



PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 9-J-23-RZ
10-F-23-SP

AGENDA ITEM #: 27
AGENDA DATE: 10/5/2023

▶ **APPLICANT:** BLACKMON CONSTRUCTION
OWNER(S):

TAX ID NUMBER: 29 05701 [View map on KGIS](#)
 JURISDICTION: Commission District 7
 STREET ADDRESS: 4900 E EMORY RD
 ▶ **LOCATION:** Southeast side of E Emory Rd, northeast side of Thomas Ln
 ▶ **TRACT INFORMATION:** 2.27 acres.
 SECTOR PLAN: North County
 GROWTH POLICY PLAN: Planned Growth Area
 ACCESSIBILITY: Access is via Thomas Lane, a local road with a pavement width of 15 ft in a 35-ft right-of-way.
 UTILITIES: Water Source: Hallsdale-Powell Utility District
 Sewer Source: Hallsdale-Powell Utility District
 WATERSHED: Beaver Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / PR (Planned Residential) up to 5 du/ac, A (Agricultural) / PR (Planned Residential) up to 5 du/ac.
 ▶ **PROPOSED PLAN DESIGNATION/ZONING:** MDR (Medium Density Residential) / PR (Planned Residential) up to 6 du/ac
 ▶ **EXISTING LAND USE:** Single Family Residential, Agriculture/Forestry/Vacant Land

▶ **DENSITY PROPOSED:** up to 6 du/ac
 EXTENSION OF PLAN DESIGNATION/ZONING: Yes, this is an extension of the PR zone.
 HISTORY OF ZONING REQUESTS: Rezoned from A to PR up to 5 du/ac in June 2022 (Case # 5-K-22-RZ); an earlier request to rezone from A to PR up to 5 du/ac was withdrawn prior to Knox County Commission action (Case # 1-L-22-R).
 SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
 North: Single-family residential, multi-family residential - RA (Low Density Residential)
 South: Single-family residential - PR (Planned Residential)
 East: Single-family residential - RA (Low Density Residential)
 West: Single-family residential - A (Agricultural), PR (Planned Residential) up to 5 du/ac
 NEIGHBORHOOD CONTEXT: E Emory Road consists of mostly large lots with detached dwellings, while side streets are developed with smaller lots in single family detached subdivisions. There are some multifamily developments scattered in the area.

STAFF RECOMMENDATION:

- ▶ **Deny the sector plan amendment to MDR (Medium Density Residential) because it does not meet the location criteria for MDR and is not consistent with development in the area.**

- ▶ **Approve the request to rezone the A-zoned portion of the parcel to PR up to 5 du/ac to make it consistent with the rest of the parcel because it is consistent with the sector plan and the surrounding area.**

COMMENTS:

The subject property was recently platted to combine the smaller, A-zoned portion of the parcel with the larger PR-zoned portion of the parcel.

This is a request to rezone the entire parcel to PR with up to 6 du/ac with a plan amendment request to the MDR land use classification. Planning is recommending approval of a rezoning to a portion of the parcel only. This would make the zoning on the new parcel consistent, and would be consistent with surrounding zoning and with the sector plan's current LDR designation.

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

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. There has not been a change of conditions warranting an amendment to the MDR land use. There has been steady growth in the area with several properties being developed with attached and detached housing options, but it has been limited to a density of up to 5 du/ac.

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

1. A right-turn lane at the intersection of E. Emory Road and Thomas Lane was recently added to this subdivision. It has adequate site distance to increase safety at this intersection and support smoother traffic flow along E Emory Road.
2. The 2018 Mobility Plan has identified the stretch of E Emory Rd between Maynardville Pike and Tazewell Pike to be included in the TDOT road widening project. This is set to follow a reconfiguration of the I-75/Emory Road interchange to the west (horizon year 2026), which would become a "diverging diamond" shape to improve capacity and safety.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The LDR (Low Density Residential) land use designation is not the result of an error or omission in the sector plan.
2. The LDR land use classification allows up to 5 du/ac in the County's Planned Growth Areas.

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

1. There are no new trends in development, population, or traffic that warrant a plan amendment to the MDR land use classification.

ADDITIONAL CONSIDERATIONS

1. The subject property does not meet the location criteria for the MDR land use classification. The North County Sector Plan states that MDR should be located in a transitional area between commercial development and low density residential developments. There is commercial to the north and west, but not close enough to render this a transitional use in this location.

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 COUNTY GENERALLY:

1. The surrounding properties are consistently being redeveloped as PR (Planned Residential) up to 1-5 du/ac.
2. There are adequate sidewalks along Thomas Lane and a new right-turn lane at the intersection of E. Emory Road and Thomas Lane.

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

1. The PR zone is intended to provide for creative responses to environmental constraints on a property. It permits clustering of residential density in order to preserve environmentally sensitive areas and maximize development potential on optimal portions of a property.

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 emphasizes compatibility with surrounding and adjacent zones, as determined through Planning Commission review of development plans. Knox County staff and the Planning Commission will evaluate plans to address issues such as roadway access, provision of sidewalks, topography and stormwater management in a forum that enables public input.

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 PR zone up to 5 du/ac on the smaller parcel zoned A is consistent with the North County Sector Plan's LDR land use classification. The requested density of 6 du/ac is not consistent with the current LDR land use classification.

2. The recommended PR zone with up to 5 du/ac is not in conflict with the General Plan.

ESTIMATED TRAFFIC IMPACT: 154 (average daily vehicle trips)

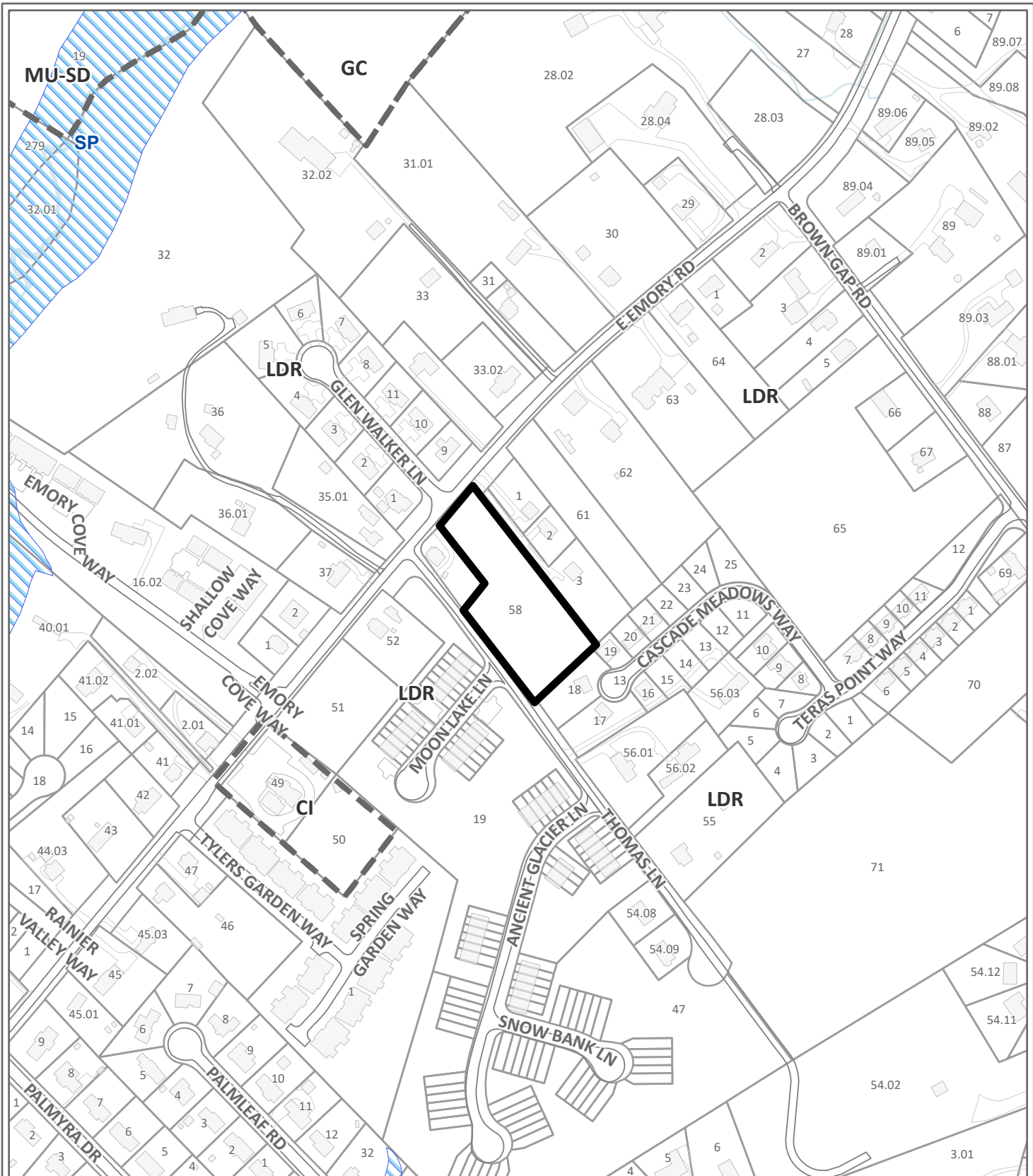
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 6 (public school children, grades K-12)

Schools affected by this proposal: Adrian Burnett Elementary, Halls Middle, and Halls 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 11/20/2023. 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.



**10-F-23-SP
NORTH COUNTY SECTOR PLAN MAP**

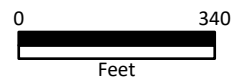
Petitioner: Blackmon Construction

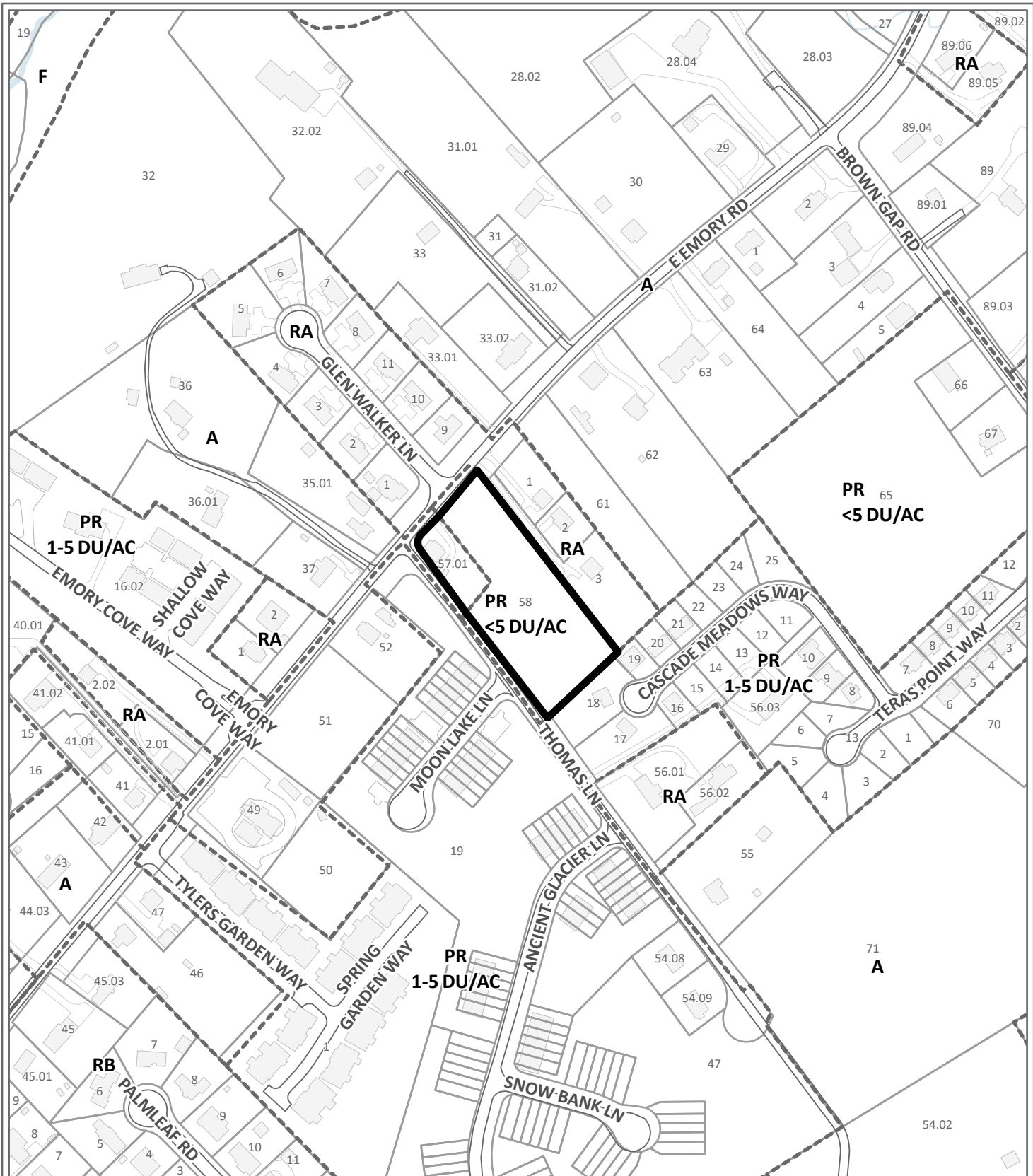


From: LDR (Low Density Residential)
To: MDR (Medium Density Residential)

Map No: 29
Jurisdiction: County

Original Print Date: 8/24/2023
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902





REZONING

9-J-23-RZ

Petitioner: Blackmon Construction



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

To: PR (Planned Residential)

Map No: 29

Jurisdiction: County

Original Print Date: 8/18/2023

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

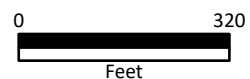
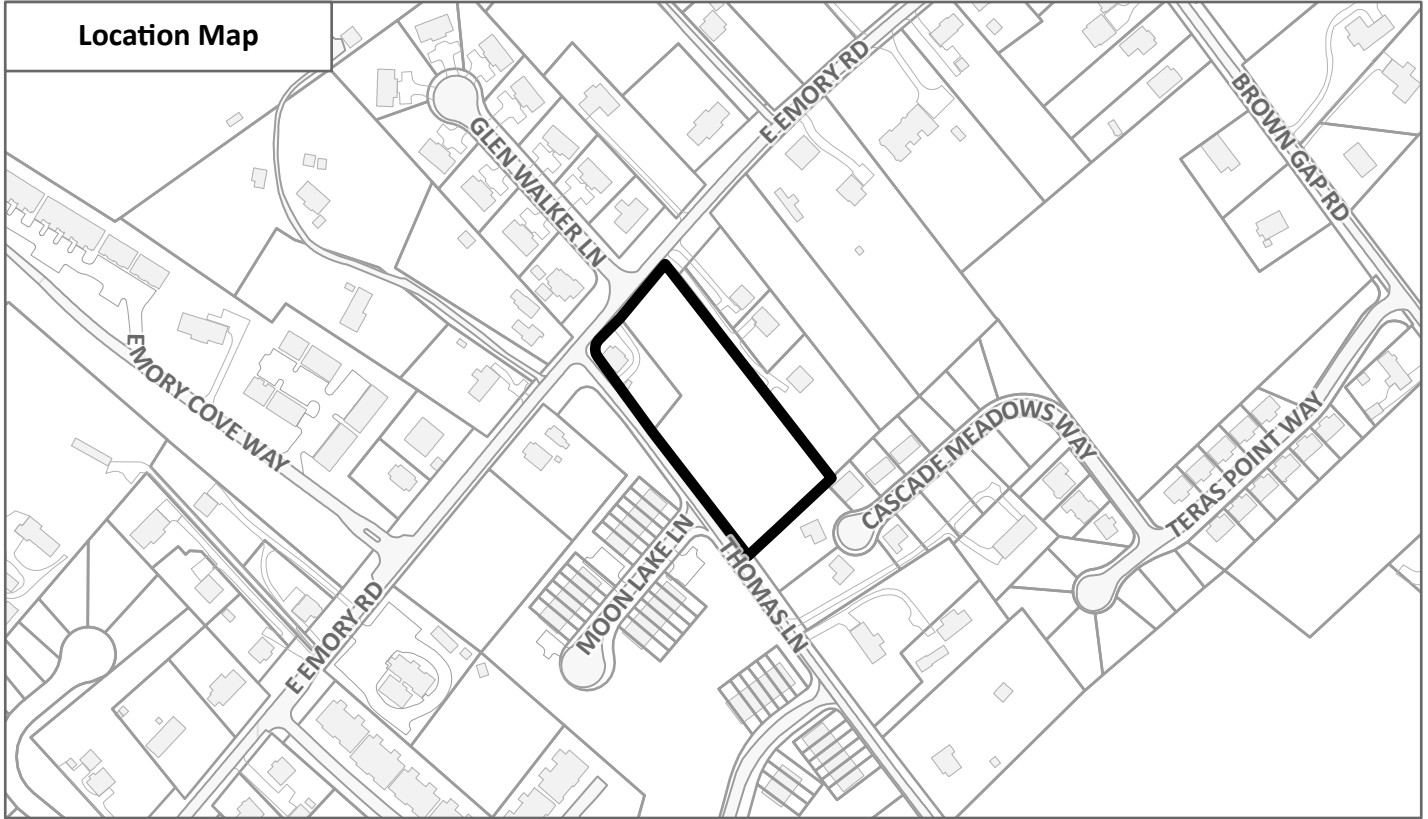


Exhibit A. Contextual Images

Location Map



Aerial Map

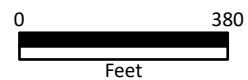


CONTEXTUAL MAPS 1

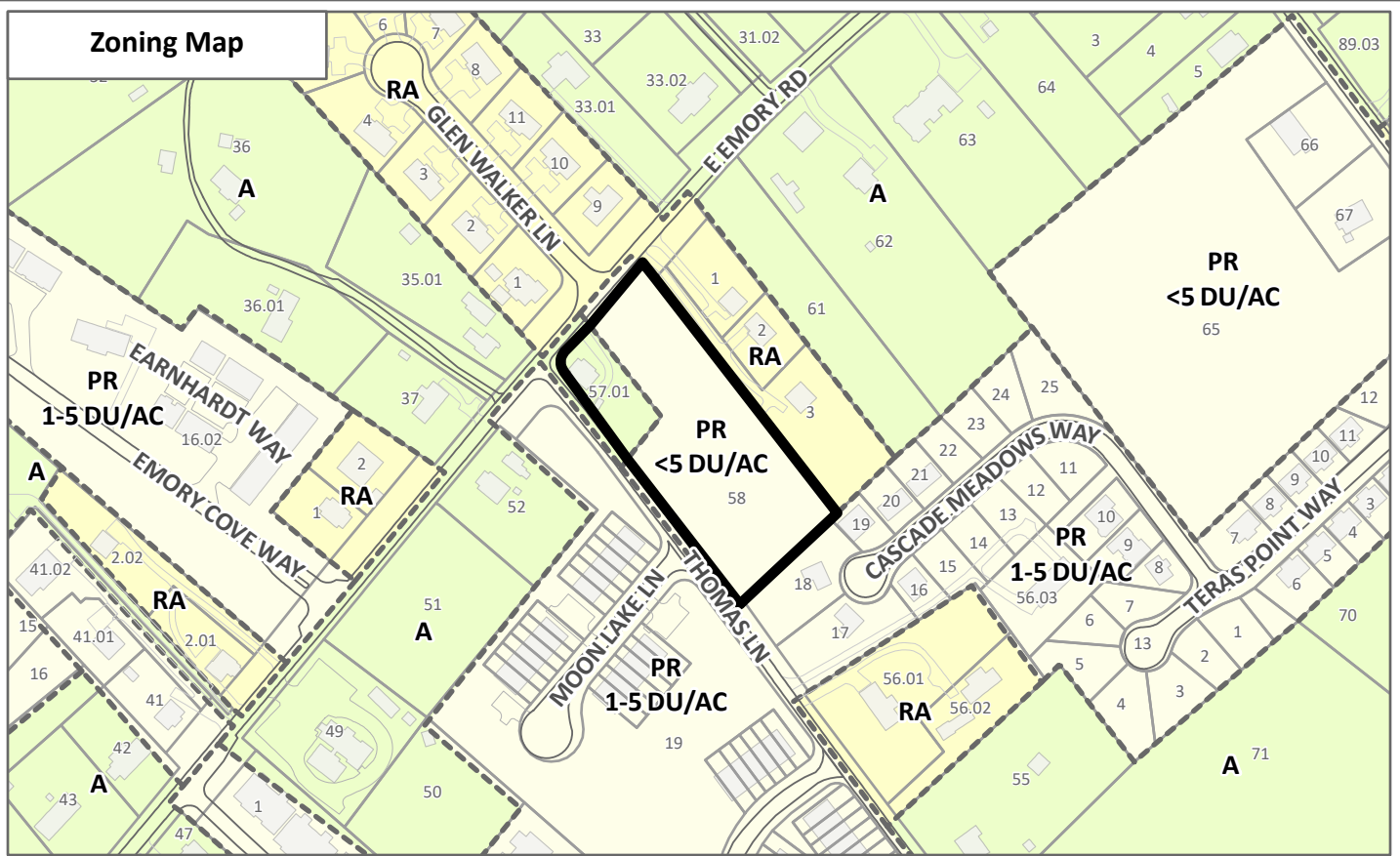
10-F-23-SP/9-J-23-RZ



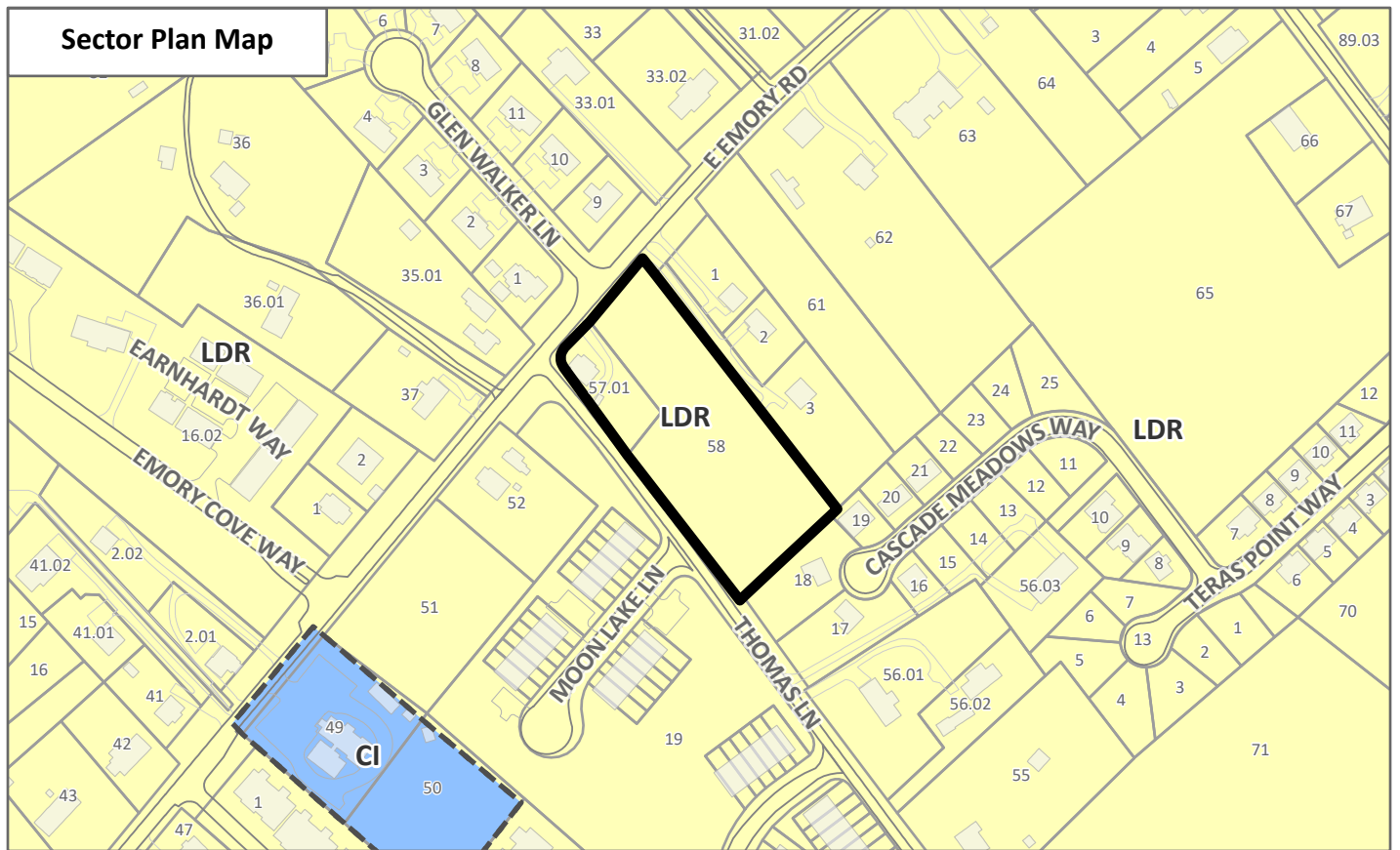
Case boundary



Zoning Map



Sector Plan Map

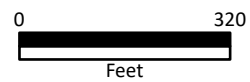


CONTEXTUAL MAPS 2

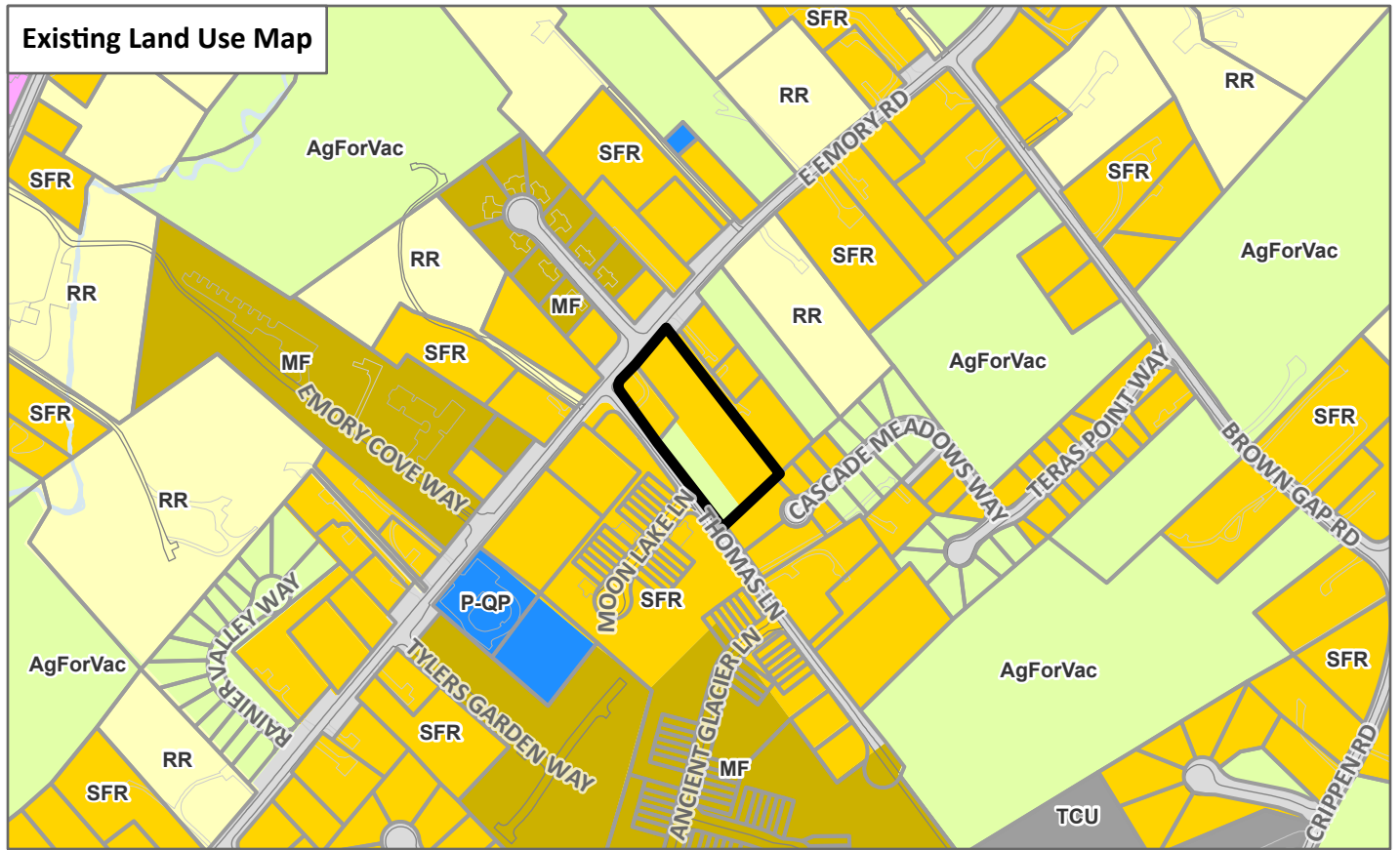
10-F-23-SP/9-J-23-RZ



Case boundary



Existing Land Use Map

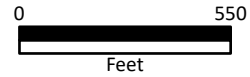


CONTEXTUAL MAPS 3

10-F-23-SP/9-J-23-RZ



Case boundary





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

Blackmon Construction

Applicant Name Affiliation

8/23/2023	10/5/2023	10-F-23-SP / 9-J-23-RZ
Date Filed	Meeting Date (if applicable)	File Number(s)

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

Robert G. Campbell, PE Robert G. Campbell and Associates

Name / Company

7523 Taggart Ln. Ln. Knoxville TN 37938

Address

865-947-5996 / rcampbell@rgc-a.com

Phone / Email

CURRENT PROPERTY INFO

Owner Name (if different) Owner Address Owner Phone / Email

4904 AND 4900 E EMORY RD

Property Address

029 058 029 05701 **1.94 acres**

Parcel ID Part of Parcel (Y/N)? Tract Size

Hallsdale-Powell Utility District **Hallsdale-Powell Utility District**

Sewer Provider Water Provider Septic (Y/N)

STAFF USE ONLY

General Location

City **Commission District 7 PR (Planned Residential) up to 5 du/ac.** **Single Family Residential, Agriculture/Forestry/Vacant Land**

County District Zoning District Existing Land Use

North County **LDR (Low Density Residential)** **Planned Growth Area**

Planning Sector Sector Plan Land Use Classification Growth Policy Plan Designation

DEVELOPMENT REQUEST

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

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) _____

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Related Rezoning File Number

Unit / Phase Number _____

Total Number of Lots Created _____

Additional Information _____

- Attachments / Additional Requirements

ZONING REQUEST

- Zoning Change **PR (Planned Residential)**

Proposed Zoning _____

Pending Plat File Number

- Plan **MDR (Medium Density Residential)**

Amendment

Proposed Plan Designation(s) _____

up to 6 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

\$650.00

Fee 2

Fee 3

Total

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.

Applicant Signature **Blackmon Construction**
Please Print

8/23/2023

Date

Phone / Email _____

Property Owner Signature Please Print

8/23/2023

Date

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

Either print the completed form and bring it to the
Knoxville-Knox County Planning offices
OR email it to applications@knoxplanning.org

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

Blackmon Construction

Owner/Developer

Applicant Name

Affiliation

7/19/2023

10/5/2023

Date Filed

Meeting Date (if applicable)

File Number(s)

9-J-23-RZ / 10-F-23-SP

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

Robert G. Campbell

RGC&A

Name

Company

7523 Taggart Lane

Knoxville

TN

37938

Address

City

State

ZIP

865-947-5996

rcampbell@rgc-a.com

Phone

Email

CURRENT PROPERTY INFO

Blackmon Construction Services, Inc

7303 Emory Pointe Lane Knoxville 37918

865-803-3610

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

4900 E Emory Rd & 4904 E. Emory Rd

029 05701 029 058

Property Address

Parcel ID

HPUD

HPUD

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

Southeast side of East Emory Road, northeast of Thomas Lane

2.27 acres

General Location

Tract Size

City County

Commission District 7

Single Family Residential,

Agriculture/Forestry/Vacant Land

District

Zoning District

Existing Land Use

North County

North County LDR (Low Density Residential) Planned Growth Area

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

May 1, 2023

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

Proposed Subdivision Name

Related Rezoning File Number

Unit / Phase Number
 Combine Parcels
 Divide Parcel

Total Number of Lots Created

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Zoning Change **PR**
 Proposed Zoning

Pending Plat File Number

Plan Amendment Change **MDR**

6.0
~~6.5~~ du/ac

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
0603	\$650.00	\$650.00
Fee 2		
Fee 3		

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


 Applicant Signature


Blackmon Construction

Please Print

Date

865-803-3610
 Phone Number

BLACKMONCONSTRUCTIONINC@GMAIL.COM
 Email


 Property Owner Signature

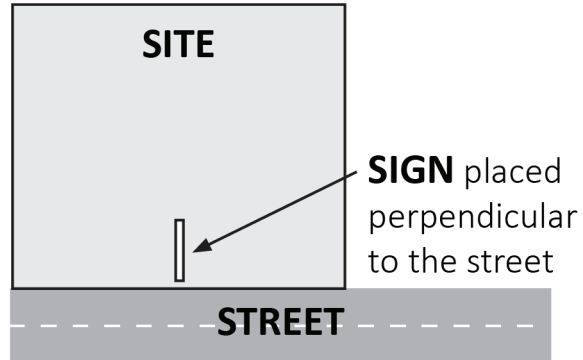
BLACKMON CONSTRUCTION

Please Print

8/23/2023 OI

Date Paid

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)

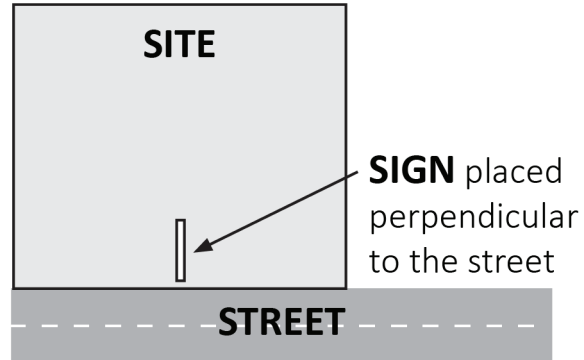
Applicant Name: Blackmon Construction

Date: 8/23/2023

File Number: 10-F-23-SP

- Sign posted by Staff
- Sign posted by Applicant

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:

_____ 09/01/2023 _____ and _____ 09/15/2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Blackmon Construction

Date: 07/28/2023

File Number: 9-J-23-RZ

- Sign posted by Staff
- Sign posted by Applicant