

REZONING REPORT

▶ **FILE #:** 3-D-23-RZ

AGENDA ITEM #: 22

AGENDA DATE: 3/9/2023

▶ **APPLICANT:** LISA M. CLARK

OWNER(S): Lisa M. Clark

TAX ID NUMBER: 20 202

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 6924 E EMORY RD

▶ **LOCATION:** South of E Emory Rd, east of Beeler Rd, west of Quail Creek Ln

▶ **APPX. SIZE OF TRACT:** 1.74 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via E Emory Rd, a major arterial street with a 20-ft pavement width within a 50-ft right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

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

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

▶ **EXISTING LAND USE:** Multifamily Residential

▶ **DENSITY PROPOSED:** up to 5 du/ac

EXTENSION OF ZONE: Yes

HISTORY OF ZONING: None noted

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

South: Single family residential - PR (Planned Residential) up to 5 du/ac

East: Single family residential - A (Agricultural)

West: Single family residential - PR (Planned Residential) up to 5 du/ac, A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is primarily comprised of single family residences on large lots and agricultural properties. There is a more intensive single family subdivision that abuts the the south and west sides of the subject property as well.

STAFF RECOMMENDATION:

▶ **Approve the RA (Low Density Residential) zone because it is consistent with the sector plan, the dimensions of the parcel, and surrounding development.**

COMMENTS:

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. This area has been increasing in single family residential intensity since the late 1990s, with substantial agricultural to residential rezoning cases being approved within the past two years.
2. In 2018 there were major improvements with the alignment of E. Emory Road and Beeler Road to the west of the parcel. The Tennessee Department of Transportation has plans for further improvements and expansions to the section of E. Emory Road accessed by the subject property in the next 5 to 10 years.
3. Data trends have shown an increased demand for a variety of housing options in Knox County, and a residential rezoning could provide opportunity for additional dwellings to meet this need.

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

1. The regulations established in the requested PR (Planned Residential) zone are intended to provide optional methods of land development - such as clustering of residential properties - in response to environmental restrictions on a site. The PR zone emphasizes a unified building design with the provision of open space for recreation. The subject property is wooded in the rear, but does not otherwise have environmental issues, such as slopes or streams, that necessarily warrant the development flexibility enabled by the PR zone. The property is less than 2 acres in size, which is smaller than parcels typically considered for PR, given the site design characteristics ascribed to this zone.
2. The subject property is relatively narrow with a lot width that diminishes to approximately 85 ft in the middle. The area regulations for the PR zone include a standard periphery boundary of 35 ft, which is limiting for a lot with these dimensions. Given the requested density of 5 dwelling units per acre, this periphery boundary, even if reduced, could result in residential development of an intensity that is out of character with the surrounding single-family properties.
3. Staff recommends the RA (Low Density Residential) zone instead of PR, as it is more consistent with the dimensions of the subject property and the intent of the zone district.

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 PR zone permits a wide range of housing forms, whereas the RA zone emphasizes single family dwellings, with duplexes being permitted through the use on review process. Considering that dominant land uses along this section of E. Emory Road are rural residential, single family residential and agricultural, the RA zone district is a more appropriate consideration that would reduce potential adverse impacts on the residential character of the area.

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 recommended RA zone district is consistent with the Northeast County Sector Plan's LDR (Low Density Residential) land use classification, as well as the Growth Policy Plan's Planned Growth area standards.
2. The RA zone at this location is not in conflict with the General Plan, or any other adopted plans.

ESTIMATED TRAFFIC IMPACT: 99 (average daily vehicle trips)

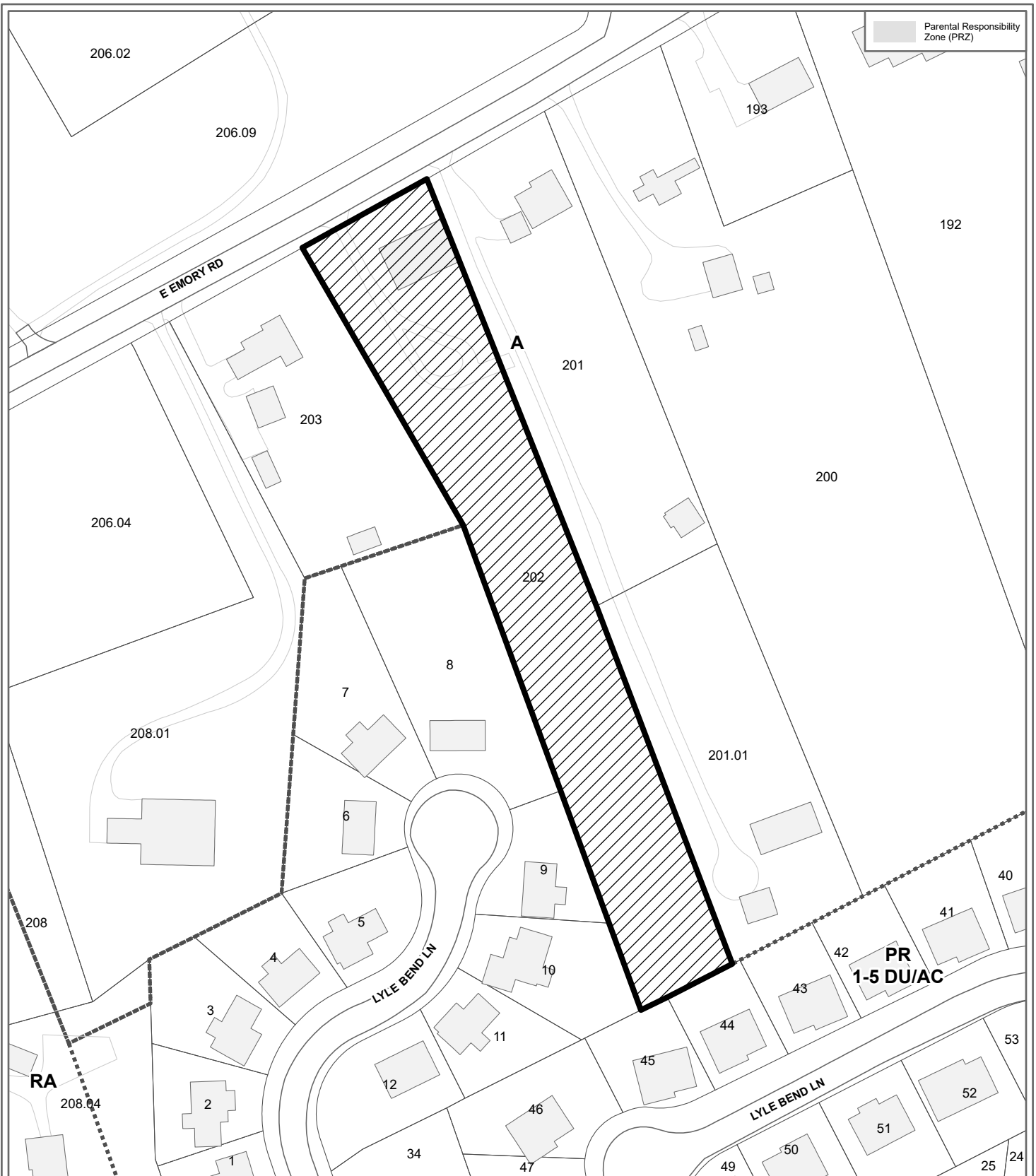
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: Not applicable.

Schools affected by this proposal: Gibbs Elementary, Gibbs Middle, and Gibbs 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 4/24/2023. 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.



**3-D-23-RZ
REZONING**

From: A (Agricultural)

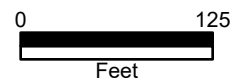
To: PR (Planned Residential)



Petitioner: Lisa M. Clark

Map No: 20

Jurisdiction: County



Original Print Date: 2/14/2023 Revised:
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

**PR
1-5 DU/AC**

RA

A

Exhibit A. 3-D-23-RZ Context Images

Location Map



Aerial Map



Exhibit A. 3-D-23-RZ Context Images





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

Lisa M. Clark

Applicant Name

Affiliation

1/17/2023

Date Filed

3/9/2023

Meeting Date (if applicable)

3-D-23-RZ

File Number(s)

CORRESPONDENCE

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

Lisa M. Clark

Name / Company

9824 Tallahassee Dr Knoxville TN 37923

Address

865-256-5997 / micarooni@aol.com

Phone / Email

CURRENT PROPERTY INFO

Lisa M. Clark

Owner Name (if different)

9824 Tallahassee Dr Knoxville TN 37923

Owner Address

865-256-5997 / micarooni@aol.

Owner Phone / Email

6924 E EMORY RD

Property Address

20 202

Parcel ID

1.74 acres

Tract Size

Part of Parcel (Y/N)?

Northeast Knox Utility District

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

S of E Emory Rd, east of Beeler Rd, west of Quail Creek Ln

General Location

City

Commission District 8

A (Agricultural)

Multifamily Residential

Count

District

Zoning District

Existing Land Use

Northeast County

Planning Sector

LDR (Low Density Residential)

Sector Plan Land Use Classification

Planned Growth 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 PR (Planned Residential)	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment	
Proposed Plan Designation(s)	

up to 5 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
\$650.00	
Fee 2	
Fee 3	

AUTHORIZATION

Applicant Signature: **Lisa M. Clark** Date: **1/17/2023**
Please Print

Phone / Email

Property Owner Signature: **Lisa M. Clark** Date: **1/17/2023**
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.



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

Lisa M. Clark
 Applicant Name Affiliation

11/11/2022 1/12/2023 File Number(s)
 Date Filed Meeting Date (if applicable)

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

Lisa M. Clark
 Name Company

9824 Tallahassee Dr. Knoxville TN 37923
 Address City State ZIP

(865)256-5997 micarooni@aol.com
 Phone Email

CURRENT PROPERTY INFO

Same Same (865) 256-5997
 Property Owner Name (if different) Property Owner Address Property Owner Phone

6924 E Emory Rd 2.
 Property Address Parcel ID

Hallsdale Powell Northeast Knox Utility No
 Sewer Provider Water Provider Septic (Y/N)

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

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) _____

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name

Unit / Phase Number Combine Parcels Divide Parcel

Total Number of Lots Created

 Other (specify) _____ Attachments / Additional Requirements**ZONING REQUEST**

Zoning Change 5 units per acre
Proposed Zoning

Pending Plat File Number

Plan Amendment Change _____
Proposed Plan Designation(s)

Proposed Density (units/acre)

Previous Rezoning Requests

 Other (specify) _____**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

Lisa M. Clark
Applicant Signature

Lisa M. Clark
Please Print

11/11/2022
Date

(865) 256-5997
Phone Number

micarooni@aol.com
Email

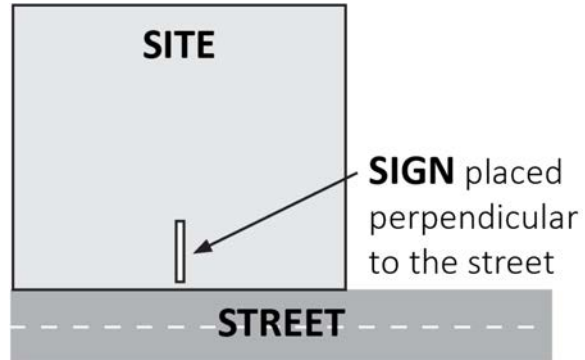
Lisa M. Clark
Property Owner Signature

Lisa M. Clark
Please Print

11/11/2022
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:

_____ 2/24/2023 _____ and _____ 3/10/2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Lisa M. Clark

Date: 1/17/2023

File Number: 3-D-23-RZ

- Sign posted by Staff
- Sign posted by Applicant