopes of 25% or greater shall be left undisturbed, as delineated in Exhibit B.

**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. Since the 1990s there has been significant conversion of farmland to residential development southeast of the subject property along Oak Ridge Hwy and to the northeast along W Emory Rd.
2. Much of the surrounding region, which is included in the Rural Area of the Growth Policy Plan, has the land use designation of RR (Rural Residential).
3. These conditions warrant consideration of RR on the subject property as a classification that is compatible with surrounding land uses.

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

1. There has been sewer utility expansion to nearby properties to accommodate commercial or residential developments, and this could be further extended to the subject property.

**AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:**

1. It is clear that RR is a common designation in this region and could have been considered instead of AG (Agricultural) for the subject property.

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

1. As noted, the substantial subdivision development that has occurred as recently as 2022 reflects a trend of increasing focus on residential infrastructure in this historically agrarian area.

**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 subject property is located in a rural setting that has seen a moderate rate of farmland conversion to residential development. These conditions warrant consideration of the PR (Planned Residential) zone to meet apparent demand for housing in a manner that can also maintain the pastoral character of the area.

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

1. The PR zone is intended for residential development that is compatible with the surrounding area, and it encourages creative solutions to environmental design issues. It allows clustering of residences to focus development on the optimal parts of the property and preserve more sensitive areas, such as steep slopes.
2. Most of the subject property is within the HP (Hillside Protection) area. The PR zone is an appropriate consideration in this context because it enables concentrated development away from the ridgeline.
3. The applicant has requested a density up to 3 du/ac, which is the maximum density allowed in the Rural Area of the Growth Policy Plan. The requirements to allow 3 du/ac are as follows: 1) the property must be zoned PR, 2) public water and sewer must be available, 3) connecting collector or arterial from the development to the Urban Growth Boundary or the Planned Growth Boundary must meet the standards Knox County Engineering, and 4) providing a traffic impact analysis demonstrating that the development will not unreasonably impair traffic flow along arterials.

This rezoning request meets these criteria for 3 du/ac because the property would be zoned PR, public utilities

are available, W Emory Rd connects directly to Oak Ridge Hwy which is an arterial street, and the traffic impact letter submitted by the applicant determined that there would be no significant changes in the level of service with the anticipated increase in traffic.

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. Approximately one-third of the subject property is steep-sloped, undisturbed forest of the Copper Ridge. This 22.4-acre section of the parcel runs along the rear property line and has slopes of 25% or higher. The ridge borders the Clinch River, which is classified as an impaired waterway due to stormwater runoff and other pollution sources.
2. Clearing and grading this steep-sloped portion of the property could result in erosion, increased stormwater pollution, damage to the scenic character of this rural area, habitat loss and other degradations of the region. Considering these adverse effects, staff recommend approving the PR zone at the requested density on the condition that the area with slopes of 25% or higher be left undisturbed, as shown in Exhibit B. This condition is supported by the following development policies of the General Plan: 1) Rigorously enforce zoning regulations and conditions of approval to maintain public confidence in the planned development process (10.4), 2) Encourage development practices that respect and fit the natural landscape, minimizing the loss of trees, woodlands and wildlife habitat (9.2), and 3) Provide incentives for conservation subdivisions, to set aside large portions of open space and protect natural resources.
3. The PR zone requires development plan approval by the Planning Commission prior to construction. This will allow staff to review the plan and address issues such as traffic circulation, lot layout, drainage and other potential development concerns. It will also provide the opportunity for public input at the Planning Commission meeting.

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 proposed PR zone at a density of 3 du/ac is consistent with the recommended RR designation amendment to the Northwest County Sector Plan.
2. With adherence to the noted condition, the proposed rezoning is consistent with the General Plan and the Growth Policy Plan
3. The requested rezoning is not in conflict with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: 1918 (average daily vehicle trips)

