

CASE SUMMARY

APPLICATION TYPE: REZONING

NORTHWEST COUNTY SECTOR PLAN AMENDMENT

File Number: 5-A-17-RZ **Related File Number:** 5-A-17-SP
Application Filed: 3/22/2017 **Date of Revision:**
Applicant: MADDOX PROPERTY MANAGEMENT & SALES. INC. STEVEN K. MADDOX

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

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
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F A X • 215 • 2068
www.knoxmpc.org

PROPERTY INFORMATION

General Location: South side Oak Ridge Hwy., west side Schaad Rd.
Other Parcel Info.:
Tax ID Number: 79 03301 & 03302 **Jurisdiction:** County
Size of Tract: 21.98 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Residences and vacant land
Surrounding Land Use:
Proposed Use: General commercial, retail, restaurants **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** MU-SD (NWCo-10)
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context:

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

Street: 6717 Oak Ridge Hwy
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
Former Zoning:
Requested Zoning: CA (General Business)
Previous Requests: None noted
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: MU-SD (Mixed Use Special District) (NW-Co-10)
Requested Plan Category: GC (General 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.):

RECOMMEND that County Commission APPROVE CA (General Business) zoning for the area depicted on the attached 'MPC Staff Recommendation' map, subject to 4 conditions.

Staff Recomm. (Full):

1. No clearing or grading of the site may be permitted until after the approval of a conceptual master plan as a use on review development plan by MPC.
2. Landscaping shall at a minimum include the following:
 - Street trees adjacent to all streets and roads, including internal streets/roads/access routes planted at a ratio of 1 large maturing tree per 40 feet of street/road/access route frontage. Trees shall be a minimum of 1 ½ inch caliper at planting and shall be planted in a minimum 10 foot wide planting strip. The planting strip shall be mulched and/or planted with a ground cover. Parking areas abutting any street/road/access route shall include a continuous row of shrubs within the planting strip.
 - Within parking areas, all parking rows with 20 or more spaces shall have a terminating island planted with a minimum of 1 large maturing tree, minimum 1 ½ inch caliper at planting. The terminating island shall be a minimum of 120 square feet for each parking row. Islands may be combined for double parking rows, resulting in a terminal island with a minimum area of two hundred forty (240.0) square feet
 - A perimeter screening area at least fifteen (15.0) feet wide, measured from the edge of the parking lot to the property line or, if utilities exist, to the utility maintenance zone shall be provided between the parking lot and any adjacent residential and/or agricultural zoning district. Such perimeter screening area shall be planted with a minimum of four (4) evergreen trees, three (3) deciduous trees, and fourteen (14) shrubs for every one hundred (100.0) linear feet. A minimum of fifty (50) percent of the shrubs shall be evergreen. All trees shall be large maturing, deciduous trees having a minimum 1 ½ inch caliper at planting and evergreen trees shall have a minimum height of 6 feet (measured from the ground to the top of the tree when planted) at planting. Locations requiring such perimeter screening area shall include the southwest property lines of parcels 33.01 and 33.02 and the southeast property line of parcel 33.02 adjacent to Ball Camp Pike and adjacent to Schaad Rd., south of Ball Camp Pike.
3. No access to Ball Camp Pike shall be permitted, unless approved by the Knox County Department of Engineering and Public Works as part of the plan review and approval process.
4. After use on review approval of the conceptual master plan is granted by MPC, then individual sites or phases of the development may be approved administratively by MPC staff. MPC staff will have 30 days to complete the review from the date of submission. MPC staff reserves the right to require MPC approval at a public hearing, if the individual proposal is substantially inconsistent with the approved master plan or if the intensity of the use is greater than what is reflected on the approved master plan. No additional lots/outparcels may be created beyond what is shown on the approved master plan, but the combination of lots, reducing the overall number of lots, will be permissible. Each individual site development plan shall depict proposed building elevations, specific use(s), parking and access points, as well as a detailed landscape plan showing street trees, parking lot landscaping and peripheral landscaping, subject to the above landscaping guidelines stated in condition #2 above.

With the above recommended conditions, commercial development of the site is appropriate under CA zoning. PC zoning would also be appropriate, without any conditions. The small portion of parcel 33.02 southeast of Schaad Rd., south of Ball Camp Pike is not recommended to be rezoned. Ball Camp Pike is an appropriate stopping point for commercial development heading south on Schaad Rd. Rezoning this area CA would set a precedent that would likely lead to future commercial requests on the adjacent properties to the south, which should be maintained as residential or possibly office. Commercial development along Schaad Rd. needs to be strategically located only at identified commercial nodes, generally at intersections of collector and/or arterial streets. According to Knox County Engineering, Schaad Rd. was intended to be a limited access right-of-way for movement of through traffic, rather than providing access to commercial development.

Commercial use of the subject property, if limited to CA zoning with the recommended conditions, is appropriate for this site. The conditions on the CA zoning are included so that MPC can review a

conceptual master plan and address issues such as access and buffering to adjacent residential uses. Condition 1 is included because the site has some existing, mature vegetation and staff would like the opportunity to recommend the preservation of some vegetation, as deemed appropriate for buffering and other aesthetic purposes. CA zoning, without conditions, would allow a wide range of uses with no public review of a plan.

Comments:

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. The subject property is located at the intersection of Oak Ridge Hwy. and Schaad Rd., both classified as arterial streets, so it is appropriate for development of a commercial node.
2. The street system is sufficient to handle the additional traffic that will be generated with commercial development of this site. However, commercial zoning along Schaad Rd. to the south must be restricted only to areas proposed for commercial on the sector plan. Care should be taken to not allow continuous strip commercial development to extend south along Schaad Rd. This is the primary reason a portion of the site is recommended not be rezoned. Office zoning would be more appropriate for the excluded portion of land, because it could provide both a stopping point for commercial development continuing south on Schaad Rd. and a transitional area between commercial use to the north and residential uses to the south.
3. With the recommended approval of the associated plan amendment (5-A-17-SP), this rezoning proposal is consistent with the Northwest County Sector Plan.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. Based on the property's location at the intersection of two arterial streets, the proposed rezoning is appropriate for the establishment of a commercial node.
2. The recommended CA zoning, with the required master plan approval by MPC, subject to specified guidelines, will allow the property to be developed with commercial uses, while giving the opportunity for MPC and public review of an overall site plan prior to development. The applicant will be required to pursue use on review approval of a conceptual master plan by MPC before proceeding with development.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. Public water and sewer utilities are available in the area, but may have to be extended to serve the site.
2. Establishment of CA zoning, with the recommended conditions, at this location should have a minimal impact on surrounding properties. It will also provide an area for commercial services closer and more convenient to existing residential developments in the area.
3. The site has access to Oak Ridge Hwy. and Schaad Rd., both arterial streets with sufficient capacity to handle additional traffic that would be generated by commercial use of this site. Under the recommended CA zoning, MPC and Knox County Engineering Staff would have the opportunity to review the access to the site with the objective of minimizing traffic conflicts and maximizing safety. A traffic impact study may also be required to be submitted with the conceptual plan, if deemed necessary by MPC and Engineering staff, based on the size and type of development proposed.
4. This proposed amendment of the zoning map will not adversely affect any other part of the County.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. With the recommended amendment to the Northwest County Sector Plan to GC (General Commercial), the recommended CA zoning is acceptable.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. The CA zoning, as recommended with conditions, does not present any apparent conflicts with any other adopted plans.

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and

approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

Action: Approved with Conditions **Meeting Date:** 5/11/2017

Details of Action:

1. No clearing or grading of the site may be permitted until after the approval of a conceptual master plan as a use on review development plan by MPC.
2. Landscaping shall at a minimum include the following:
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Summary of Action: Recommend the Knox County Commission approve CA (General Business) zoning for the area depicted on the attached 'MPC Recommendation' map, subject to 4 conditions.

Date of Approval: 5/11/2017 **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: 6/26/2017 **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:**