

▶ **FILE #:** 5-G-11-UR

AGENDA ITEM #: 36

AGENDA DATE: 5/12/2011

▶ **APPLICANT:** HUBER PROPERTIES

OWNER(S): Huber Properties, LLC

TAX ID NUMBER: 162 M 00102-00105

JURISDICTION: County Commission District 5

▶ **LOCATION:** South side of S. Northshore Dr., east side of Choto Rd.

▶ **APPX. SIZE OF TRACT:**

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via S. Northshore Dr., a minor arterial street with a pavement width of 21' within a 85' wide right-of-way, or Choto Rd., a minor collector street with pavement width of 21' within a 50' wide right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Tennessee River

▶ **ZONING:** CN (k) (Neighborhood Commercial)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Commercial development

HISTORY OF ZONING: The property was rezoned to CN (Neighborhood Commercial) with conditions in 2010

SURROUNDING LAND USE AND ZONING:
 North: Detached dwellings / PR residential
 South: Detached dwellings / PR residential & A agricultural
 East: Detached dwellings / PR residential & A agricultural
 West: Detached dwellings / PR residential & A agricultural

NEIGHBORHOOD CONTEXT: The area is developed with agricultural, rural residential and low density residential uses under A (Agricultural) PR (Planned Residential) zoning.

STAFF RECOMMENDATION:

▶ **APPROVE the plan for up 73,700 square feet of commercial/office space in up to 8 buildings as shown subject to 10 conditions**

1. Meeting all applicable sign and parking requirements of the Knox County Zoning Ordinance or obtaining a variance to these requirements from the Knox County Board of Zoning Appeals
2. Meeting all other applicable requirements of the Knox County Zoning Ordinance
3. Eliminating the proposed drive-thru lane associated with building #1 until such time that a design is approved by the Knox County traffic engineer
4. Completion of all road improvements as required by the Knox county Dept. of Engineering and Public Works prior to occupying any of the proposed structures

5. Provision of written permission from TDS telephone Co. to relocate their driveway as shown on the plan prior to obtaining any additional grading permits for this site
6. Construction of all sidewalks as shown on the plan. Preparing a revised plan that will include an internal sidewalk network. All sidewalk construction must meet the requirements of the Americans With Disabilities Act
7. Provision of a revised landscaping plan for the portion of the site associated with buildings 7 and 8. Installation of all landscaping shown on the plan within six months of the issuance of occupancy permits, or posting a bond with the Knox county Dept. of Engineering and Public Works to guarantee such installation
8. Meeting all other applicable requirements of the Knox county Dept. of Engineering and Public Works
9. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Dep
10. A revised site plan reflecting the conditions of approval must be submitted to MPC staff for certification prior to the issuance of any additional grading permits or building permits

COMMENTS:

At the December, 2009 meeting MPC recommended approval of the application presented by Huber Properties to CN (Neighborhood commercial) for this site. As part of that recommendation, MPC conditioned its approval by requiring that all development within the site be considered through the use on review process. Additionally, the MPC stated that all future construction within the site would be required to use "residential building materials" and be architecturally compatible. This rezoning request was heard by the Knox County Commission on January 25, 2010 at which time that body, by a unanimous vote, approved the rezoning with the conditions as recommended by MPC.

At the time Weigles store was being considered for a portion of the property (1-F-10-UR), Huber Properties presented a conceptual site plan that suggested that the overall development would consist of a mixture of retail and office uses that will cater to a limited market area. The property owners also included a short listing of the proposed "common architectural elements" that will be used to judge the compatibility of each building that is proposed for the site.

Huber Properties has now submitted a use on review request seeking approval of their plans for commercial/office development. The plans are very similar to the conceptual plan presented last year. Materials submitted with this request include a site plan, landscaping plan, signage plan, photometric plan along with architectural renderings of the proposed building. Additionally,, the applicant had a traffic impact study prepared for the entire project at the time the convenience store was being considered last year. The traffic impact study identified the improvements that are being made to S. Northshore Dr. and the nearby Choto Rd. intersection. Additional road improvements may be required by the Knox county Dept. of Engineering and Public Works as this development moves forward.

In order for the project to proceed as presented, the applicant will have to obtain variances from the Knox County Board of Zoning Appeals for the number and size of the signs proposed. The CN (Neighborhood Commercial) zone limits the number and size of signs in order to lessen their impact on surrounding residential development. The applicant is proposing two monument signs with one of these signs exceeding the permitted size of 50 square feet. Staff will not object to the second sign, however, we will not support the sign size variance. We believe the second sign can be accommodated without a negative impact on the area. Whereas, increasing the size of the sign could be a detriment to the area.

In addition to the sign variances, the applicant may need to seek a variance to the number of required parking spaces.. The need for the variance will be determined by the mix of uses in the development. Staff generally believes that the number of parking spaces required by the Zoning Ordinance exceeds the true needs for parking.

In our review, staff has identified the drive-thru lane associated with building #1 as a problem. The design may create a traffic hazard. Staff will not recommend approval of the drive-thru lane as designed. With a revised design and approval by Knox County's traffic engineer a drive-thru lane may be permitted in the future for building #1.

With regard to the overall development plan for the commercial development, staff has reviewed the plans and finds them to be compatible with the conditions of the rezoning. The buildings will be built using brick, stone and stucco. Extensive landscaping is proposed for the site. The lighting plan limits the amount of light "spillover" onto adjoining properties.

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

1. The proposed commercial development will have a manageable impact on local services: All utilities are already in place to serve this building and road improvements are planned and or under construction to accommodate the project.
2. Lighting intensity and direction will be controlled in order to minimize the off site impact of project.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. The proposed commercial development meets all of the requirements of Knox County Zoning Ordinance pertaining to building setbacks, height, lighting, landscaping. Variances will be required for the proposed signage and parking.
2. The proposed exterior of structure is being constructed with brick, stone and stucco. All of these materials are commonly used in residential construction.
3. The proposed commercial development is consistent with the general standards for uses permitted on review: The proposed development 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 neighborhoods where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

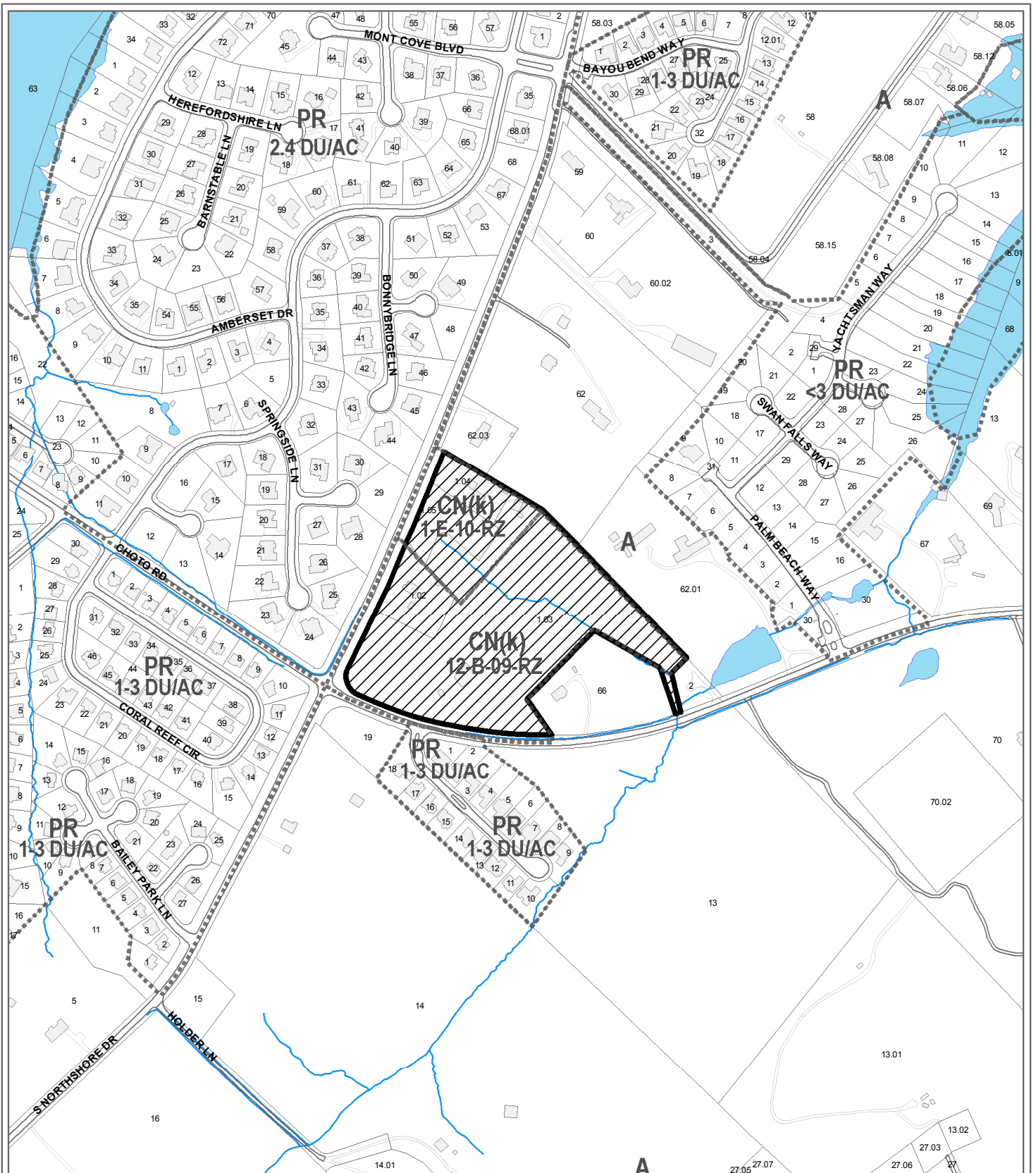
1. The Southwest County Sector Plan identifies the property for neighborhood commercial use. The proposed use and plan are in compliance with that plan.

ESTIMATED TRAFFIC IMPACT 4533 (average daily vehicle trips)

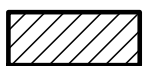
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**5-G-11-UR
USE ON REVIEW**



Commercial development in CN (k) (Neighborhood Commercial)

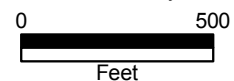
Original Print Date: 4/27/2011
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

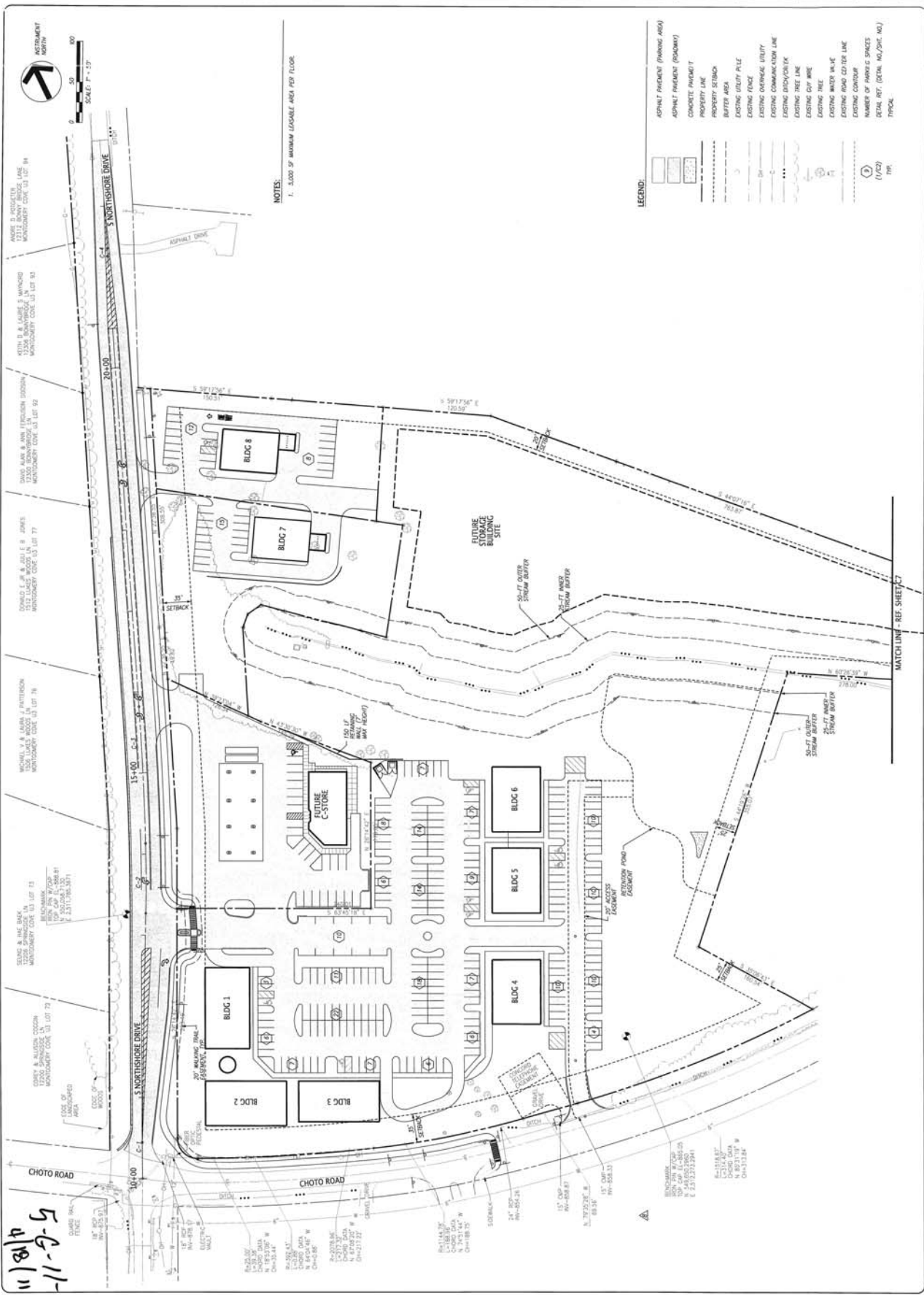
Revised:

Petitioner: Huber Properties

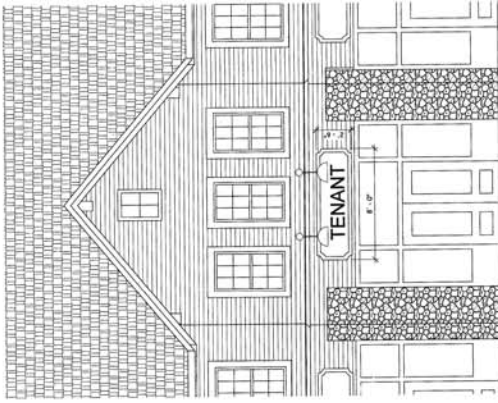
Map No: 162

Jurisdiction: County



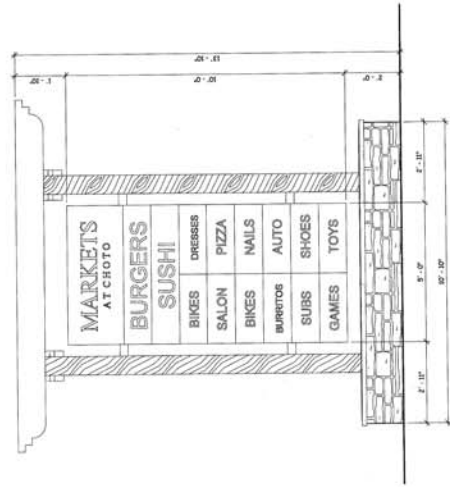


5-G-11-UR
4/18/11



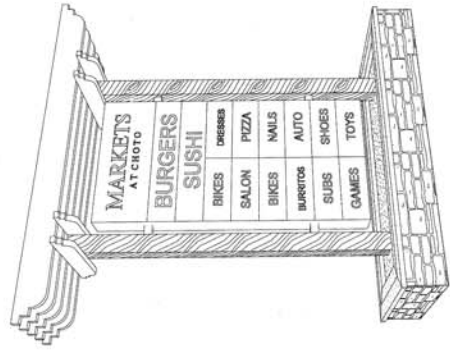
TYPICAL TENANT BUILDING SIGNAGE
SCALE: 1/8"=1'-0"

3



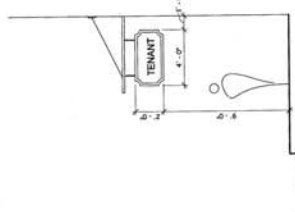
MAIN ENTRY SIGN ELEVATION
SCALE: 1/8"=1'-0"

2



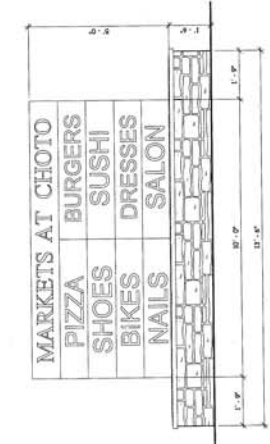
MAIN ENTRY SIGN PERSPECTIVE
SCALE

1



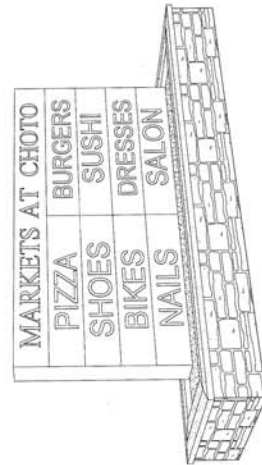
TYPICAL TENANT BUILDING SIGNAGE
SCALE: 1/8"=1'-0"

6



MAIN ENTRY SIGN OFF CHOTO RD. ELEVATION
SCALE: 1/8"=1'-0"

5



MAIN ENTRY SIGN OFF CHOTO RD. PERSPECTIVE
SCALE

4

5-6-11-02

MBI
Michael Brady Inc.

1000 N. WILSON AVENUE
SUITE 100
MEMPHIS, TENNESSEE 38117
PH: 901.596.1100
FAX: 901.596.1101
WWW.MBI-CORP.COM



THE MARKETS AT CHOTO
CORNER OF NORTHSORE AND CHOTO ROAD
KNOX COUNTY, TENNESSEE

A NEW DEVELOPMENT FOR
THE MARKETS AT CHOTO
DRAWING TITLE: SIGNAGE
DATE: 4/18/2011
DESIGNED BY: R.D.P.
CHECKED BY: R.D.P.
REVIEWED BY: R.D.P.
DATE: 4/18/2011
DRAWING NO.: 0010000000
PROJECT NO.: 0010000000
SHEET NO.: 0010000000
SHEET TOTAL: 0010000000

DATE: 4/18/2011
DESIGNED BY: R.D.P.
CHECKED BY: R.D.P.
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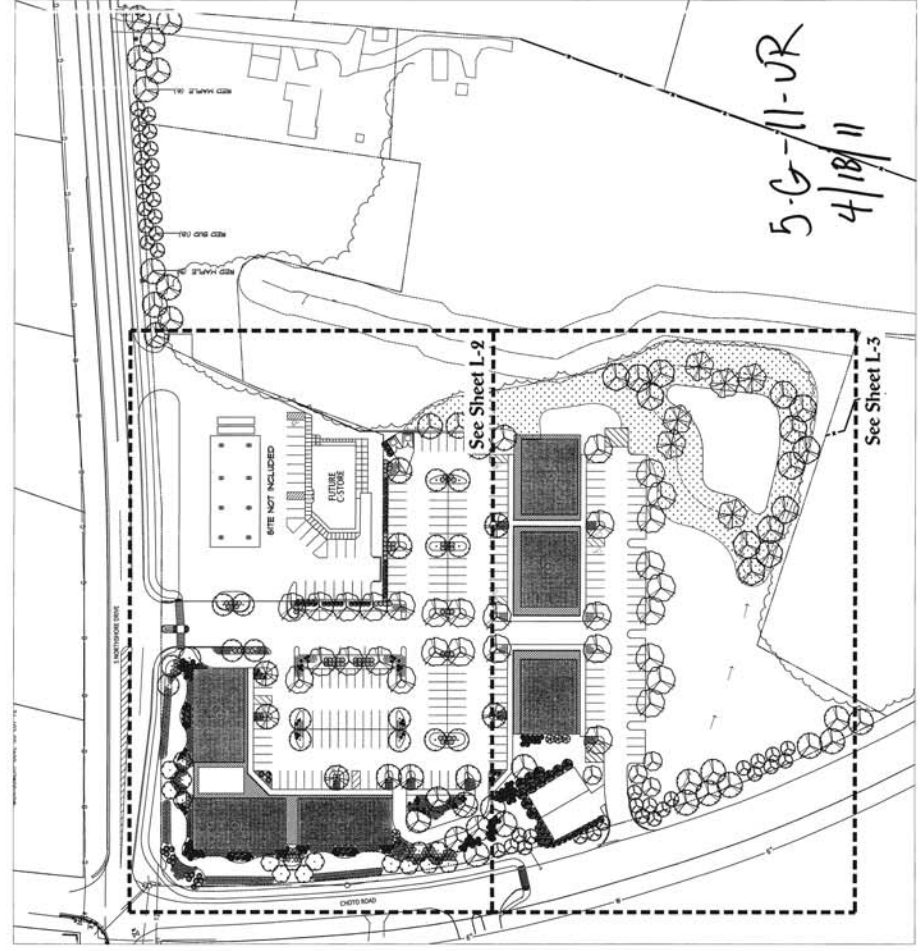
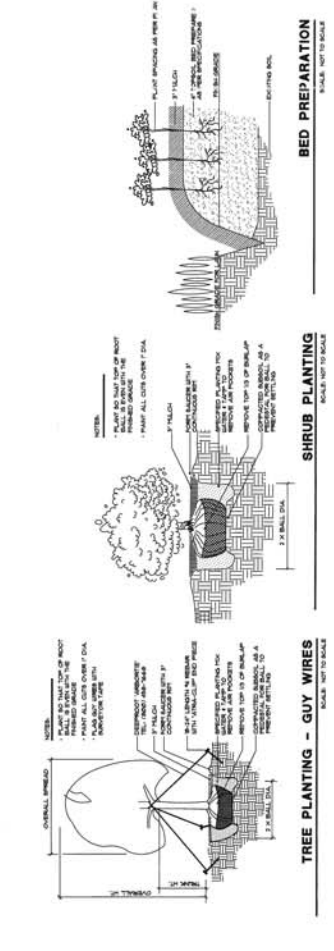
SHEET: No. 0010000000
of 0010000000



MICHAEL VERSEN & ASSOCIATES
LANDSCAPE ARCHITECTURE
299 N. BERKSHIRE BLVD., SUITE 201 KNOXVILLE, TENNESSEE 37912
(615) 958-1333

MARKETS AT CHOTO
Knoxville, Tennessee
Planting Plan

SCALE: 1" = 6'-0"
L-1
DATE: MAY/2011
DRAWN: JAMES W. JONES
CHECKED: JAMES W. JONES
REVISION: NONE



LANDSCAPE REQUIREMENTS

ITEM	REQUIRED TREES	PROPOSED TREES
FRONT YARD LANDSCAPE REQUIREMENTS	1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.	1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

PLANTING SCHEDULE

ITEM	PLANTING SCHEDULE	PLANTING SCHEDULE
1	12-18"	23-30"
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SLOPE STABILIZATION / NATIVE SEED MIX SPECIFICATION

- INSTALL 3 TO 4 INCHES OF TOPSOIL AS NEEDED.
- LOOSEN THE SOIL TO ACCEPT THE SEED MIX.
- APPLY THE SEED MIX AT A RATE OF 1 LB PER 100 SQ FT OR AT A RATE OF 1 TO 3 TONS PER ACRE.
- SEED MIX SHALL BE A MIXTURE OF THE FOLLOWING SPECIES:

SEED MIX SPECIFICATION:

- 1. BUREN BLUEGRASS (POA. TRIVIALIS)
- 2. BERMUDA GRASS (CYN. DACTYLOIDES)
- 3. CRABGRASS (DIG. SPERMATOPHYTES)
- 4. FESCUE (FEST. SPERMATOPHYTES)
- 5. LITTLE BLUE STEM (DICH. SPERMATOPHYTES)
- 6. PRAIRIE BLUEGRASS (POA. SPERMATOPHYTES)
- 7. RYEGRASS (L. SPERMATOPHYTES)
- 8. SEED MIX SHALL BE A MIXTURE OF THE FOLLOWING SPECIES:
- 9. SEED MIX SHALL BE A MIXTURE OF THE FOLLOWING SPECIES:
- 10. SEED MIX SHALL BE A MIXTURE OF THE FOLLOWING SPECIES:

PLANTING SPECIFICATIONS

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND LOCAL GOVERNMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND LOCAL GOVERNMENTS.

PLANT MATERIALS: ALL PLANT MATERIALS SHALL BE OBTAINED FROM A REPUTABLE NURSERY AND SHALL BE DELIVERED TO THE SITE IN GOOD CONDITION. ALL PLANT MATERIALS SHALL BE DELIVERED TO THE SITE IN GOOD CONDITION.

PLANTING: ALL PLANTS SHALL BE PLANTED AT THE SPECIFIED LOCATIONS AND SHALL BE WATERED AND MULCHED AS SPECIFIED. ALL PLANTS SHALL BE PLANTED AT THE SPECIFIED LOCATIONS AND SHALL BE WATERED AND MULCHED AS SPECIFIED.

MAINTENANCE: THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL PLANTS PLANTED UNDER THIS CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL PLANTS PLANTED UNDER THIS CONTRACT.

WARRANTY: THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE WARRANTY OF ALL PLANTS PLANTED UNDER THIS CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE WARRANTY OF ALL PLANTS PLANTED UNDER THIS CONTRACT.

LIABILITY: THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LIABILITY OF ALL PLANTS PLANTED UNDER THIS CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LIABILITY OF ALL PLANTS PLANTED UNDER THIS CONTRACT.

QUALITY ASSURANCE: THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE QUALITY ASSURANCE OF ALL PLANTS PLANTED UNDER THIS CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE QUALITY ASSURANCE OF ALL PLANTS PLANTED UNDER THIS CONTRACT.

CONTRACTOR'S OBLIGATIONS: THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONTRACTOR'S OBLIGATIONS UNDER THIS CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONTRACTOR'S OBLIGATIONS UNDER THIS CONTRACT.

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ASSIGNMENT: THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ASSIGNMENT UNDER THIS CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ASSIGNMENT UNDER THIS CONTRACT.





SITE PLAN - PHOTOMETRIC

SCALE: 1" = 30'-0"

SITE LIGHTING FIXTURE SCHEDULE

SYMBOL	DESCR	TYPE		LUMPS		VOLTAGE		MOUNTING		MANUFACTURER	LUMINAIRE CATALOG NO.	SOLE CATALOG NO.	REMARKS
		SHADE	CONVERTER	NO	WATTS	VOLTS	HEIGHT	WALL MOUNT	RECESSED				
⊙-A	SA	X		1	ONE 40W T8 MFLS 1' X 4'	208	30"	X		LITHONIA	AS2-400W-SM5C-T8-30W-SP4-008-LP	575-30-4-48-SM5AS-008	ADJUSTMENTAL ARM MOUNTED FULL C-COFF AREA LIGHT, LUMINAIRE MOUNTED 2N
⊙-B	SB	X		1	ONE 40W T8 MFLS 1' X 4'	208	30"	X		LITHONIA	AS2-400W-SM5C-T8-30W-SP4-008-LP	575-30-4-48-SM5AS-008	ADJUSTMENTAL ARM MOUNTED FULL C-COFF AREA LIGHT, LUMINAIRE MOUNTED ON
⊙-C	SC	X		1	ONE 40W T8 MFLS 1' X 4'	208	30"	X		LITHONIA	AS2-400W-SM5C-T8-30W-SP4-008-LP	575-30-4-48-SM5AS-008	ADJUSTMENTAL ARM MOUNTED FULL C-COFF AREA LIGHT, LUMINAIRE MOUNTED ON
⊙-D	SD	X		1	ONE 40W T8 MFLS 1' X 4'	208	30"	X		LITHONIA	AS2-400W-SM5C-T8-30W-SP4-008-LP	575-30-4-48-SM5AS-008	ADJUSTMENTAL ARM MOUNTED FULL C-COFF AREA LIGHT, LUMINAIRE MOUNTED ON
⊙-E	SE	X		1	ONE 40W T8 MFLS 1' X 4'	208	30"	X		LITHONIA	AS2-400W-SM5C-T8-30W-SP4-008-LP	575-30-4-48-SM5AS-008	ADJUSTMENTAL ARM MOUNTED FULL C-COFF AREA LIGHT, LUMINAIRE MOUNTED ON

NOTES: 1. FINISH AND INSTALL LAMPS FOR ALL FIXTURES. 2. ROTATE FIXTURE OPTICS SO THE LIGHT BEAM IS DIRECTED IN THE SAME DIRECTION AS THE ARROWS SHOWN ON THIS PLAN.

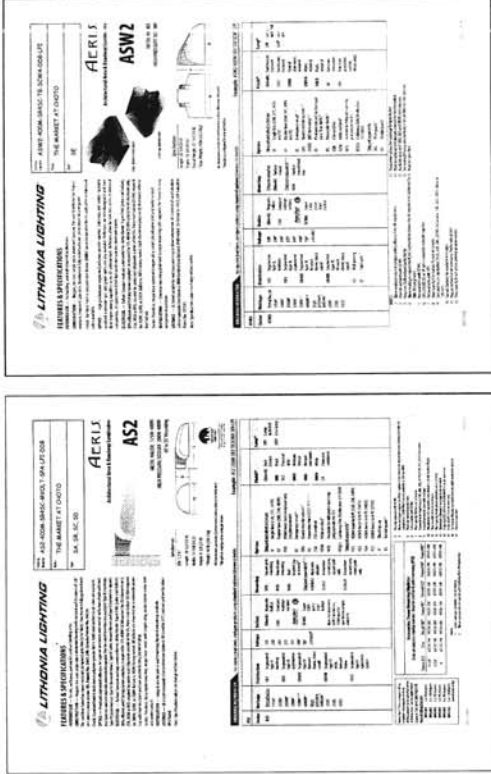
NOTES:

- SEE SHEET E01 FOR ELECTRICAL LEGEND AND GENERAL NOTES.
- THE LIGHT BEAM IS DIRECTED IN THE SAME DIRECTION AS THE ARROWS SHOWN ON THIS PLAN.

STATISTICAL AREA SUMMARY

PROJECT: THE MARKET AT CHOTO

LABEL	SYMBOL	AVS	MAX	MIN	MAX/AVS	AVG/AVS	L/F
OVERALL SITE		1.2	FC	0.0	FC	N/A	0.79
PARKING AREA #1	X	3.9	FC	1.1	FC	0.51	1.01
PARKING AREA #2	X	2.8	FC	0.4	FC	0.30	1.01
PARKING AREA #3	X	2.8	FC	0.4	FC	0.30	N/A



THE MARKETS AT CHOTO

CORNER OF NORTHSORE AND CHOTO ROAD
KNOX COUNTY, TENNESSEE

FOR INFORMATION ONLY
FOR PERMITTING ONLY
DESIGN DEVELOPMENT
DATE: 04/19/2011

DATE: 4/19/2011
Designed By: CJP
Checked By: CJP
Reviewed By: CJP
Drawn No.: 8P1038P
REVISED:

Sheet
of
ES1.2

CHARLES H. POWELL, JR.
REGISTERED PROFESSIONAL ENGINEER
NO. 14027
KNOX COUNTY, TENNESSEE
P.E. 00000000000000000000

5-6-11-UR

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