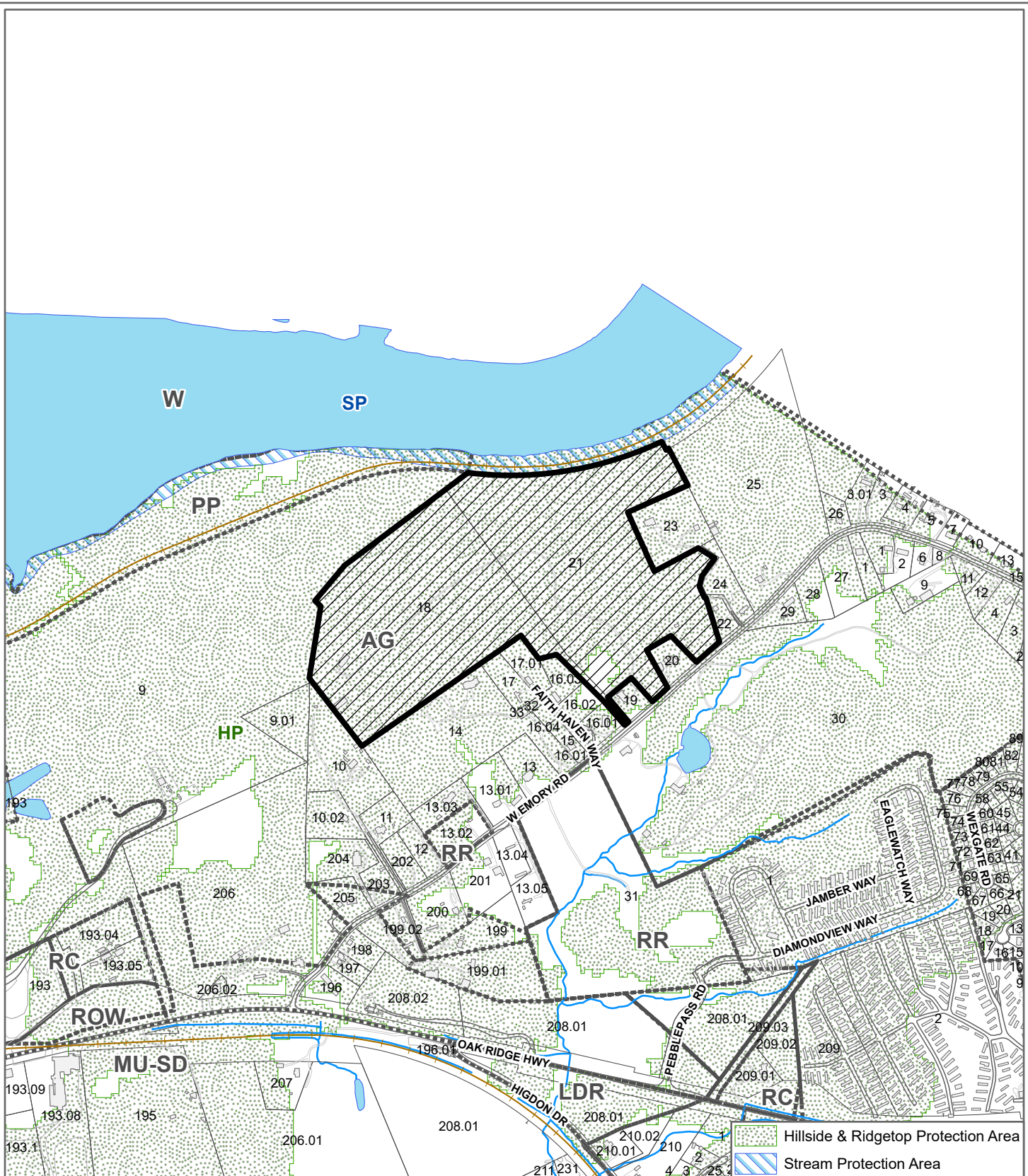
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 83 (public school children, grades K-12)

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

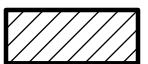
- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries 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 2/21/2023. 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.



**1-J-23-SP / 1-W-23-RZ  
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: AG (Agricultural), HP (Hillside Protection), SP (Stream Protection)  
 To: RR (Rural Residential), HP (Hillside Protection), SP (Stream Protection)

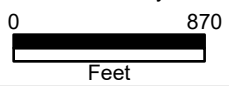


Petitioner: Rebecca Walls

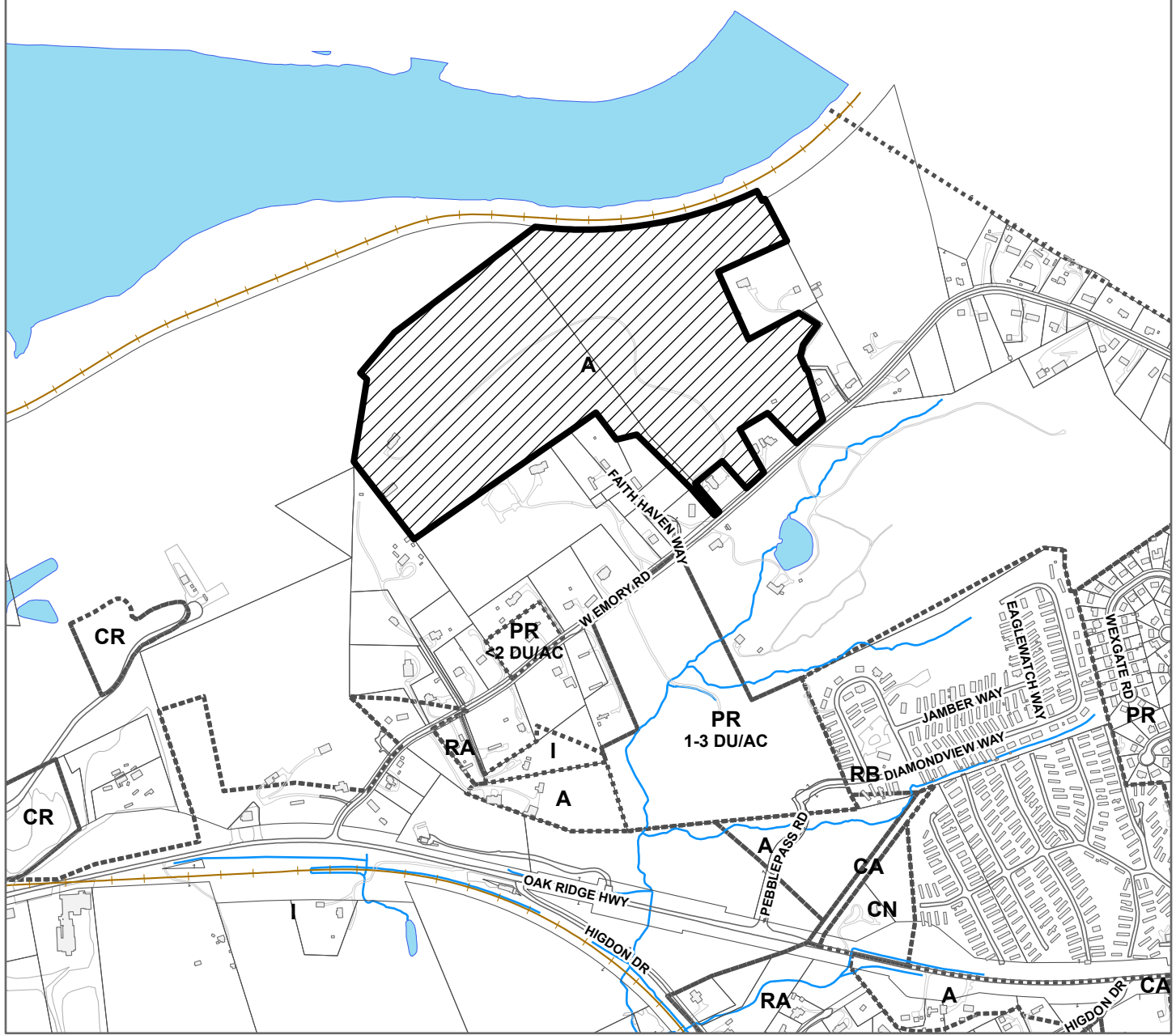
Map No: 76

Jurisdiction: County

Original Print Date: 12/19/2022      Revised:  
 Knoxville - Knoxville Planning Commission \* City / County Building \* Knoxville, TN 37902

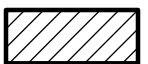


Parental Responsibility Zone (PRZ)



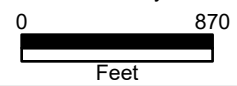
### 1-W-23-RZ REZONING

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



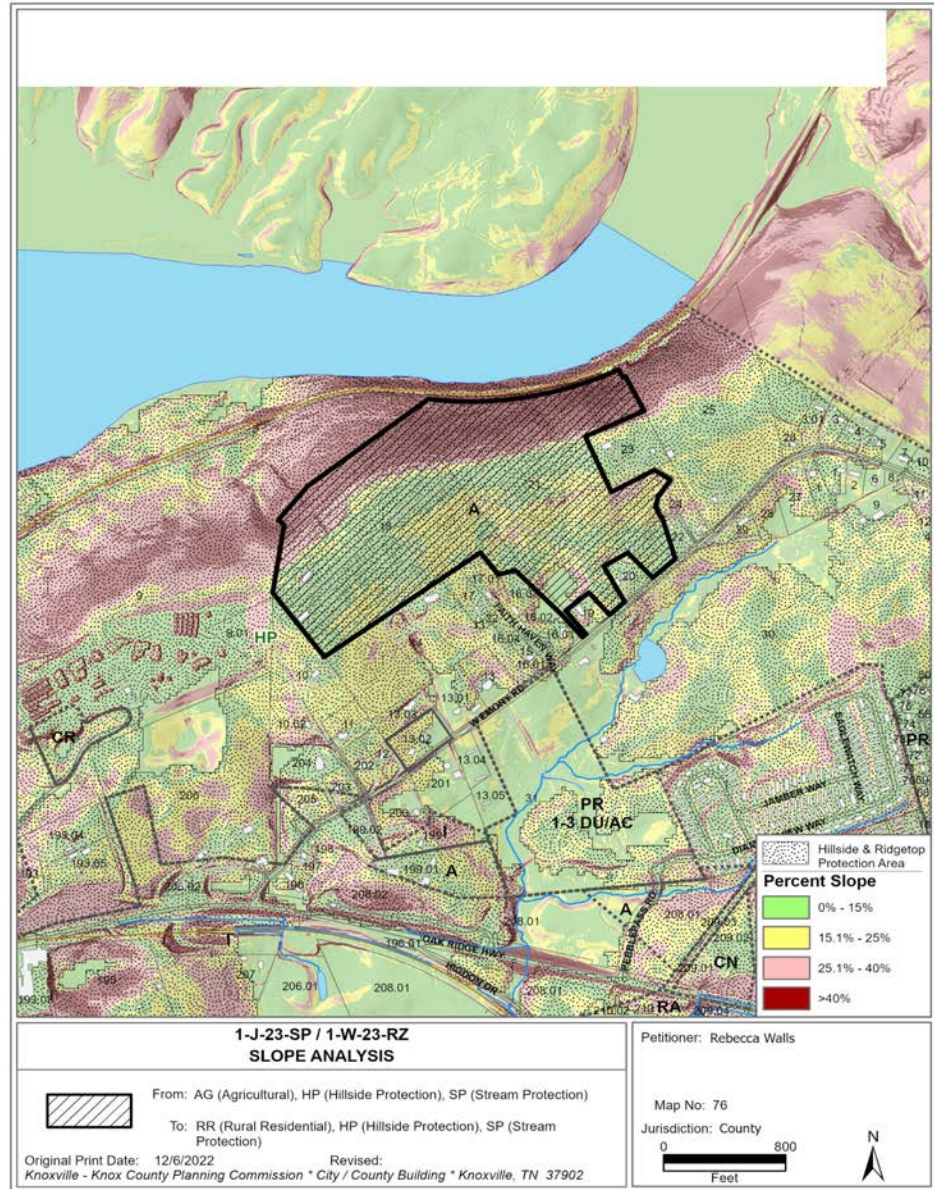
Petitioner: Rebecca Walls

Map No: 76  
Jurisdiction: County



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
<b>Total Area of Site</b>	<b>67.19</b>		
Non-Hillside	1.24	N/A	
0-15% Slope	26.24	100%	26.24
15-25% Slope	17.28	50%	8.64
25-40% Slope	5.42	20%	1.08
Greater than 40% Slope	17.01	10%	1.70
Ridgetops			
<b>Hillside Protection (HP) Area</b>	65.95	Recommended disturbance budget within HP Area (acres)	<b>37.7</b>
		Percent of HP Area	<b>0.6</b>

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	1.24	3.00	3.71
0-15% Slope	26.24	3.00	78.72
15-25% Slope	17.28	2.00	34.56
25-40% Slope	5.42	0.50	2.71
Greater than 40% Slope	17.01	0.20	3.40
Ridgetops	0.00	3.00	0.0
<b>Subtotal: Sloped Land</b>	<b>65.95</b>		<b>119.40</b>
<b>Maximum Density Guideline (Hillside &amp; Ridgetop Protection Plan)</b>	<b>67.19</b>	<b>1.83</b>	<b>123.11</b>
<b>Proposed Density (Applicant)</b>	<b>67.19</b>	<b>3.00</b>	<b>201.6</b>



***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, Rebecca Walls 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 to Rural Residential is 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 January 12, 2023 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 #1-J-23-SP*

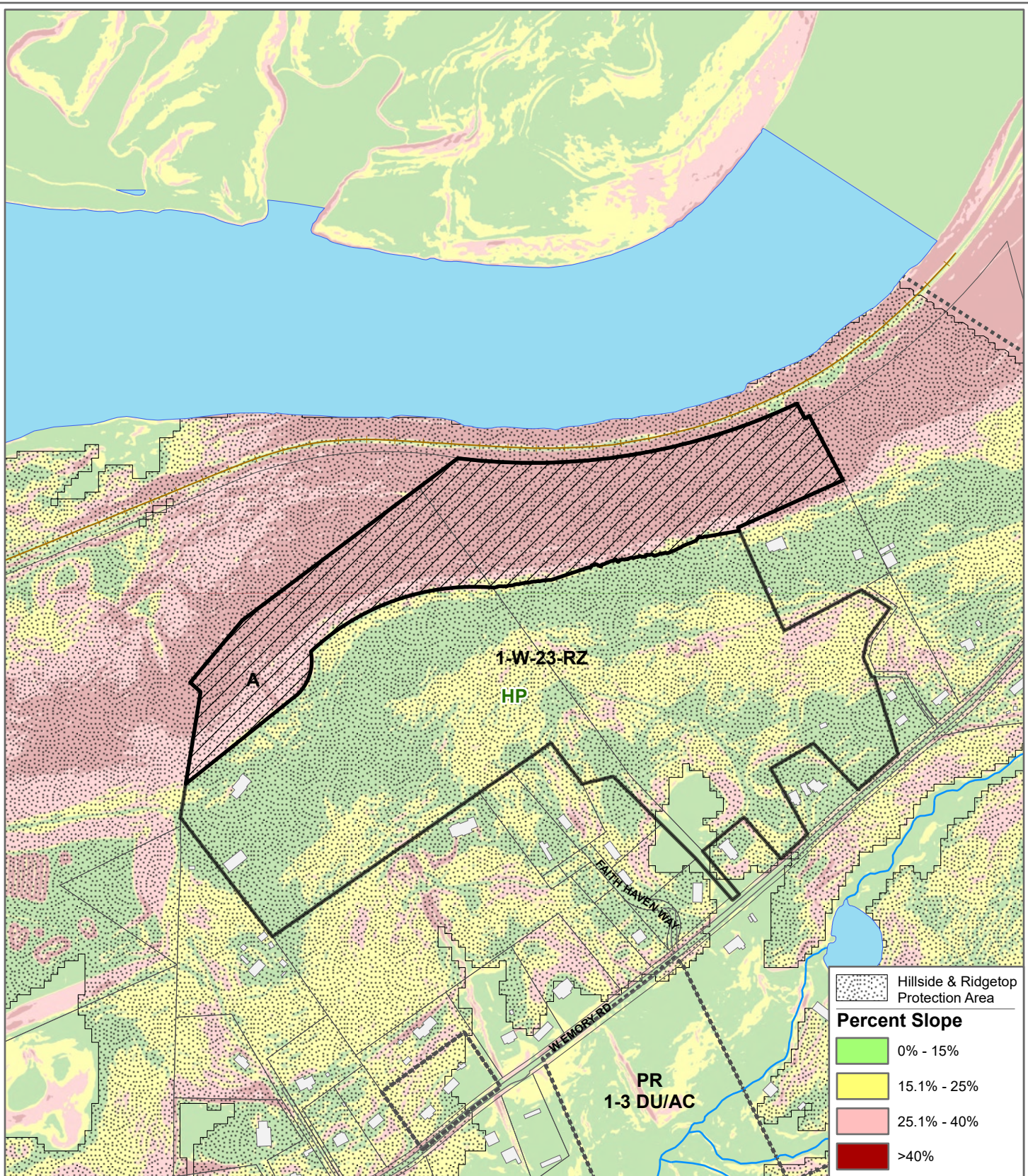
*SECTION 2: This Resolution shall take effect upon its approval.*

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

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Chairman*

\_\_\_\_\_  
*Secretary*



**1-W-23-RZ/ 1-J-23-SP**  
**Exhibit B: Staff Recommended Undisturbed Area**



Area to remain undisturbed

Original Print Date: 1/4/2023      Revised:  
 Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner:  
 Map No.: 076

