

CASE SUMMARY

APPLICATION TYPE: SUBDIVISION CONCEPT PLAN

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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Knoxville, Tennessee 37902
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www.knoxmpc.org

File Number: 3-SC-10-C
Application Filed: 1/28/2010
Applicant: TTC HALLS, LLC

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: Northeast side of Norris Freeway, north of E. Emory Rd.
Other Parcel Info.:
Tax ID Number: 38 C G 006 **Jurisdiction:** County
Size of Tract: 6.69 acres
Accessibility: Access is via Norris Freeway, a minor arterial street that goes from a two lane section at the north and south ends of the commercial center to four lanes with additional turn lanes serving the two commercial center entrances within a 200'+ right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use: North: Norris Freeway Commercial Center, Phase I / SC (Shopping Center)
South: Beaver Creek and vacant land / A (Agricultural) & F (Floodway)
East: Norris Freeway Commercial Center, Phase I / SC (Shopping Center)
West: Residences and Norris Freeway / RA (Low Density Residential) & A (Agricultural)
Proposed Use: Commercial Lots **Density:**
Sector Plan: North County **Sector Plan Designation:**
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

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

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: SC (Shopping Center)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name: Norris Freeway Commercial Center, Phase II (FKA: Northfork Station, Phase II)
No. of Lots Proposed: 5 **No. of Lots Approved:** 5
Variances Requested: 1. To allow permanent cross access easements as legal access for proposed lots.
S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

MPC ACTION AND DISPOSITION

Planner In Charge: Tom Brechko

Staff Recomm. (Abbr.): APPROVE variance 1 because the site conditions and use restrict compliance with the Subdivision Regulations, and the proposed variance will not create a traffic hazard.

Staff Recomm. (Full): APPROVE the Concept Plan for five lots subject to 13 conditions:

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).
3. Conducting compaction testing in all fill areas associated with street/driveway construction and building sites per the requirements of the Knox County Department of Engineering and Public Works.
4. Providing a detailed grading plan for proposed Lot 9 at the design plan stage of the subdivision to show that a building site with adequate access can be achieved on the lot. The design plan approval certification form from the Knox County Department of Engineering and Public Works must specify that a building site with adequate access can be achieved on Lot 9 before MPC Staff will accept the final plat for that lot.
5. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
6. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation and Army Corps of Engineers.
7. Implementation of the road improvements as recommended in the Traffic Impact Study submitted with the concept plan for Norris Freeway Commercial Center (7-SJ-06-C) for the intersections of Emory Rd. with Andersonville Pike and Norris Freeway, and Norris Freeway up to and including the two entrances for the proposed commercial subdivision. The applicant shall be responsible for all improvements that will not be implemented by the Tennessee Department of Transportation in their scheduled improvements to Emory Rd. and Norris Freeway.
8. Obtaining street connection permits from the Tennessee Department of Transportation (TDOT) including final acceptance of the improvements by TDOT.
9. Placing a note on the final plat that states that access shall be to internal driveways only with no direct access to Norris Freeway and no direct access from Lots 7 and 11 to the Joint Permanent Easement serving the Norris Freeway Commercial Center subdivision.
10. Prior to final plat certification, recording the permanent cross access easements that provide access for those lots that do not have direct access to the Joint Permanent Easement serving the Norris Freeway Commercial Center due to access restrictions.
11. Use on review approval is required for any proposed development on the individual lots.
12. Meeting all applicable requirements of the Knox County Zoning Ordinance.
13. A final plat application based on this concept plan will not be accepted for review by the MPC until certification of design plan approval has been submitted to the MPC staff.

With the conditions noted, this plan meets the requirements for approval of a Concept Plan.

Comments: The applicant is proposing to subdivide a 6.69 acre tract into five lots for commercial development under the SC (Shopping Center) district.

This site was rezoned to SC (Shopping Center) by the Knox County Commission on November 20, 2000. A concept plan for a 53.41 acre tract was approved by the Planning Commission on July 13, 2006.. This 6.69 acre tract was designated as future development on the original concept plan and requires approval from the Planning Commission for any further subdivision or development. A major

portion of the 6.69 acre site was designated as part of the drainage system that tied into a tributary of Beaver Creek. The applicant has been working with the Tennessee Department of Environment and Conservation, Army Corps of Engineers and Knox County on changes to the creek and drainage way in the area which allows for consideration of the proposed lots.

A number of improvements were put in place for a proposed Walmart Supercenter, a Home Depot and retail shops. The main access to the property is from a Joint Permanent Easement off of Norris Freeway that serves the entire commercial subdivision. A second access to Norris Freeway was approved at the northern end of the Walmart site. The access for this proposed subdivision will be restricted to access from the JPE with no direct access from the lots to Norris Freeway.

A Traffic Impact Study was prepared for the 53.41 acre commercial development. Staff has recommended a condition for this subdivision that requires implementation of the road improvements as recommended in the Traffic Impact Study and final acceptance of the improvements by the Tennessee Department of Transportation.

Action: Approved **Meeting Date:** 3/11/2010

- Details of Action:**
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Summary of Action: APPROVE variance 1 because the site conditions and use restrict compliance with the Subdivision Regulations, and the proposed variance will not create a traffic hazard.

APPROVE the Concept Plan for five lots subject to 13 conditions:

Date of Approval: 3/11/2010 **Date of Denial:** **Postponements:**
Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Chancery Court

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

Ordinance Number: **Other Ordinance Number References:**

Disposition of Case:

If "Other":

Amendments:

Date of Legislative Appeal:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: