

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 9-I-24-RZ                      **Related File Number:**  
**Application Filed:** 7/24/2024              **Date of Revision:**  
**Applicant:** BENJAMIN C MULLINS

## PROPERTY INFORMATION

**General Location:** Southeast side of West Beaver Creek Dr, northeast of Clinton Hwy  
**Other Parcel Info.:**  
**Tax ID Number:** 67 061, 062                      **Jurisdiction:** County  
**Size of Tract:** 4.8 acres  
**Accessibility:** Access is via W Beaver Creek Drive, a major collector street with a pavement width of 19.21 ft within a 38-ft right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Rural Residential, Agriculture/Forestry/Vacant Land  
**Surrounding Land Use:**  
**Proposed Use:**    **Density:** up to 24 du/ac  
**Planning Sector:** North County              **Plan Designation:** TN (Traditional Neighborhood)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This area contains a mix of uses, with single-family residences and warehouses on large lots along W Beaver Creek Drive, and smaller single-family lots off of side streets. There is a commercial corridor along Clinton Hwy to the southwest, and Powell High School is located to the northeast.

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

**Street:** 2528 W BEAVER CREEK DR  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural)  
**Former Zoning:**  
**Requested Zoning:** PR (Planned Residential)  
**Previous Requests:**  
**Extension of Zone:** No.  
**History of Zoning:** None noted.

## PLAN INFORMATION (where applicable)

**Current Plan Category:**

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:

Jessie Hillman

Staff Recomm. (Abbr.):

Approve the PR (Planned Residential) zone up to 12 du/ac because it is compatible with surrounding zoning and consistent with the Comprehensive Plan subject to 1 condition.

Staff Recomm. (Full):

1. No more than 24 residential building permits may be issued before the completion of capital improvements planned at the intersection of W Beaver Creek Drive and Clinton Highway.

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. The subject property is located on W Beaver Creek Drive, a minor collector street which is planned to be improved to the south where it intersects with Clinton Highway (see Exhibit B). Right-of-way is being acquired by the County, and construction is estimated to begin in late 2025. The project is a partnership between Knox County and the TN Department of Transportation to install a traffic signal and make roadway alignment changes to greatly increase safety at this location. Clinton Highway is a 4-lane principal arterial street with a posted speed limit of 50 mph and a traffic volume of over 26,000 vehicles per day. A traffic signal will allow for much safer turning movements to and from W. Beaver Creek Drive onto Clinton Highway. W. Beaver Creek Drive is also being shifted to the west in order to improve sight distance as Clinton Hwy curves towards the south near this intersection.
2. Improvements were recently completed to the northeast on W Beaver Creek Drive with a roundabout installation and alignment at its intersection with Brickyard Road and Lyngate Boulevard. This provides safer and more efficient access to Powell Drive to the northwest, which is a major arterial street created by TDOT in 2015.
3. These significant changes to the roadway infrastructure increase capacity for residential development in the area and support consideration of the proposed rezoning to the PR (Planned Residential) district. The proposed density of 24 du/ac on this 4.8-acre property is much more intense than any surrounding residential development, but a density of 12 du/ac could be feasible after the improvements at Clinton Highway are complete.

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

1. The PR zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential development may be clustered in the optimal areas of a property, away from more environmentally sensitive areas. The PR zone also emphasizes compatibility with surrounding or adjacent zones.
2. The subject property includes forested steep slopes and a blue line stream. These conditions align with the intent of the PR zone and enable development that preserves the stream and slopes.
3. A zoning of PR up to 12 du/ac is also compatible with surrounding zones, which include planned residential subdivisions. There is a lot 180 ft to the northeast with PR zoning at the same maximum density, and the OB (Office, Medical and Related Services) and CA (General Business) zones, which are also nearby to the northeast, allow residential development at 12 du/ac as a permitted use.

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 recommended rezoning of PR up to 12 du/ac with Condition #1 regarding the completion of nearby capital improvements is intended to mitigate potential traffic impacts to the area. The maximum number of building permits that can be issued before the intersection alignment project with Clinton Highway is consistent with a maximum density of 5 du/ac. After the capital project is complete, a higher

density of development to 12 du/ac can be accommodated. The subject property is a short distance from two major arterial streets with ample traffic capacity.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE COMPREHENSIVE PLAN OF KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The PR zone up to 12 du/ac is a partially related zone within the TN (Traditional Neighborhood) place type for this property. Per Appendix H of the Comprehensive Plan, partially related zones must meet additional criteria to be approved. This property meets the criterion that the zoning district be consistent with primary and secondary uses of the TN place type, which include single-family, attached, and multifamily dwellings.

2. The rezoning with the noted condition is consistent with Comprehensive Plan's Implementation Policy 9 to coordinate infrastructure improvements with development. It also supports Policy 6 to promote attainable housing that meets the needs of current and future residents. PR zoning up to 12 du/ac provides for a range of housing forms to meet local demand.

3. The rezoning is consistent with the property's location in the Planned Growth Area of the Growth Policy plan.

**Action:** Approved with Conditions **Meeting Date:** 9/12/2024

**Details of Action:**

**Summary of Action:** Approve the PR (Planned Residential) zone up to 12 du/ac because it is compatible with surrounding zoning and consistent with the Comprehensive Plan subject to 1 condition.

**Date of Approval:** 9/12/2024 **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:** 10/21/2024 **Date of Legislative Action, Second Reading:**

**Ordinance Number:** **Other Ordinance Number References:**

**Disposition of Case:** **Disposition of Case, Second Reading:**

**If "Other":** **If "Other":**

**Amendments:** **Amendments:**

**Date of Legislative Appeal:** **Effective Date of Ordinance:**