



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION  
PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 6-C-17-RZ  
6-B-17-SP

**AGENDA ITEM #:** 37  
**AGENDA DATE:** 6/8/2017

▶ **APPLICANT:** CHC PROPERTIES  
OWNER(S): CHC Properties LLC

TAX ID NUMBER: 56 13902 [View map on KGIS](#)

JURISDICTION: Commission District 7

STREET ADDRESS: 2000 Powell Dr

▶ **LOCATION:** Southeast side Powell Dr., northeast of Brickyard Rd.

▶ **TRACT INFORMATION:** 7 acres.

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Powell Dr., a major arterial street with 4 lanes and a center turn lane within 90' of right-of-way.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Beaver Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / A (Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** O (Office) / OB (Office, Medical, and Related Services)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Funeral home

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Powell Dr., vacant land / LDR & SP / A (Agricultural)

South: Vacant land / LDR / A (Agricultural)

East: Vacant land / LDR / A (Agricultural)

West: Vacant land / LDR / A (Agricultural)

NEIGHBORHOOD CONTEXT: This property is located along the new section of Powell Dr., and remains relatively undeveloped, and zoned Agricultural.

**STAFF RECOMMENDATION:**

▶ **ADOPT RESOLUTION #6-B-17-SP, amending the North County Sector Plan to O (Office) and recommend that Knox County Commission also adopt the sector plan amendment. (See attached resolution, Exhibit A.)**

Office use of this site is appropriate along this relatively undeveloped stretch of major arterial street. Commercial uses should be discouraged to prevent strip commercial development along this new four lane street. However, slightly more intense office uses are appropriate to be developed in this area to allow reasonable non-residential use of the property.

► **RECOMMEND that County Commission APPROVE OB (Office, Medical & Related Services) zoning.**

The requested OB zoning is consistent with the recommendation on the accompanying sector plan amendment to Office. OB zoning will allow appropriate office or medium density residential development of the site. OB zoning will set a precedent for non-residential development in the area, which is reasonable and expected, but should also set a precedent against future commercial development in the area, which is currently comprised of primarily vacant land.

**COMMENTS:**

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

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

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

The recent construction of this new Powell Drive section has opened up this relatively vacant area for development. Office use of the site is appropriate as an alternative to the currently proposed low density residential uses.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan appropriately proposes low density residential uses for the site, consistent with the current A zoning. There is no error in the plan, but this property is in the Planned Growth Area on the Growth Policy Plan map and has direct access to a major arterial street, making it appropriate for the proposed office development.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

There are no changes in government policy that impact this proposal. If approved for office uses, it may establish a pattern that would discourage future requests for commercial uses along Powell Dr., which are not desirable for this area.

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

If approved, this proposal could start a trend for development along this section of Powell Dr. , which was recently constructed. The land along this new section has yet to be substantially developed.

REZONING REQUIREMENTS FROM ZONING ORDINANCES (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. OB zoning for this site will set a precedent for office or medium density residential uses along this new section of Powell Dr., rather than commercial uses.
2. The proposed OB zoning is consistent with the recommended amendment to the North County Sector Plan to office.
3. The property has access to Powell Dr., a major arterial street with sufficient capacity to support OB development.

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

1. OB zoning provides areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas. The intent is to provide centralized, compact locations for business offices, clinics, medical and dental offices near residential neighborhoods.
2. Based on the above description, this site is appropriate for OB zoning.

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 proposal, if approved, will allow the property to be developed with office and/or residential uses, as permitted under OB zoning.
2. The impact to the street system will depend on the type of development proposed, but should be minimal.
3. There should be minimal impact to the surrounding area and no adverse affect to any other part of the County.
4. Public water and sewer utilities are available in the area, but may need to be extended to serve the site.

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 North County Sector Plan currently proposes LDR uses for the site, consistent with the current A zoning. With the recommended approval of the accompanying sector plan amendment (6-B-17-SP), the requested OB zoning is consistent with the sector plan.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request may lead to future requests for OB zoning on surrounding properties zoned Agricultural, which would also require amendments to the sector plan.
4. The proposal does not present any apparent conflicts with any other adopted plans.

