

▶ **FILE #:** 5-B-08-RZ

AGENDA ITEM #: 48

AGENDA DATE: 5/8/2008

▶ **APPLICANT:** BEAVER CREEK LAND COMPANY, LLC

OWNER(S): OAKMONT REALTY ADVISORS, LLC

TAX ID NUMBER: 57 108.02 PORTION ZONED CA

JURISDICTION: County Commission District 7

▶ **LOCATION:** Southeast side E. Beaver Creek Dr., southwest of Leopard Way

▶ **APPX. SIZE OF TRACT:** 4 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)

ACCESSIBILITY: Access is via E. Beaver Creek Dr., a two-lane, major collector street with 20' of pavement within a 50' right-of-way

UTILITIES: Water Source: Hallsdale-Powell Utility District
 Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** CA (General Business)

▶ **ZONING REQUESTED:** RB (General Residential)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Condominiums

EXTENSION OF ZONE: Yes

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Residential development / RP-1 and R-2 Residential
 South: Vacant land RB Residential

East: Residence / A Agricultural

West: Commercial building and vacant land / CA Commercial

NEIGHBORHOOD CONTEXT: This undeveloped CA and RB zoned site is in an area of residential uses that includes both attached and detached housing that have developed under RB, R-2, and RP-1 zones. The largely undeveloped CA zoning in the area is out of character with the established residential uses.

STAFF RECOMMENDATION:

▶ **APPROVE OB (Office medical and Related Services) zoning for the CA (General Business) zoned portion of this site. (Applicant requested RB zoning.)**

OB zoning is consistent with the adopted sector plan and permits office, or residential uses as regulated by the RB zone, which is the zoning on the remainder of this property. The sector plan proposes office use in place of the present CA zoning in the area. The OB zone permits office uses or residential uses as regulated by the RB zone and would be compatible with surrounding residential development and zoning which includes attached and detached residential uses within both RP-1, R-2 and RB zoning.

COMMENTS:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The recommended OB zone, or the requested RB zone, permit uses that would be compatible with the surrounding residential zoning and development pattern and will remove inappropriate CA zoning from a portion of this site.
2. The recommended OB zone permits residential uses subject to RB regulations and would permit the entire site to be residentially developed under the RB requirements, or allow the owner to pursue a mixed use development of office and residential uses.

THE EFFECTS OF THE PROPOSAL

1. Public water and sewer are available to serve the site.
2. E. Beaver Creek Dr., a two lane major collector street, should be able to accommodate the additional traffic from this site.
3. The proposal is compatible with surrounding development and will have a minimal impact on adjacent properties.

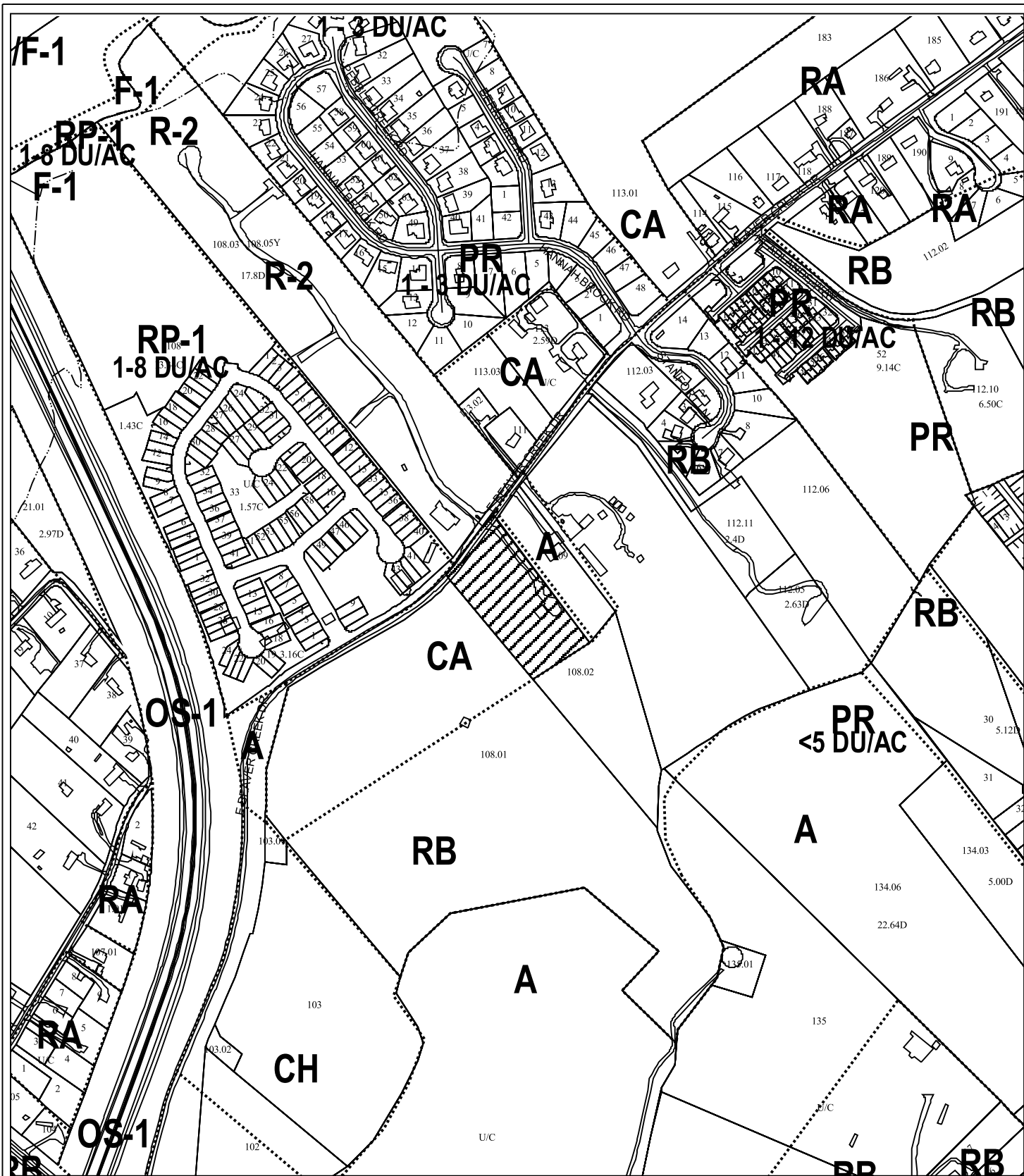
CONFORMITY OF THE PROPOSAL TO THE ADOPTED PLANS

1. This proposal is consistent with the North County Sector Plan which proposes Office use in place of the CA zoning in this area.
2. Staff would anticipate receiving similar OB zoning requests in this area in the future if the staff recommendation is approved.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 6/23/2008. 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.



**5-B-08-RZ
REZONING**

Petitioner: Beaver Creek
Land Company, LLC

Map No: 57

Jurisdiction: County



From: CA (General Business)
To: RB (General Residential)

Original Print Date: 04/22/08 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902