

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: 12-B-09-SP **Related File Number:** 12-B-09-RZ
Application Filed: 10/21/2009 **Date of Revision:**
Applicant: HUBER PROPERTIES, LLC

PROPERTY INFORMATION

General Location: Southeast side S. Northshore Dr., northeast side Choto Rd.
Other Parcel Info.:
Tax ID Number: 162 M B PART OF 001 **OTHER: EXCLUDE EASTERN AC** **Jurisdiction:** County
Size of Tract: 12 acres
Accessibility: Access is via S. Northshore Dr., a minor arterial street with 21' of pavement width within 85' of right of way, or Choto Rd., a minor collector street with 21' of pavement width within 50' of right of way.

GENERAL LAND USE INFORMATION

Existing Land Use: Agricultural use and dwelling
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: 12400 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 noted
Extension of Zone: No
History of Zoning: None noted for this site

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 #12-B-09-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 commercial crossroads location which is in close proximity to residential uses.

Comments:

The applicant is requesting a sector plan amendment to Neighborhood Commercial and a rezoning to CN (Neighborhood Commercial) for this entire site of approximately 12 acres in size. The same applicant has also submitted applications to MPC with the same requests for parcel 64, which is approximately 3.4 acres and is adjacent to the subject property. The file numbers for these applications are 1-E-10-RZ and 1-C-10-SP and will be considered by MPC on January 14, 2010. Staff anticipates that the recommendation for that site in January will be consistent with this one, limiting that site to certain lower impact CN uses east of the blue-line stream that cuts through both parcels. In considering these requests, parcel 64 should also be considered, as the developer's future intent is to consolidate the two properties in a unified development, at least on the portion west of the stream. Taking into account both sets of applications, the total area to be considered by these proposals is about 15.4 acres. Some of this acreage would not be developed, because of setback requirements and development restrictions around the stream. The exact area that would be undisturbed is unknown at this time, but could be up to 3 acres. The exact stream protection requirements would be determined by the Knox County Department of Engineering, consistent with the regulations of the Knox County Stormwater Ordinance. Development around the stream may also be subject to approval by the Tennessee Department of Environment and Conservation (TDEC). The applicant has stated that there is no intent to disturb the area around the stream or cross it with a driveway for vehicular traffic. However, a pedestrian crossing may be desirable and should not be ruled out. He has had discussions with the Knox County Greenways Coordinator about creating an easement and dedicating that land for public use as a possible greenway connection. The applicant will attempt to make arrangements that the entire 15.4 acres be considered at the same time by Knox County Commission at their January 25, 2010 meeting, barring any postponements at MPC's December or January meetings.

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 at 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:** 12/10/2009

Details of Action:

Summary of Action: Approved Resolution #12-B-09-SP amending the Southwest County Sector Plan to NC (Neighborhood Commercial) and recommend the Knox County Commission adopt by resolution the amendment.

Date of Approval: 12/10/2009 **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: 1/25/2010

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: