

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

Suite 403 • City County Building
4 0 0 M a i n S t r e e t
Knoxville, Tennessee 37902
8 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
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File Number: 7-D-15-SP **Related File Number:**
Application Filed: 5/26/2015 **Date of Revision:**
Applicant: FIRST BAPTIST CHURCH CONCORD AS SUCCESSOR BY MERGER TO WEST

PROPERTY INFORMATION

General Location: North side Westland Dr., east side I-140
Other Parcel Info.:
Tax ID Number: 144 03002 **Jurisdiction:** City
Size of Tract: 26.4 acres
Accessibility: Access is via Westland Dr., a minor arterial street with 30' of pavement width within 60-200' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Church and recreation
Surrounding Land Use:
Proposed Use: Commercial development **Density:**
Sector Plan: Southwest County **Sector Plan Designation:** Public Institutional
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: The area on the east side of I-140 is developed solely with low density residential uses under A, RA and PR zoning. On the west side of I-140, fronting on Westland Dr., there are five small properties zoned for non-residential uses. That total acreage of the non-residential zoned area is approximately 25 acres, much of which is open space in the PC zoned area on the north side of Westland Dr. Two of the lots, one zoned CA and one zoned OB, on the south side of Westland Dr., are vacant. The other two CA zoned lots are developed with a Weigel's convenience store and offices for Heritage Lake apartments.

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

Street: 9635 Westland Dr
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RP-1 (Planned Residential)
Former Zoning:
Requested Zoning: SC-1 (Neighborhood Shopping Center)
Previous Requests: None noted
Extension of Zone: No
History of Zoning: Property was rezoned RP-1 at up to 5 du/ac in 2006 after annexation into the City (12-Q-00-RZ). It was previously zoned PR at up to 5 du/ac in the County.

PLAN INFORMATION (where applicable)

Current Plan Category: PI (Public Institutional) & SLPA (Slope Protection Area)

Requested Plan Category: C (Commercial) & SLPA (Slope Protection Area)

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.): WITHDRAW, at the request of the applicant.

Staff Recomm. (Full): The applicant submitted a request to withdraw along with the untabling request on April 13, 2017.

Comments: Staff had recommended postponement to the October 8, 2015 meeting so that a traffic study could be completed to determine whether road capacity is sufficient in the area to accommodate the proposed, large-scale commercial development. The applicant agreed to the postponement. However, no traffic study has been submitted and the applicant has now requested the matter be tabled. Staff is of the opinion that this rezoning should not be considered before having the benefit of a traffic impact study (TIS). The information gleaned from a TIS should benefit the developer in determining final development costs, developing final plans, and in responding to probable concerns about traffic from area residents. Without a TIS, as recommended, then staff would recommend denial of both the One Year Plan amendment and the rezoning request.

Prior to untabling and considering this request, a TIS will be required. The traffic counts for the TIS must be collected while Knox County Schools are in regular fall or spring session. A.L. Lotts Elementary School is located about two-thirds of a mile east of the site on Westland Dr. Traffic to and from the school has a major impact on traffic in the area that needs to be included in any traffic counts conducted. The primary reasons for the traffic study prior to the rezoning consideration are listed below.

1. Nearby A.L. Lotts Elementary School has a major impact on the traffic flow within the community.
2. Recent improvements at the Pellissippi Parkway interchange (installation of traffic signals, turn lanes, and ramps improvements) have not been completed long enough for staff to see how well they are working.
3. These improvements are just under 300 feet from curb-to-curb of this development's main access to the northbound ramp, but 200 feet from end-of-taper to beginning-of-taper.
4. Knox County does not complete any traffic movement counts when school is out for the summer or within the first two weeks of school, as it takes parents that long to figure out their new travel routines.
5. A new residential development of 300 plus units (Westland Cove) has recently received final approval. This site is adjacent to the subject property to the north and is accessed from Emory Church Rd. These additional trips will need to be included in the traffic study.

According to the Trip Generation Manual for Shopping Center land use (820), the threshold for doing a Level 1 traffic impact study (TIS) is a minimum of 3,372 sq. ft. of gross leasable area, Level 2 TIS is a minimum of 28,450 sq. ft., and a Level 3 TIS is a minimum of 82,652 sq. ft.

The requested SC-1 zoning district requires a combined total gross floor area of not less than 20,000 sq. ft. and no more than 100,000 sq. ft., with an anchor tenant comprising no more than 50% of the total floor area of the shopping center (minimum 10,000 sq. ft.). The SC-1 zone also requires the shopping center have between 5 and 20 shops/stores including the anchor tenant. These requirements will mean that at least 20,000 sq. ft. of floor area will have to be developed, so at least a Level 1 TIS will be required. However, if more square footage is planned, a Level 2 or 3 TIS may be necessary. The applicant will need to provide a maximum proposed square footage to determine what level TIS will be needed.

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 now 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: Denied (Withdrawn) **Meeting Date:** 5/11/2017

Details of Action:

Summary of Action: WITHDRAW, at the request of the applicant.

Date of Approval: **Date of Denial:** **Postponements:** 7/9/15

Date of Withdrawal: 5/11/2017 **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

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: