CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

NORTH COUNTY SECTOR PLAN AMENDMENT

File Number: 4-K-23-SP Related File Number: 4-S-23-RZ

Application Filed: 2/27/2023 Date of Revision:

Applicant: WEST BEAVER CREEK GP



PROPERTY INFORMATION

General Location: South side of Powell Dr, east of Brickyard Rd, west of W Emory Rd

Other Parcel Info.:

Tax ID Number: 56 133 (PART OF) **Jurisdiction:** County

Size of Tract: 17.3 acres

Accessibility: Access is via Powell Drive, a major arterial at this location with a 55-ft pavement width inside a right-of-

way that varies in width from 86 to 91 ft.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land

Surrounding Land Use:

Proposed Use: Density:

Sector Plan: North County Sector Plan Designation: LDR (Low Density Residential), SP (Stream Protection Plan Designation)

Growth Policy Plan: Planned Growth Area

Neighborhood Context: Powell Drive functions as an extension of W Emory Road. It is a new thoroughfare, so it has mostly

undeveloped land along its length. W Emory Road to the east contains mostly single family homes on lots of various sizes, with subdivisions containing smaller lots along side streets, and W Emory Road to the north contains a commercial node. Beaver Creek runs along the northern and eastern property lines and a large floodway and floodplains comprise much of the land in the portion of the property to

be rezoned.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 1331 W BEAVER CREEK DR

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural) & F (Floodway)

Former Zoning:

Requested Zoning: PC (Planned Commercial) & F (Floodway)

Previous Requests:

Extension of Zone: No

History of Zoning: None noted

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PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential) & SP (Stream Protection)

Requested Plan Category: CC (Community Commercial) & SP (Stream Protection)

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Michelle Portier

Staff Recomm. (Abbr.): Approve the sector plan amendment to CC (Community Commercial) and SP (Stream Protection)

because it meets several of the criteria required for a sector plan amendment.

Staff Recomm. (Full):

Comments:

The applicant is seeking to rezone a portion of the subject property. Newly created Powell Drive cut through this property, creating new street frontage for the property. Part of the subject property now lies to the north of Powell Drive and part of it lies to the south. The property currently has 3 different zones: The section of the property to the south of Powell Drive is zoned A (Agricultural) and PR (Planned Residential) with up to 5 du/ac, and the portion on the north side is zoned F (Floodway). The applicant is requested to rezone a portion of the A zoned property abutting newly completed Powell Drive.

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

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

- 1. Powell Drive is a fairly new road that was completed in 2016 and connected W. Emory Road with Clinton Highway, two major arterials. Powell Drive is also classified as a major arterial.
- 2. Powell Drive cut through the subject property, creating new road frontage for the property.

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

1. The creation of Powell Drive provided a new thoroughfare and a second means of connection between two heavily trafficked roads. The plan anticipated the new road's creation in its description of this area, but the land use classifications were not revised at that time since the road was yet to be completed. The plan called out 3 areas that had been identified as potential business park locations in the Inventory of Potential Sites for Business and Office Parks, 2002, and one of these was the intersection of Brickyard Road and West Beaver Creek Drive (a little less than 1/2 mile to the west of the subject property).

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There are no major errors or omissions in the plan. However, the sector plan predates the creation of Powell Drive. The plan anticipated the creation of Powell Drive, but the land use classification remains LDR (Low Density Residential), when commercial or transitional land uses could be located along this thoroughfare.

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

1. There are no trends in development or population that warrant reconsideration of the current LDR land use classification. However, traffic patterns have changed with the creation of Powell Drive, now moving major amounts of traffic in a revised pattern through this area.

OTHER CONSIDERATIONS:

1. The portion of this property requested to be rezoned meets the location criteria for the Community Commercial land use classification in general. The site is not at the intersection of arterial streets, though it is located on a major arterial near the intersection with a major collector. It is generally flat and Powell Drive has sidewalks on both sides since it is in the Parental Responsibility Zone for Powell

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Elementary and Powell High Schools.

2. The MU-SD, NCO-2 (Mixed Use-Special District, Historic Powell Center) is nearby along W. Emory Road. Powell Drive has the potential to pull traffic away from the commercial area in that MU-SD, and there is the potential that the two commercial areas will compete with one another. However, the smaller parcel sizes and more compact nature of development in that area lends itself to smaller establishments and strip malls, whereas the larger parcel sizes and broader right-of-way on Powell Drive lends itself more to big-box or large commercial establishments.

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.

Date of Withdrawal:		Withdrawn prior to publication?: Action Appealed?:		
Date of Approval:	4/13/2023	Date of Denial:	Postponements:	
Summary of Action:	Approve the sector plan amendment to CC (Community Commercial) and SP (Stream Protection) because it meets several of the criteria required for a sector plan amendment.			
Details of Action:				
Action:	Approved		Meeting Date:	4/13/2023

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 5/22/2023 Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Approved Disposition of Case, Second Reading:

If "Other":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

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