

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 4-S-23-RZ      **Related File Number:** 4-K-23-SP  
**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      **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 Protec  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** E Emory Road contains mostly single family homes on lots of various sizes in this location, with subdivisions containing smaller lots along side streets connecting to E. Emory Road. The immediate area is comprised predominantly of undeveloped land. Beaver Creek runs along the northern and eastern property lines and a large floodway and floodplains comprise much of the land in this area.

## 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

## PLAN INFORMATION (where applicable)

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

**Requested Plan Category:**

### **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 PC (Planned Commercial) / F (Floodway) zones because they are consistent with the sector plan's vision for this area post-construction of the new road and would require plan approval from the Planning Commission.

**Staff Recomm. (Full):**

**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. As mentioned previously, Powell Drive is a fairly new road that was completed in 2016 and connected W. Emory Road with Clinton Highway, two major arterials.

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

1. The PC (Planned Commercial) zone is intended for a unified grouping of commercial buildings that do not require or desire a central business district location. It is the objective of this zone to achieve the highest quality site design, building arrangement, landscaping and traffic circulation patterns possible.

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 top northeast corner of the site is in the Beaver Creek floodway. The majority of the site is in the 100-yr floodplain, with additional parts of the property in the 500-yr floodplain. Site plans would be required to comply with the Knox County Stormwater Ordinance, and would be subject to approval by the Knox County Department of Engineering and Public Works (EPW). The Stormwater Division of EPW has been working with the applicant and has provided the new no-fill line.

2. There are multiple closed contours on the site, which could indicate the presence of sinkholes. If they are sinkholes, they would require a 50-ft no-build buffer around the largest contour line. A determination may be required by GeoTech Services to determine if these topographic lines represent sinkholes.

3. Site plans would have require Planning Commission approval, so this body would have the opportunity to review the plans for compliance and add any conditions it thought prudent related to the mitigation of the environmental constraints and/or potential adverse impacts.

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 approval of the North County Sector Plan map amendment to the CC (Community Commercial) land use designation permits consideration of retail and service-oriented development.

2. The sector plan identified the intersection of Brickyard Road and West Beaver Creek Drive (a little less than 1/2 mile to the west of the subject property) as a potential business park location, making the case for commercial zoning in this area.

3. This property is within the Planned Growth Area of the Growth Policy Plan and appears to be

serviced by both water and wastewater.

4. The requested zoning does not appear to be in conflict with the General Plan or any other adopted plans.

**Action:** Approved

**Meeting Date:** 4/13/2023

**Details of Action:**

**Summary of Action:** Approve the PC (Planned Commercial) / F (Floodway) zones because they are consistent with the sector plan's vision for this area post-construction of the new road and would require plan approval from the Planning Commission.

**Date of Approval:** 4/13/2023

**Date of Denial:**

**Postponements:**

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:**

## ***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":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**