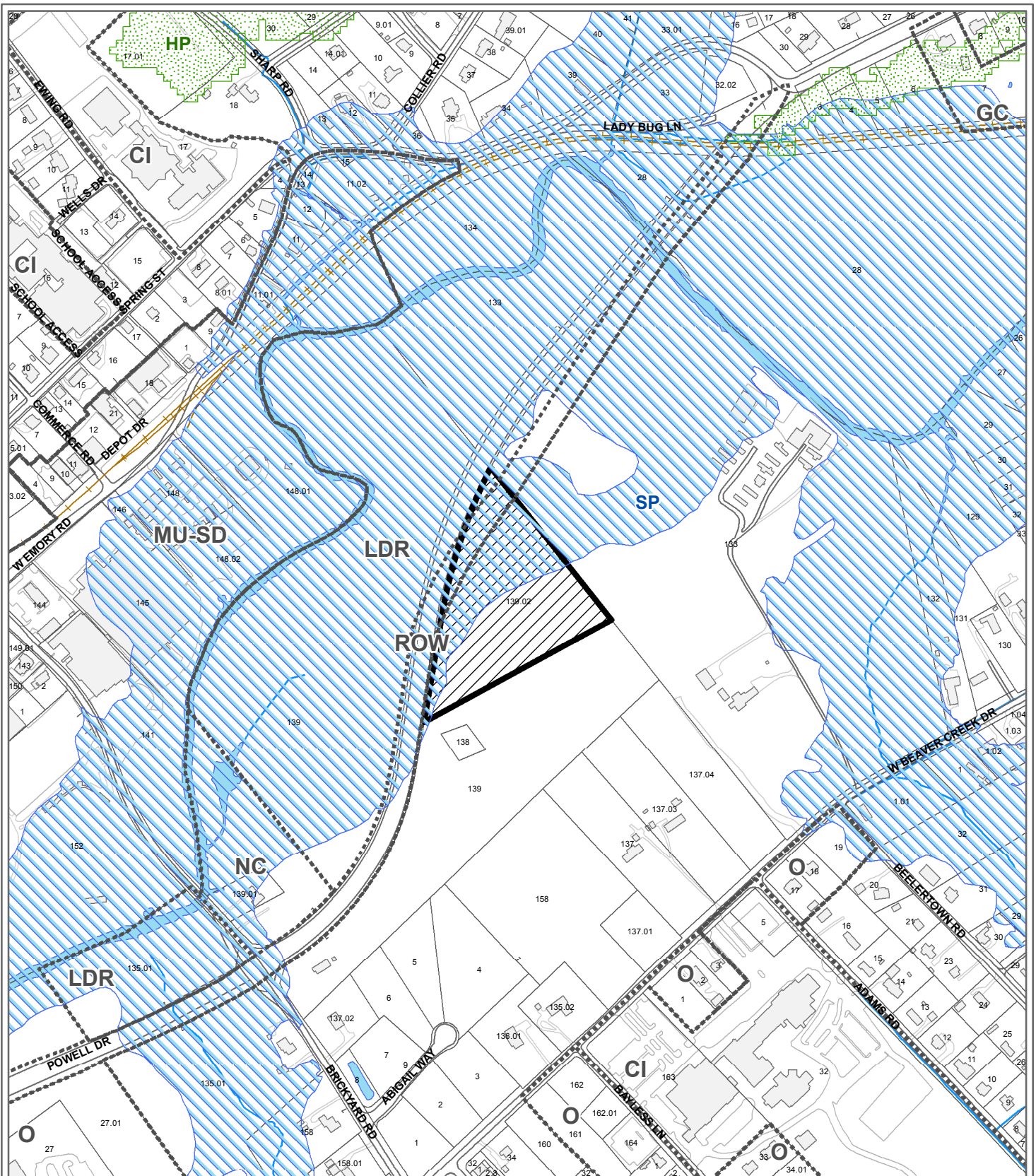
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law provides for two methods to amend the plan at TCA 13-3-304:

1. 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.
2. 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.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 7/24/2017. If denied, MPC'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 an MPC decision in the County.



**6-B-17-SP / 6-C-17-RZ  
NORTH COUNTY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)  
To: O (Office)



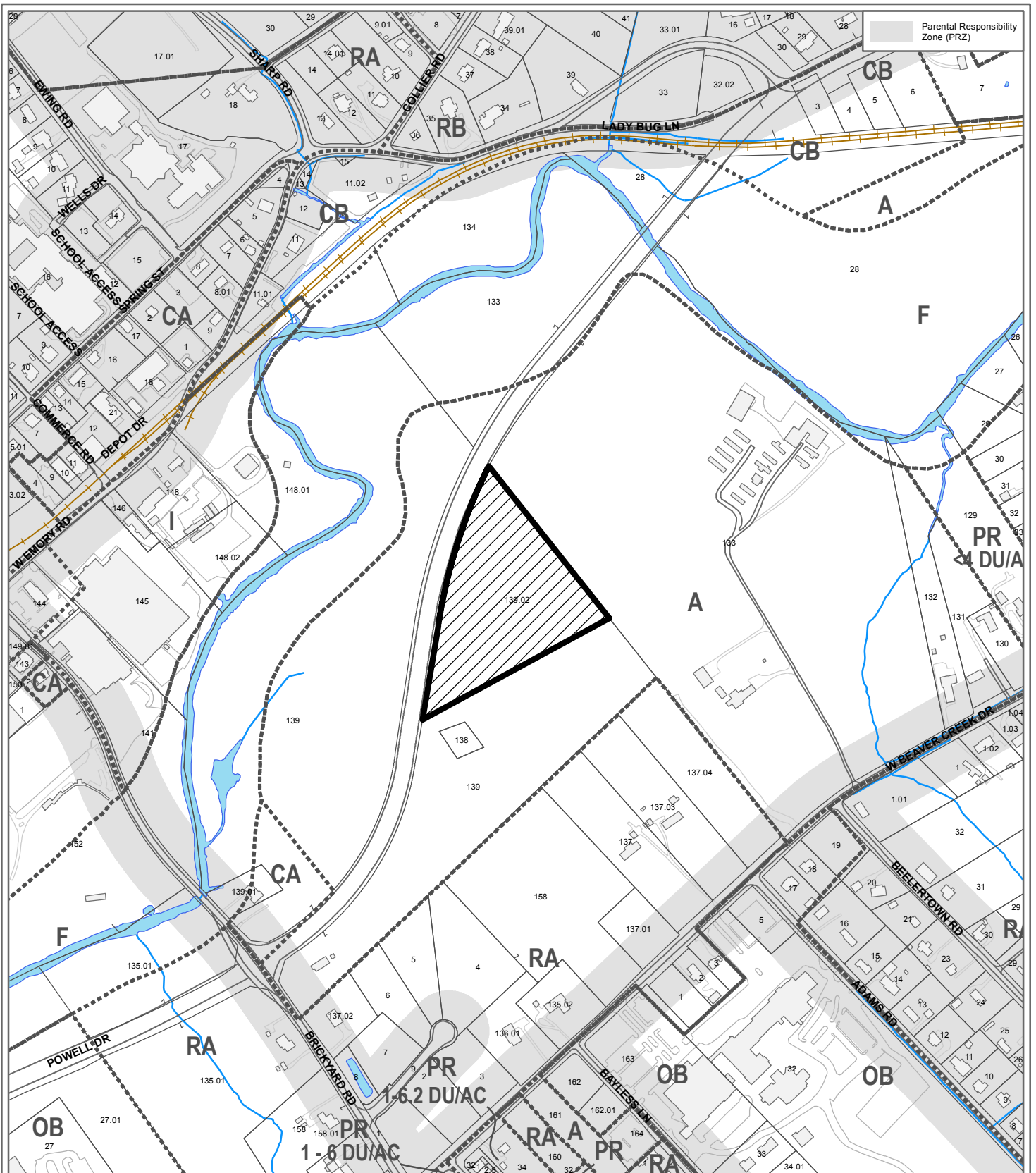
Petitioner: CHC Properties

Map No: 56

Jurisdiction: County



Original Print Date: 5/17/2017      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



**6-C-17-RZ  
REZONING**

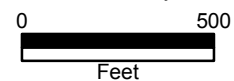
From: A (Agricultural)  
To: OB (Office, Medical, and Related Services)



Petitioner: CHC Properties

Map No: 56

Jurisdiction: County



Original Print Date: 5/17/2017 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

**KNOXVILLE-KNOX COUNTY  
METROPOLITAN PLANNING COMMISSION  
A RESOLUTION AMENDING THE NORTH COUNTY SECTOR PLAN**

**WHEREAS**, the Knoxville-Knox County Metropolitan Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and

**WHEREAS**, the Metropolitan Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

**WHEREAS**, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

**WHEREAS**, the Metropolitan Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the North County Sector Plan, consistent with the requirements of the General Plan; and

**WHEREAS**, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and

**WHEREAS**, CHC Properties, has submitted an application to amend the Sector Plan from Low Density Residential to Office for property described in the application; and

**WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the North County Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and

**WHEREAS**, the Metropolitan Planning Commission, at its regularly scheduled public hearing on February 11, 2016, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.

**NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION:**

*SECTION 1: The Planning Commission hereby adopts the revised amendment to the North County Sector Plan, with its accompanying staff report and map, file #6-B-17-SP.*

*SECTION 2: This Resolution shall take effect upon its approval.*

*SECTION 3: The Planning Commission further recommends that The Knox County Commission likewise consider this revised amendment to the General Plan 2033.*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

REZONING  PLAN AMENDMENT

Name of Applicant: CHC Properties

Date Filed: April 6, 2017

Meeting Date: June 8, 2017

Application Accepted by: M. Payne

Fee Amount: ~~\$1,700.00~~ File Number: Rezoning 6-C-17-RZ

Fee Amount: ~~\$800.00~~ File Number: Plan Amendment 6-B-17-SP



**PROPERTY INFORMATION**

Address: 2000 Powell Dr.  
General Location: 1/2 Powell Drive due north of Backyard Rd

Parcel ID Number(s): 139.02  
056 13902

Tract Size: 7 acres

Existing Land Use: Ag For Vac

Planning Sector: North County

Growth Policy Plan: Planned

Census Tract: 61.04

Traffic Zone: 199

Jurisdiction:  City Council \_\_\_\_\_ District  
 County Commission 7 District

**Requested Change**

**REZONING**

FROM: Agricultural A

TO: Office OB

**PLAN AMENDMENT**

One Year Plan  North County Sector Plan

FROM: LDR

TO: 0

**PROPOSED USE OF PROPERTY**

Funeral Home

Density Proposed \_\_\_\_\_ Units/Acre

Previous Rezoning Requests: \_\_\_\_\_

PROPERTY OWNER  OPTION HOLDER

PLEASE PRINT  
Name: CHC Properties/Mynatt Funeral Home

Company: CHC Properties LLC

Address: 2829 Bennock Rd

City: Knoxville State: TN Zip: 37918

Telephone: 865-688-2331

Fax: \_\_\_\_\_

E-mail: mynattfh@gmail.com

**APPLICATION CORRESPONDENCE**

All correspondence relating to this application should be sent to:

PLEASE PRINT  
Name: Megan Waller

Company: Waller Construction

Address: PO Box 70230

City: Knoxville State: TN Zip: 37938

Telephone: 865-963-6408

Fax: \_\_\_\_\_

E-mail: meganwallerc@gmail.com

**APPLICATION AUTHORIZATION**

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: [Signature] (MW) 04/20/2017

PLEASE PRINT  
Name: Megan Waller

Company: Waller Construction

Address: PO Box 70230

City: Knoxville State: TN Zip: 37938

Telephone: 865-963-6408

E-mail: meganwallerc@gmail.com