



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
REZONING REPORT**

► **FILE #:** 12-I-13-RZ

AGENDA ITEM #: 32

AGENDA DATE: 12/12/2013

► **APPLICANT:** PHILIP GARRETT

OWNER(S): Philip Garrett

TAX ID NUMBER: 104 PORTION OF 093, 096, 097 MAP ON FILE AT MPC, PORTION ZONED PC/TO ONLY

JURISDICTION: County Commission District 6

STREET ADDRESS: 2122 Schaeffer Rd

► **LOCATION:** East side Schaeffer Rd., south of Hardin Valley Rd.

► **APPX. SIZE OF TRACT:** 28.85 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Schaeffer Rd., a minor collector street with 20' of pavement width within the Pellissippi Parkway right-of-way, Hardin Valley Rd., a four lane major arterial street within 175' of right-of-way, or Iron Gate Blvd., a local boulevard street within 70' of right-of-way.

UTILITIES: Water Source: West Knox Utility District
Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

► **PRESENT ZONING:** PC (Planned Commercial) / TO (Technology Overlay)

► **ZONING REQUESTED:** OB (Office, Medical, and Related Services) / TO (Technology Overlay)

► **EXISTING LAND USE:** Vacant land

► **PROPOSED USE:** Business park

EXTENSION OF ZONE: No

HISTORY OF ZONING: Requests for OB and PR zoning were denied by Knox County Commission in June 2013 (12-D-12-RZ).

SURROUNDING LAND USE AND ZONING: North: Commercial businesses and vacant land / PC (Planned Commercial) / TO (Technology Overlay)

South: Vacant land / BP (Business & Technology Park) /TO

East: Dwellings and vacant land / A (Agricultural)/TO

West: Businesses, vacant land, dwellings, Schaeffer Rd. / PC (Planned Commercial)/TO and A (Agricultural)/TO

NEIGHBORHOOD CONTEXT: This area has been developed with commercial and residential uses under PC, A, PR and CA zoning.

STAFF RECOMMENDATION:

► **RECOMMEND that County Commission APPROVE OB (Office, Medical & Related Services) / TO (Technology Overlay), subject to 1 condition;**

1. The development plans must set aside the required right-of-way for the realignment of Schaeffer Rd. (as depicted on the attached concept plan submitted by the applicant (Exhibit A.)

With the recommended condition, OB/TO zoning is consistent with the sector plan designation for the area and

will allow uses compatible with the surrounding land uses and zoning pattern. The condition is included because the realignment of Schaeffer Rd. to line up with Cherahala Blvd. has been identified as a recommended improvement in several planning documents. See the attached excerpts from the TTCDA Comprehensive Development Plan and the TDOT needs assessment.

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. This site, which is southeast of the major interchange of Pellissippi Parkway and Hardin Valley Rd., along the future realigned Schaeffer Rd., is an appropriate location for office and/or medium density residential development, as permitted under the requested OB/TO zoning.
2. The property is located within an area designated for medium density residential and office uses on the Northwest County Sector Plan, which are both specifically allowed in the requested OB zoning.
3. Portions of this site have been significantly cleared and graded in preparation for development which has yet to occur. Approval of this request should lead to site improvements to stabilize the slopes on the site and eventually develop it.
4. OB zoning is compatible with the scale and intensity of the surrounding development and zoning pattern. The adjacent commercial development to the west was all developed under PC zoning.

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

1. The requested OB zoning district is intended to provide areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas. The OB zoning district also allows residential development as permitted by the RB zoning district.
2. Based on the above description and intent of OB zoning, this property is appropriate to be rezoned to OB, as requested.
3. Site plans will be subject to review and approval of a development plan by the Tennessee Technology Corridor Development Authority (TTCDA), since it is located within the TO overlay. MPC would review a development plan for residential uses if the proposed density exceeds 12 du/ac.

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 sanitary sewer are available to serve the site.
2. The impact to the streets and school system will depend on the type of development proposed. The existing Hardin Valley Rd. and the future realigned Schaeffer Rd. are sufficient to handle additional traffic that would be generated by uses permitted in the OB zoning district.
3. This proposed amendment of the zoning map will not adversely affect any other part of the County, and the site plan approval required by the Tennessee Technology Corridor Development Authority (TTCDA) provides that no direct or indirect adverse effects will result from the change of zoning.
4. The property is characterized by some steep slopes. Care will need to be taken in developing the property to respect its physical characteristics. The site has undergone some disturbance and will need to be stabilized prior to development.

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:

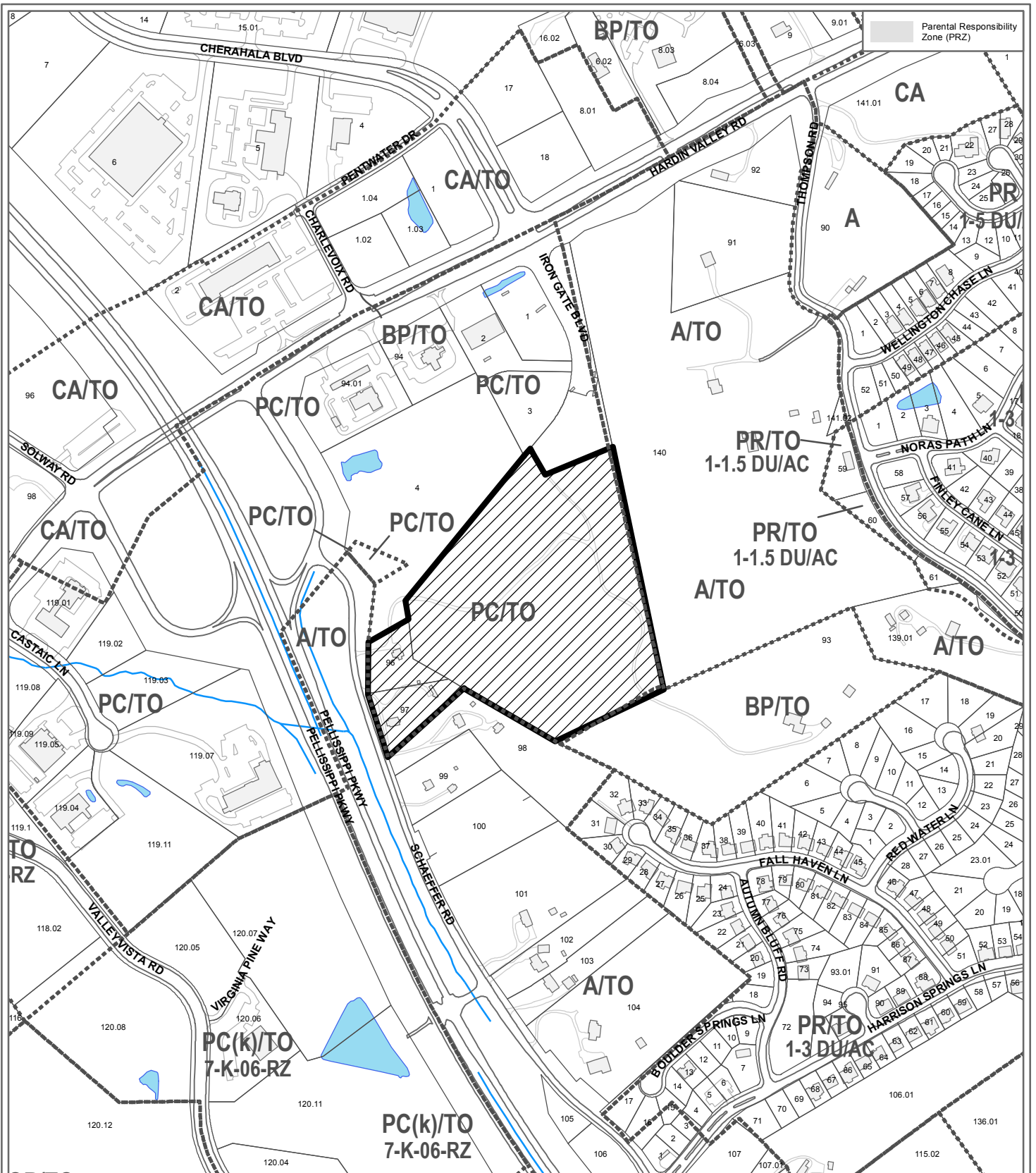
1. The Northwest County Sector Plan, as amended by the TTCDA Comprehensive Development Plan, designates this area for medium density residential and office uses, consistent with the proposed OB/TO zoning.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Because of the property's location within the TO (Technology Overlay), the TTCDA was required to approve a Certificate of Appropriateness for the rezoning of this site. TTCDA approved a Certificate of Appropriateness for a rezoning to OB/TO on March 11, 2013 (12-A-12-TOR).

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 1/27/2014. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal

hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**12-I-13-RZ
REZONING**

From: PC (Planned Commercial) / TO (Technology Overlay)

To: OB (Office, Medical, and Related Services) / TO (Technology Overlay)



Petitioner: Garrett, Philip

Map No: 104

Jurisdiction: County



Original Print Date: 11/22/2013
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised: 12/3/2013

PROJECT SITE

VICINITY MAP
(NOT TO SCALE)

GENERAL NOTES:

1. ROAD COUNTY C&G MAP NO. 104, PARCELS 33, 34, 35, AND 37.
2. ZONING: RYAN TRACT MAP NO. 104, PARCELS 33, 34, 35, AND 37.
3. TOTAL AREA OF PROJECT: 44.52 ACRES.
4. TOTAL AREA OF PARCELS: 44.52 ACRES.
5. NUMBER OF PROPOSED LOTS: 6.
6. PERMITS SHALL BE OBTAINED FROM THE TOWN ENGINEER, PLANNING DEPARTMENT, AND THE MISSOURI DEPARTMENT OF REVENUE.
7. PERMITS SHALL BE OBTAINED FROM THE TOWN ENGINEER, PLANNING DEPARTMENT, AND THE MISSOURI DEPARTMENT OF REVENUE.
8. PERMITS SHALL BE OBTAINED FROM THE TOWN ENGINEER, PLANNING DEPARTMENT, AND THE MISSOURI DEPARTMENT OF REVENUE.
9. PERMITS SHALL BE OBTAINED FROM THE TOWN ENGINEER, PLANNING DEPARTMENT, AND THE MISSOURI DEPARTMENT OF REVENUE.
10. PERMITS SHALL BE OBTAINED FROM THE TOWN ENGINEER, PLANNING DEPARTMENT, AND THE MISSOURI DEPARTMENT OF REVENUE.

LANDSCAPING:

1. ALL LANDSCAPING ACTIVITIES SHALL BE IN ACCORDANCE WITH THE MISSOURI DEPARTMENT OF REVENUE, DIVISION OF REVENUE, LANDSCAPING REGULATIONS.
2. RETENTION OF EXISTING TREES SHALL BE MAINTAINED TO THE MAXIMUM EXTENT POSSIBLE.
3. NEW TREES SHALL BE PLANTED TO REPLACE ANY TREES REMOVED DURING CONSTRUCTION.

EROSION CONTROL:

1. EROSION CONTROL SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
2. AS A MINIMUM, SIX FENCE SHALL BE INSTALLED AROUND THE PERIMETER OF THE PROJECT.
3. EROSION CONTROL SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.

UTILITY SERVICES:

UTILITY SERVICES ARE TO BE PROVIDED BY THE FOLLOWING:

- WATER - MISSOURI PUBLIC UTILITY DISTRICT
- SEWER - MISSOURI PUBLIC UTILITY DISTRICT
- POWER - MISSOURI PUBLIC UTILITY DISTRICT
- TELEPHONE - BELLSOUTH
- CABLE - COMCAST

LEGEND

- ASPHALT PAVEMENT
- EXISTING CONTOUR

Cannon & Cannon, Inc.
2000 Highway 100, Suite 100
St. Louis, Missouri 63114
Phone: (314) 833-8888
Fax: (314) 833-8889

PROJECT: HADSON VALLEY CROWN CENTER
ANDON COUNTY, MISSOURI

CONCEPT PLAN

PRELIMINARY FOR REVIEW ONLY

C1.01

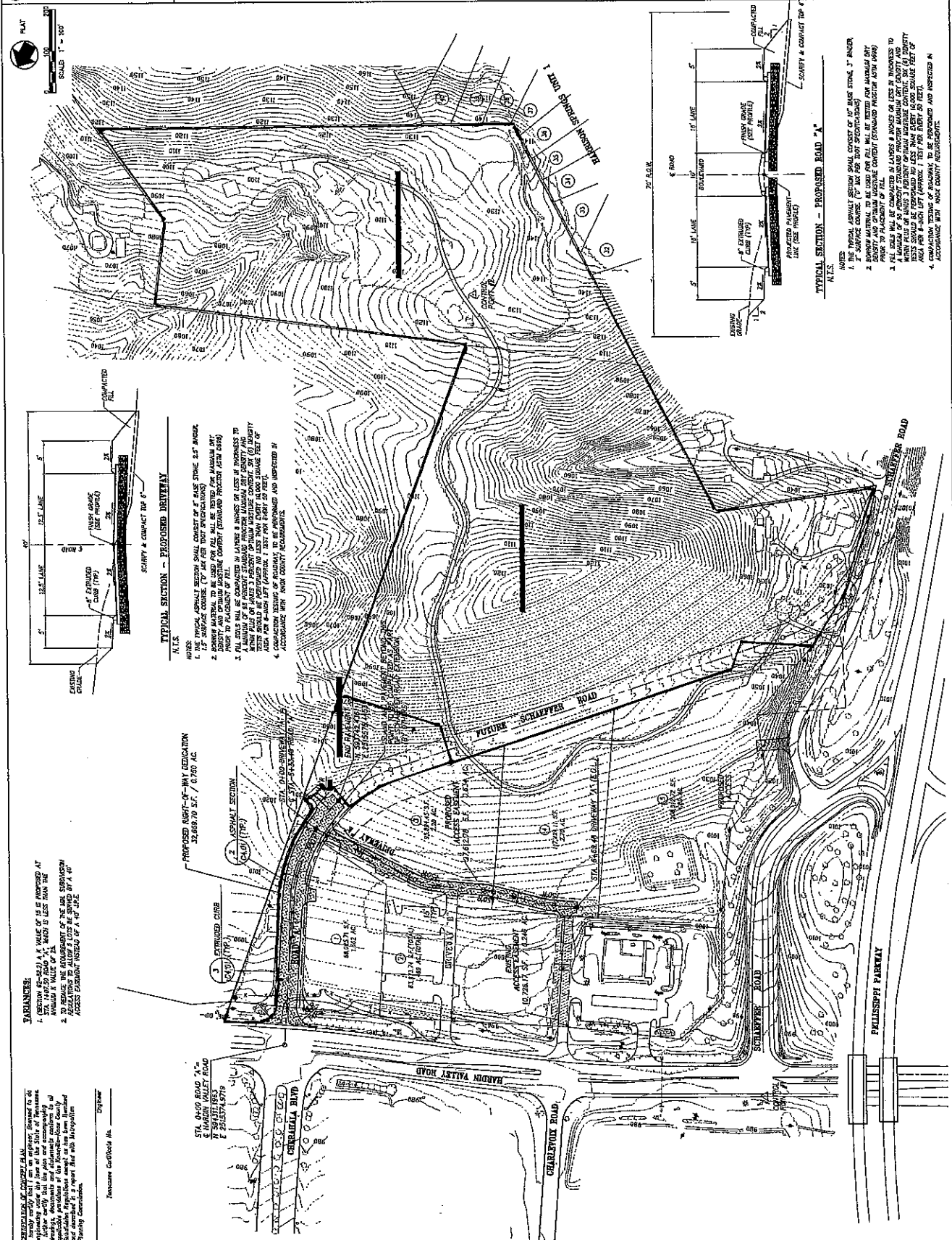


Exhibit #

Transportation Improvements Plan

The Transportation Improvements Plan (see Map 4) provides an overview of the projects that are recommended in various adopted plans and those that have been identified during the process of updating the Comprehensive Development Plan. Prior to the implementation of some of these projects, there should be opportunities for additional public input to address issues related to adjacent land use, neighborhood protection, and environmental and historic resource preservation. It is vital to develop and maintain a transportation network that is accessible and provides mobility to all people who work, go to school or live within or near the corridor. To meet this goal this plan recommends the following guiding principles:

- Develop continuous road systems while curtailing direct, often unsafe access to Pellissippi Parkway.
- Create and maintain sidewalks, bike lanes, greenways and other facilities for alternative transportation.
- Maintain services for the elderly, disabled, and low-income residents. Promote programs provided by the East Tennessee Human Resources Agency, Community Action Committee and KAT.

Additionally, the following two principles should be considered in designing the road cross-sections and intersections of transportation projects.

• Context Sensitive Design:

This is a process that addresses the physical setting of a potential project and preserves scenic, aesthetic, historic, environmental and other resources, while maintaining mobility and safety. This facility planning should revolve around a collaborative, interdisciplinary approach that incorporates the desires and concerns of all in the area. The planning for State Route 475 has an element addressing context sensitive design.

• Complete Streets:

Any road projects, public or private, should adhere to the principle of creating Complete Streets. Complete Streets are designed to enable safe access for all users. Pedestrians, bicyclists, motorists and transit riders of all ages and abilities must be able to safely move along and across a Complete Street. The pedestrian and bicycle facilities depicted in the Transportation and Community Facility Plans are priorities in establishing a Complete Streets program.

Some considerations for more detailed road designs are outlined below.

Recommended Improvements

To facilitate an improved transportation network, the following projects are needed. They are designated as being A, B or C projects, according to priority:

- A. These projects should be programmed as capital improvements, 2010-2015. They are envisioned as immediate necessities in view of economic development, and in the case of access control, as measures to avoid accidents along the parkway.
- A1 Extend Cherahala Boulevard to Coward Mill Road and northward to Horseshoe Bend Business Park.
 - A2 Extend Valley Vista Road to create a connection between Hardin Valley Road and Lovell Road.
 - A3 Realign Schaeffer Road so that the northern terminus aligns with Cherahala Boulevard at Hardin Valley Road.
 - A4 Realign Solway Road so that the southern terminus aligns with Valley Vista Road.
 - A5 Develop a new road that connects with the Parkway Heights Condominiums to Dutchtown Road or, alternatively to Bob Gray Road.
- B. B List projects are recommended in conjunction with State Route 475 construction. Should a decision be made in the future to abandon the State Route 475 project, the following projects should be programmed as "A List projects."
- B1 Extend George Light Road over the Pellissippi Parkway.
 - B2 Develop a new road on the north side of State Route 475, east of Pellissippi Parkway, connecting George Light Road with Oak Ridge Highway including improvements to Rather Road and a connection to Emory Road.
 - B3 Extend Coward Mill Road to Solway Road by means of an overpass over the Pellissippi Parkway.
 - B4 Extend Carmichael Road to Schaeffer Road by means of an overpass over the Pellissippi Parkway.

