

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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File Number: 3-SC-13-C **Related File Number:**
Application Filed: 2/4/2013 **Date of Revision:**
Applicant: HORNE PROPERTIES, INC.

PROPERTY INFORMATION

General Location: North side of Kingston Pike, east side of N. Cedar Bluff Rd.
Other Parcel Info.:
Tax ID Number: 132 028 **Jurisdiction:** City
Size of Tract: 24.245 acres
Accessibility: The primary access to the site will be via N. Cedar Bluff Rd. and Kingston Pike, both of which are 6 lane median divided arterial streets at this location.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land and residences
Surrounding Land Use: North: Mixed commercial / PC-2 (Retail and Distribution Park) & C-6 (General Commercial Park)
South: Church and mixed commercial / O-1 (Office, Medical, and Related Services) & C-3 (General Commercial)
East: Mixed commercial / C-3 (General Commercial) & PC-2 (Retail and Distribution Park)
West: Mixed commercial / PC-1 (Retail and Office Park)
Proposed Use: Commercial **Density:**
Sector Plan: Southwest County **Sector Plan Designation:**
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context:

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

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

ZONING INFORMATION (where applicable)

Current Zoning: PC-1 (Retail and Office Park)
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: Kingston Corner

No. of Lots Proposed: 10 No. of Lots Approved: 10

Variances Requested: 1. Variance from the access requirements for lots to allow cross access easements as a legal access for the subdivision.

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 the variance. With the recommended access restrictions, the proposed variance should not create any traffic hazards.

APPROVE the Concept Plan subject to 13 conditions:

- Staff Recomm. (Full):
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 Knoxville (City Ord. 0-280-90) if required.
 3. Revising the concept plan to comply with the recommendations from the Tennessee Department of Transportation (TDOT), as identified in the attached letter dated March 6, 2013, for the proposed access on Kingston Pike. This includes the elimination of the right-in/right-out driveway between Lots 1 and 10, and removal of the left turn movement exiting the site between Lots 8 and 9. The revised concept plan shall be submitted to the Planning Commission staff for approval within 30 days from the concept plan approval by the Planning Commission.
 4. Obtaining a street connection permit from TDOT.
 5. Working with the Knoxville Department of Engineering on the final design of the lane configurations and access restrictions at the proposed full access driveway at the existing traffic signal on N. Cedar Bluff Rd.
 6. Installation of the street improvements recommended in the Traffic Impact Study prepared by CDM Smith as may be approved by the Knoxville Department of Engineering and TDOT. At the design plan stage of the subdivision, the applicant shall work with the Knoxville Department of Engineering on the design, timing and implementation of the approved street improvements.
 7. Access to all lots shall be from the internal driveway system for the subdivision with the only access to N. Cedar Bluff Rd. and Kingston Pike being from the approved access drives. A note shall be included on the final plat regarding the access restrictions.
 8. Installation of the sidewalks as designated on the concept plan and in compliance with the requirements of the City of Knoxville. All sidewalk construction must be ADA compliant.
 9. Meeting all applicable requirements of the Knoxville Department of Engineering.
 10. Any changes to the concept plan approved access drives onto N. Cedar Bluff Rd. and Kingston Pike, as may be approved by the Knoxville Department of Engineering and TDOT, are subject to Planning Commission staff approval.
 11. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
 12. Recording protective covenants (meeting the requirements of the PC-1 (Planned Commercial) zoning district) for the subdivision along with the initial final plat based on this concept.
 13. Use on review approval is required for any proposed development within this subdivision.

With the recommended conditions noted above, this concept plan meets all requirements for approval.

Comments: The applicant is proposing to subdivide this 24.245 acre tract into 10 lots for commercial development under the PC-1 (Retail and Office Park) zoning district. The property was rezoned from A-1 (General Agricultural) to PC-1 by Knoxville City Council on November 17, 2009.

The original concept plan submitted by the applicant included 11 lots with access being provided by public streets. Following a meeting between the applicant and City Engineering and Planning Commission staff, the applicant revised the concept plan eliminating the proposed public streets and replacing the streets with a driveway system utilizing cross access easements as the legal access to the proposed lots. This change requires approval of a variance from the Subdivision Regulations

access requirements for lots.

Access management and traffic safety are primary concerns for the proposed subdivision of this commercial property. When staff met with the applicant to review the concept plan, we had discussed changes that would be needed to the proposed access points onto Kingston Pike and N. Cedar Bluff Rd. We had relayed to the applicant the concerns raised by the Tennessee Department of Transportation (TDOT) regarding the two proposed access points on Kingston Pike. The applicant is proposing a right-in/right-out driveway between Lots 1 and 10, and a full access driveway between Lots 8 and 9. The revised concept plan submitted by the applicant after our meeting made no changes to the Kingston Pike access driveways even after we had relayed TDOT's comments. A letter from TDOT dated March 6, 2013, has been attached identifying their concerns with the proposed access driveways and recommending that the right-in/right-out driveway between Lots 1 and 10 be eliminated, and the egress left turn movement be eliminated from the driveway between Lots 8 and 9. A street connection permit is required from TDOT for access onto Kingston Pike.

There are three access driveways proposed onto N. Cedar Bluff Rd. The primary access to the site will be a full access driveway between Lots 2 and 3 at the existing signal that serves the Kroger development located on the west side of N. Cedar Bluff Rd. Two right-in/right-out driveways are also proposed. Street connection permits are required from the City of Knoxville for the access driveways onto N. Cedar Bluff Rd.

Any proposed development on the lots within this PC-1 subdivision will require a use on review approval from the Planning Commission.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND THE COMMUNITY AS A WHOLE

1. Public water and sewer utilities are in place to serve this development.
2. With the conditions regarding access management, the traffic impact of this development will be minimized.
3. The proposed commercial subdivision is compatible with the scale and intensity with the surrounding development and zoning pattern.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. With the recommended conditions, the proposal is consistent with all requirements of the PC-1 zoning district.
2. The proposed subdivision is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not draw substantial additional traffic through residential areas.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Knoxville One Year Plan the Southwest County Sector Plan propose commercial use for this site.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved as Modified

Meeting Date: 3/14/2013

Details of Action:

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 Knoxville (City Ord. 0-280-90) if required.
- (3. Deleted by Planning Commission.)
3. Obtaining a street connection permit from TDOT.
4. Working with the Knoxville Department of Engineering on the final design of the lane configurations and access restrictions at the proposed full access driveway at the existing traffic signal on N. Cedar Bluff Rd.
5. Installation of the street improvements recommended in the Traffic Impact Study prepared by CDM Smith as may be approved by the Knoxville Department of Engineering and TDOT. At the design plan stage of the subdivision, the applicant shall work with the Knoxville Department of Engineering on the design, timing and implementation of the approved street improvements.
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8. Meeting all applicable requirements of the Knoxville Department of Engineering.
9. Any changes to the concept plan approved access drives onto N. Cedar Bluff Rd. and Kingston Pike, as may be approved by the Knoxville Department of Engineering and TDOT, are subject to Planning Commission staff approval.
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With the recommended conditions noted above, this concept plan meets all requirements for approval.

Summary of Action:

APPROVE the variance. With the recommended access restrictions, the proposed variance should not create any traffic hazards.

APPROVE the Concept Plan subject to 12 conditions:

Date of Approval:

3/14/2013

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:

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: