

# CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

SOUTHWEST COUNTY SECTOR PLAN AMENDMENT

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: 1-C-10-SP                      Related File Number: 1-E-10-RZ  
Application Filed: 11/30/2009              Date of Revision:  
Applicant: HUBER PROPERTIES, LLC

## PROPERTY INFORMATION

General Location: Southeast side S. Northshore Dr., northeast of Choto Rd.  
Other Parcel Info.:  
Tax ID Number: 162 064                      Jurisdiction: County  
Size of Tract: 3.4 acres  
Accessibility: Access is via S. Northshore Dr., a minor arterial street with 21' of pavement width within 85' of right of way.

## GENERAL LAND USE INFORMATION

Existing Land Use: House  
Surrounding Land Use:  
Proposed Use: Neighborhood commercial                      Density:  
Sector Plan: Southwest County              Sector Plan Designation: Low Density Residential  
Growth Policy Plan: Planned Growth Area  
Neighborhood Context: This area is developed with agricultural, rural residential and low density residential uses under A and PR zoning.

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

Street: 12330 S Northshore Dr  
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 for this site.  
Extension of Zone: Yes, extension of MPC approved NC to the west.  
History of Zoning: None for this site, but NC and conditioned CN zoning was approved by MPC on December 10, 2009 to the west (12-B-09-SP). This is still pending

## PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)

Requested Plan Category: NC (Neighborhood Commercial)

**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: Michael Brusseau

Staff Recomm. (Abbr.): ADOPT RESOLUTION #1-C-10-SP, amending the Southwest County Sector Plan to NC (Neighborhood Commercial) and recommend that Knox County Commission also adopt the sector plan amendment. (See attached resolution, Exhibit A.)

Staff Recomm. (Full): This site meets criteria for approval of neighborhood commercial uses, as recommended. The neighborhood commercial designation is appropriate for this expansion of a commercial crossroads location which is in close proximity to residential uses.

Comments: This 3.4 acre site is proposed to be added into the previously approved 12 acre site for development of neighborhood commercial uses, creating a total area of about 15 acres to be designated and zoned for neighborhood commercial. As indicated in the December 10, 2009 MPC staff report for 12-B-09-SP and 12-B-09-RZ, staff is recommending approval of the NC plan designation for this entire site, and approval of CN zoning, subject to the same conditions recommended by MPC at the December meeting.

SECTOR PLAN REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

NEW ROAD OR UTILITY IMPROVEMENTS:

There have not been any recent road improvements around the intersection of S. Northshore Dr. and Choto Rd. However, Knox County Engineering reports that there is a history of crashes at the intersection and that there has been some study into installing either a traffic signal or a roundabout to help with traffic control. There is a crest on S. Northshore Dr. in front of the subject property that limits the sight distance for vehicles turning from Choto Rd. onto S. Northshore Dr. Knox County Engineering reports that preliminary study indicates that the road grade must be lowered about six feet to eliminate the sight distance issue, which would involve about 350 linear feet of S. Northshore Dr. in the improvements. The expectation is that if the applicant is granted this rezoning and the right to develop the property, that he should enter a public-private partnership to help fund the improvements, or finance the improvements himself. The applicant has had discussions with Knox County Engineering staff about this issue. Engineering staff has also stated that a traffic impact study will be required prior to development of the property. Depending on the results of this study, there may be additional improvements needed, such as the addition of turning lanes or some form of added traffic controls at the intersection. The expectation is that if this site is approved for neighborhood commercial development, that the developer would participate in making needed road improvements in some form of private-public partnership, the most likely occurrence.

ERROR OR OMISSION IN CURRENT PLAN:

The current sector plan calls for low density residential use for the site. However, this site is located at the intersection of a collector and arterial street, which makes it a viable location for a small commercial node. During the last update of the Southwest County Sector Plan, which was adopted in August, 2005, comprehensive planning staff had identified this intersection as an appropriate location for neighborhood commercial uses, but that proposal was taken out of the plan after staff heard concerns from area residents at public meetings. The staff's opinion has not changed that neighborhood commercial would be the best use of this site.

CHANGES IN GOVERNMENT POLICY:

This location adjacent to an intersection is appropriate for neighborhood commercial uses. The requested CN zone is intended to allow lower impact neighborhood serving commercial uses. Being located at the intersection, two points of access may be gained to the site from the arterial or collector street. This site is a typical situation for establishment of a commercial crossroads.

CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:

There has been pressure to develop commercial uses at this intersection in the past. The number of residential permits issued in the area since 2000 seems to indicate a perceived demand for commercial services to serve area residents as well as commuters driving through the area. This location, because

it is at the intersection of a collector and an arterial street, is appropriate for the establishment of a small commercial node. Permitting commercial development at this location could lead to much needed improvements to this dangerous intersection, where there is a history of crashes.

**Action:** Approved **Meeting Date:** 2/11/2010

**Details of Action:**

**Summary of Action:** ADOPT RESOLUTION #1-C-10-SP, amending the Southwest County Sector Plan to NC (Neighborhood Commercial) and recommend that Knox County Commission also adopt the sector plan amendment.

**Date of Approval:** 2/11/2010 **Date of Denial:** **Postponements:** 1/14/10

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

***LEGISLATIVE ACTION AND DISPOSITION***

**Legislative Body:** Knox County Commission

**Date of Legislative Action:** 3/22/2010

**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:**