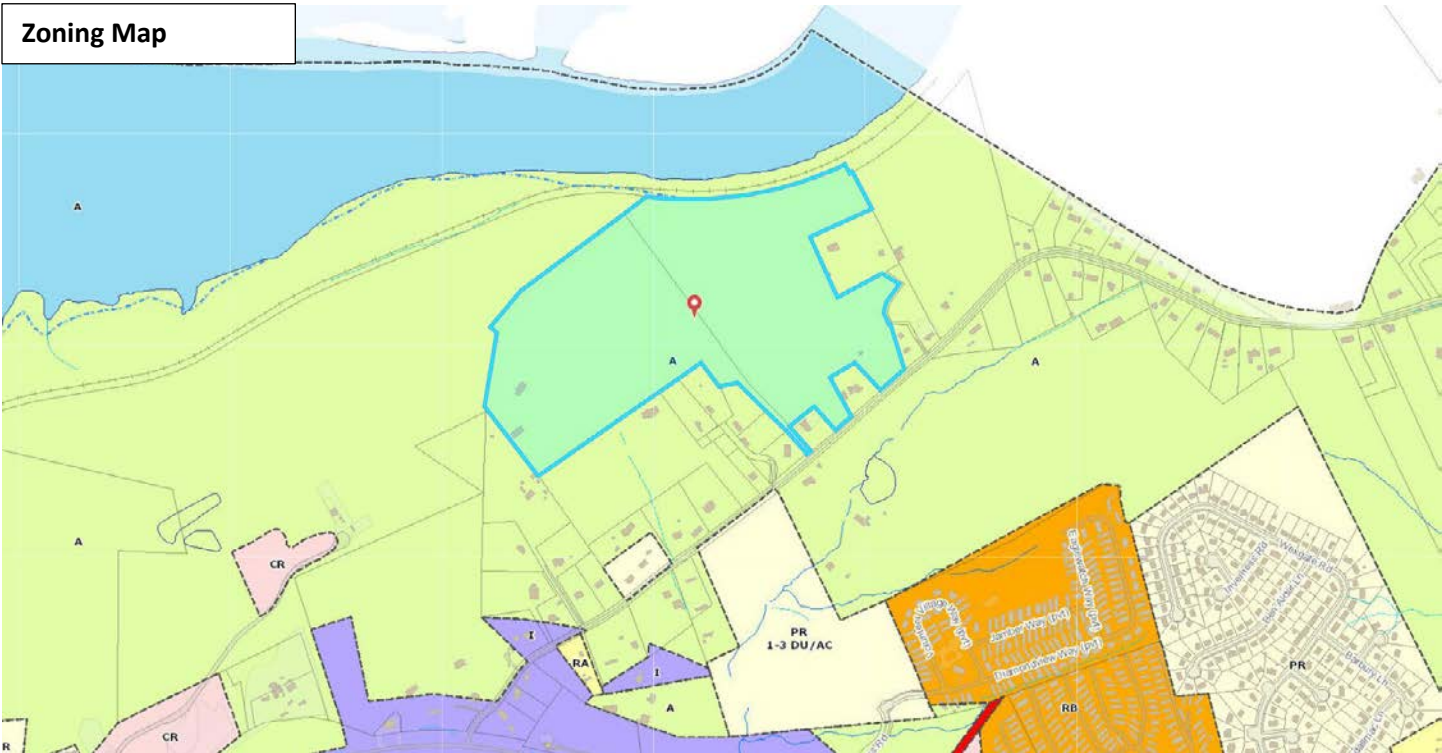
Jurisdiction: County



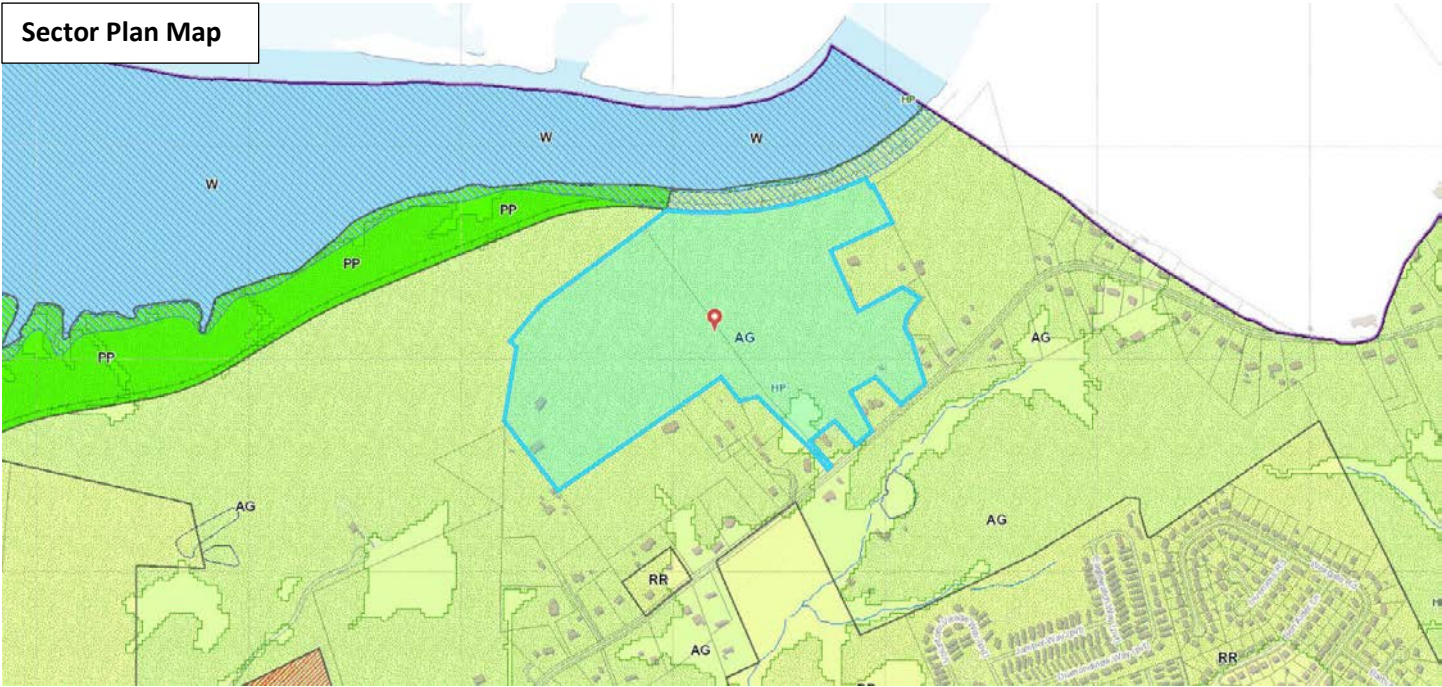


# Exhibit C. 1-W-23-RZ/ 1-J-23-SP Context Images

Zoning Map

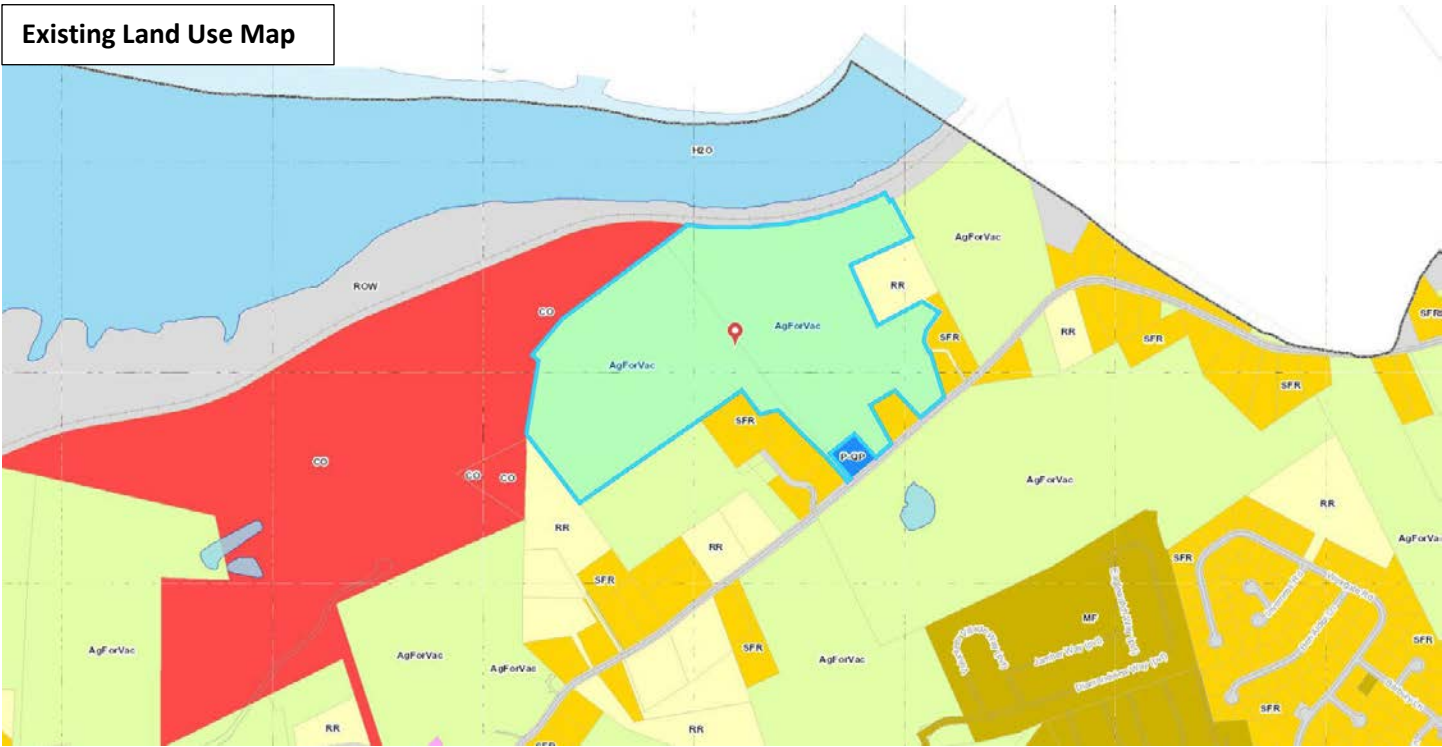


Sector Plan Map



# Exhibit C. 1-W-23-RZ/ 1-J-23-SP Context Images

Existing Land Use Map



Aerial Map





# Development Request

### DEVELOPMENT

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

### SUBDIVISION

- Concept Plan
- Final Plat

### ZONING

- Plan Amendment
  - Sector Plan
  - One Year Plan
- Rezoning

**Rebecca Walls**

Applicant Name

Affiliation

**11/29/2022**

Date Filed

**1/12/2023**

Meeting Date (if applicable)

**1-W-23-RZ / 1-J-23-SP**

File Number(s)

## CORRESPONDENCE

*All correspondence related to this application should be directed to the approved contact listed below.*

**Rebecca Walls HDI**

Name / Company

**120 Suburban Rd Ste 204 Knoxville TN 37923**

Address

**773-620-1627 / becca@hditn.com**

Phone / Email

## CURRENT PROPERTY INFO

**Raymond Arthur Popp and Diana Marrio**

Owner Name (if different)

**200 Bus Terminal Rd Oak Rdg Oak Ridge TN 37803**

Owner Address

**931-575-9851**

Owner Phone / Email

**0 W EMORY RD / 9841 W EMORY RD**

Property Address

**76 018,021**

Parcel ID

Part of Parcel (Y/N)?

**67.32 acres**

Tract Size

**West Knox Utility District**

Sewer Provider

**West Knox Utility District**

Water Provider

Septic (Y/N)

## STAFF USE ONLY

**Northwest side of W Emory Rd, east of Faith Haven Way**

General Location

City

**Commission District 6**

**A (Agricultural)**

**Agriculture/Forestry/Vacant Land**

Count

District

Zoning District

Existing Land Use

**Northwest County**

Planning Sector

**AG (Agricultural), HP (Hillside Protection), SP (Stream Pro)**

Sector Plan Land Use Classification

**Rural Area**

Growth Policy Plan Designation

## DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____ Other (specify) _____	

## SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Total Number of Lots Created	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

## ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change <b>PR (Planned Residential)</b>	Pending Plat File Number
Proposed Zoning	
<input checked="" type="checkbox"/> Plan Amendment <b>RR (Rural Residential), HP (Hillside Protection), SP (Stream Protection)</b>	
Proposed Plan Designation(s)	

### up to 3 du/ac

Proposed Density (units/acre)    Previous Zoning Requests

Additional Information \_\_\_\_\_

## STAFF USE ONLY

### PLAT TYPE

Staff Review     Planning Commission

### ATTACHMENTS

Property Owners / Option Holders     Variance Request

### ADDITIONAL REQUIREMENTS

- COA Checklist (Hillside Protection)
- Design Plan Certification (Final Plat)
- Site Plan (Development Request)
- Traffic Impact Study
- Use on Review / Special Use (Concept Plan)

Fee 1	Total
<b>\$4,866.00</b>	
Fee 2	
Fee 3	

## AUTHORIZATION

Applicant Signature: Rebecca Walls    Date: 11/29/2022  
Please Print

Property Owner Signature: Raymond Arthur Popp and Diana Marriott Popp    Date: 11/29/2022  
Please Print

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.

Download and fill out this form at your convenience.  
Sign the application digitally (or print, sign, and scan).

OR email it to [applications@knoxplanning.org](mailto:applications@knoxplanning.org)  
Knoxville-Knox County Planning offices

**Reset Form**



# 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

Applicant Name: Rebecca Walls Affiliation: \_\_\_\_\_

Date Filed: 10-27-22 Meeting Date (if applicable): \_\_\_\_\_

File Number(s): \_\_\_\_\_

### CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Property Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

Name: Rebecca Walls Company: HDI

Address: 120 Suburban Rd. suite 204 City: Knoxville State: TN ZIP: 37923

Phone: 773-620-1627 Email: becca.chditn.com

### CURRENT PROPERTY INFO

Property Owner Name (if different): Raymond Arthur Popp & Diana Marriott Po Property Owner Address: 200 Bus Terminal Rd Oak Ridge, TN 37830 Property Owner Phone: 931-575-9851

Property Address: 9841 West Emory Rd Knoxville TN 37931 Parcel ID: 076 018, 076 021

Sewer Provider: West Knox Utility District Water Provider: West Knox Utility District Septic (Y/N): Y

### STAFF USE ONLY

General Location: \_\_\_\_\_ Tract Size: \_\_\_\_\_

City  County District: \_\_\_\_\_ Zoning District: \_\_\_\_\_ Existing Land Use: \_\_\_\_\_

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

PR

Proposed Zoning \_\_\_\_\_

RR

Plan Amendment Change

Proposed Plan Designation(s)  
No more than 3DU/Acre

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	Total
Fee 2	
Fee 3	

## AUTHORIZATION

  
Applicant Signature

Rebecca Walls  
Please Print

10/27/22  
Date

773-620-1627  
Phone Number

becca@hditn.com  
Email

  
Property Owner Signature

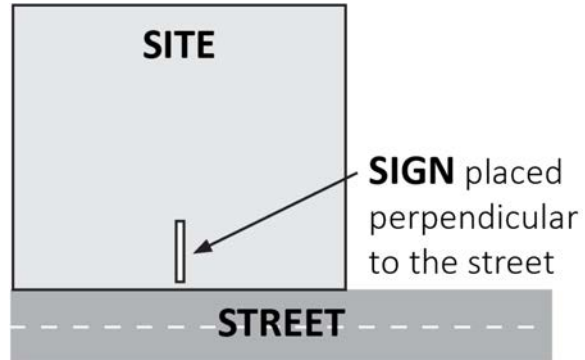
dotloop verified  
10/27/22 1:20 PM CDT  
PAFM-ACEZ-MINQ-IBPO

Stevan D. Popp; On behalf of The Raymond  
Arthur Popp & Diana Marriott Popp Revocable  
Trust  
Please Print

10/27/2022  
Date

I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.

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:***

\_\_\_\_\_ 12/31/2022 \_\_\_\_\_ and \_\_\_\_\_ 1/13/2023 \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Adam Walls

Date: 11/29/22

File Number: 1-W-23-RZ 1-J-23-SP

- Sign posted by Staff  
 Sign posted by Applicant