

# CASE SUMMARY

## APPLICATION TYPE: REZONING

KNOXVILLE-KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N

T E N N E S S E E

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**File Number:** 6-C-07-RZ                      **Related File Number:**  
**Application Filed:** 4/26/2007              **Date of Revision:**  
**Applicant:** LANDVIEW DEVELOPMENT, LLC

### PROPERTY INFORMATION

**General Location:** North side Beaver Ridge Rd., east side Wyndham Pointe Ln.  
**Other Parcel Info.:**  
**Tax ID Number:** 78 167.01                      **Jurisdiction:** County  
**Size of Tract:** 1.31 acres  
**Accessibility:** Access is via Beaver Ridge Rd., a local street with 20' of pavement within a 50' right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Any use permitted in the CN zone                      **Density:**  
**Sector Plan:** Northwest County              **Sector Plan Designation:** Commercial  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This site is within the Karnes community and is surrounded by low density residential housing and commercial uses along Oak Ridge Hwy. within PR, RA, CA and PC zones.

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

**Street:** 7503 Beaver Ridge Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural)  
**Former Zoning:**  
**Requested Zoning:** CN (Neighborhood Commercial)  
**Previous Requests:** None noted  
**Extension of Zone:** No; however, the properties to the east and south are zoned CA and PC.  
**History of Zoning:** A request for CN zoning was denied by County Commission in 2003 (6-B-03-RZ). Adjacent property to the east was rezoned to CA for commercial development in recent years.

### 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.:

## ***MPC ACTION AND DISPOSITION***

Planner In Charge:

Kelley Schlitz

Staff Recomm. (Abbr.):

APPROVE CN (Neighborhood Commercial) zoning subject to limiting access to Beaver Ridge Rd. and providing a landscaped buffer (Type A) along the northern and western property lines.

Staff Recomm. (Full):

The requested CN zoning is consistent with surrounding zoning and development that includes both a shopping center and a public library. The request is consistent with the sector plan, which proposes commercial use for this property.

Comments:

The subject property is located at the corner of Beaver Ridge Rd. and Wyndam Pointe Ln., which is at the entrance to the Wyndam Pointe subdivision. Staff is recommending that access be limited to Beaver Ridge Rd. and that the developer of the property install a continuous landscaped buffer along the northern and western property lines (see attached Type A Landscaping Guidelines). These conditions will reduce the impact on residents of the Wyndam Point subdivision.

### **NEED AND JUSTIFICATION FOR THE PROPOSAL**

1. This property is located at the corner of Beaver Ridge Rd. and Wyndham Pointe Ln, which is at the entrance to the Wyndham Pointe subdivision. The developer of this subdivision requested that the subject parcel be rezoned to CN in June of 2003. MPC recommended approval of that request; however, County Commission denied the rezoning.
2. The CN zoning is appropriate for this site, which is adjacent to CA zoning developed with a grocery store and across from PC zoning along Oak Ridge Hwy.
3. With the approved conditions, uses permitted under CN zoning will be compatible with surrounding development and zoning.
4. The CN zoning is logical extension of commercial zoning from the east and south of the site.
5. Any curb cuts requested with any commercial building permit application would have to be approved by the Knox County Engineering Department regardless of the zoning on the site. The applicant should work with Knox County Engineering to provide the safest ingress and egress possible, consistent with the condition to limit access to Beaver Ridge Rd.

### **THE EFFECTS OF THE PROPOSAL**

1. The effect on adjacent properties as a result of this zoning change will be minimal. CN zoning allows limited commercial uses and has stricter development standards than other more intense commercial zones.
2. Staff is recommending that access to the subject property be limited to Beaver Ridge Rd. despite the fact that the property also has access to Wyndam Pointe Ln. Beaver Ridge Rd. is a more appropriate street to accommodate neighborhood commercial uses.
3. Staff is also recommending that the applicant provide a continuous landscaped buffer along the northern and western property lines. This landscaped buffer will reduce the impact on nearby residents by screening non-residential uses.
4. The Wyndham Pointe subdivision's recreational area adjoins the subject property to the north and will serve as a buffer between the residential lots and the proposed neighborhood commercial use. This buffer will reduce the impact on adjoining property owners.
5. There will be minimal impact on Beaver Ridge Rd. or nearby Oak Ridge Hwy. as a result of the commercial zoning change.
6. Public water and sewer utilities are available to serve this site.

### **CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

1. The Northwest County Sector Plan proposes commercial uses for this site.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**MPC Action:**

Approved as Modified

**MPC Meeting Date:** 7/12/2007

**Details of MPC action:** APPROVE CN (Neighborhood Commercial) subject to limiting access to Beaver Ridge Rd., providing a landscaped buffer (Type A) along the northern and western property lines, and completing road improvements to the intersection of Beaver Ridge Rd. and Oak Ridge Hwy. prior to issuance of building permits

County Commission approved with the following stipulations: The west wall of the building shall be at least 50 feet from the curb on Wyndham Pointe Lane giving more room to landscape and shield the subdivision from the property on Beaver Ridge Road. The building north wall will be situated as far south on the property as possible and still comply with MPC parking lot restrictions. The building will not be situated directly behind the east subdivision entrance sign. The building style will be similar to the homes in the Wyndham Pointe subdivision. The building will be all brick and will be the same brick used on the subdivision sign and the pool building. Berms and landscaping will be installed, including fast growing evergreen trees, on the west and north side of the property.

**Summary of MPC action:** APPROVE CN (Neighborhood Commercial) subject to limiting access to Beaver Ridge Rd, providing landscaped buffer along the northern & western property lines, & completing road improvements at Beaver Ridge/Oak Ridge Hwy prior to issuance of building permit

**Date of MPC Approval:** 7/12/2007      **Date of Denial:**      **Postponements:** 6/14/2007

**Date of Withdrawal:**      **Withdrawn prior to publication?:**  **Action Appealed?:**

### **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knox County Commission

**Date of Legislative Action:** 8/27/2007

**Date of Legislative Action, Second Reading:**

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:** Approved as Modified

**Disposition of Case, Second Reading:**

**If "Other":**

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**Amendments:**

**Amendments:**

See Details of MPC Action for stipulations added by County Commission

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**