Map 4: Transportation Improvements Plan

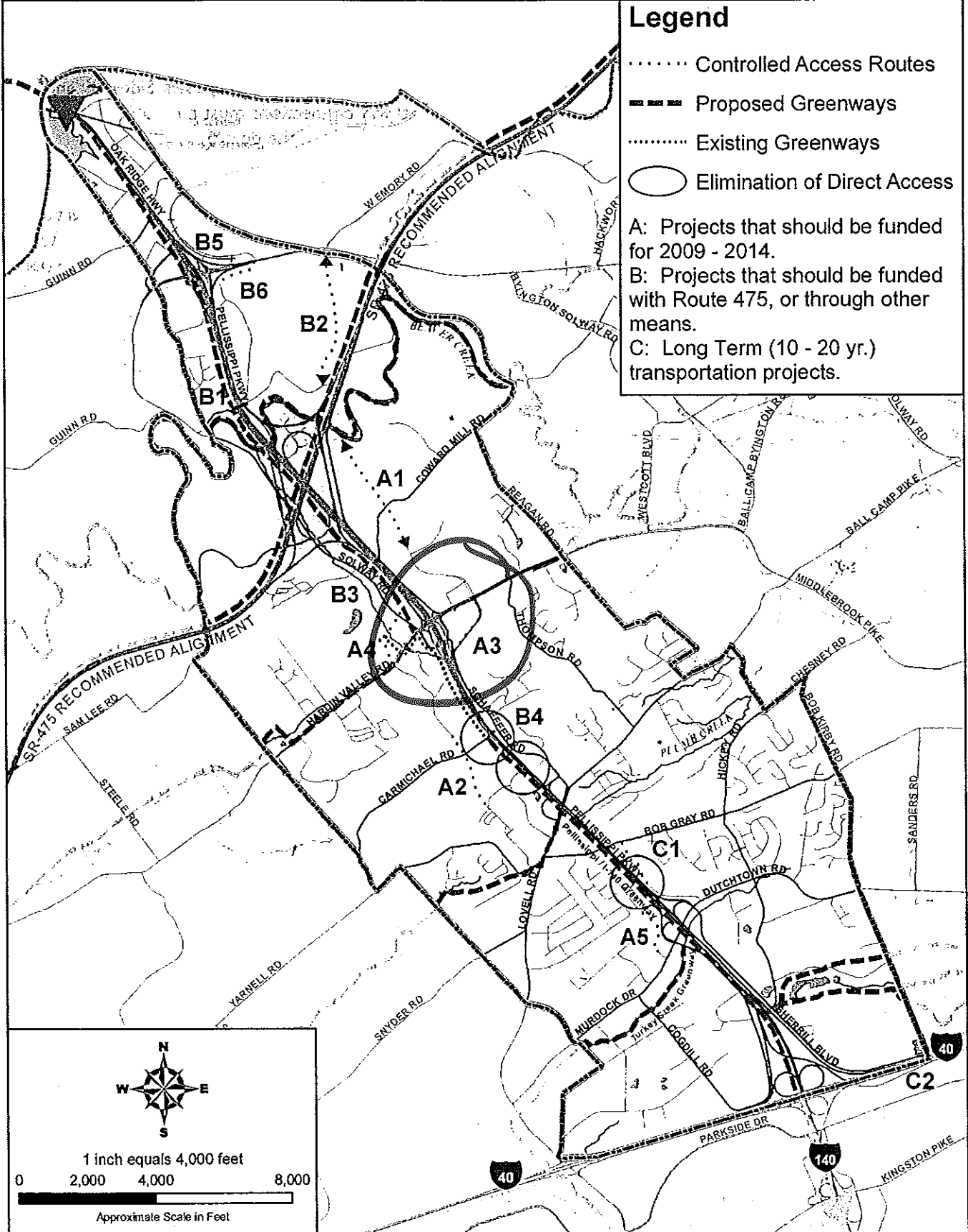
Legend

- Controlled Access Routes
- Proposed Greenways
- Existing Greenways
- Elimination of Direct Access

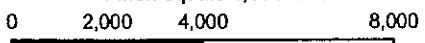
A: Projects that should be funded for 2009 - 2014.

B: Projects that should be funded with Route 475, or through other means.

C: Long Term (10 - 20 yr.) transportation projects.



1 inch equals 4,000 feet



Approximate Scale in Feet



Pellissippi. The Clinch River is crossed by the northern end of the project. Also, Beaver Creek, located between Coward Mill and Guinn Road is listed as a 303(d) impaired stream in need of more stringent water pollution controls. Potential impacts to these resources will be considered throughout the development of the project.

8.2.2 Impacts to the Social, Built and Cultural Environment

Studies will be done to determine if there are impacts to the social environment pursuant to Executive Order 12898 (Environmental Justice). Relocation impacts will also be identified and considered (e.g. residential and business displacements).

Historic and archeological studies will be done pursuant to Section 106 of the National Historic Preservation Act and TDOT's scopes of work for archeological and historical studies. These studies will determine if there are any sites or properties in the project impact area that are eligible for or listed in the National Register of Historic Places (NRHP). If any such sites are identified, the project will be coordinated with the Tennessee State Historic Preservation Office.

Studies will also be done to identify and determine impacts to parks, parklands, natural areas and wildlife refuges. Known recreational resources adjacent to the Parkway include a greenway with a paved walking/bike trail on the southwest side of the Parkway, which extends from Pellissippi State Community College to Carmichael Road. In addition, several greenways are planned along the entire length of the project. These locations are illustrated in Figure 6. These greenways will most likely qualify as section 4(f) resources. In order to impact these resources the TDOT will have to show that there are no reasonable and prudent alternatives, which is a very stringent standard to meet. Also, impacts to farmland or farmable land will be assessed in accordance with 7 CFR Part 658 of the National Farmland Protection Policy Act. Impacts to such lands will be coordinated with the National Resources Conservation Service (NRCS).

An environmental screening will be conducted for any potential hazardous material sites. A Phase 1 Environmental Assessment will be prepared to identify hazardous materials that would be within the right-of-way of proposed alternatives. In the event that hazardous materials are encountered within the proposed right-of-way of the selected alternative, their disposition shall be subject to the applicable sections of the *Federal Resource Conservation and Recovery Act*, the *Comprehensive Environmental Response, Compensation and Liability Act*, and the *Tennessee Hazardous Waste Management Act of 1983*.

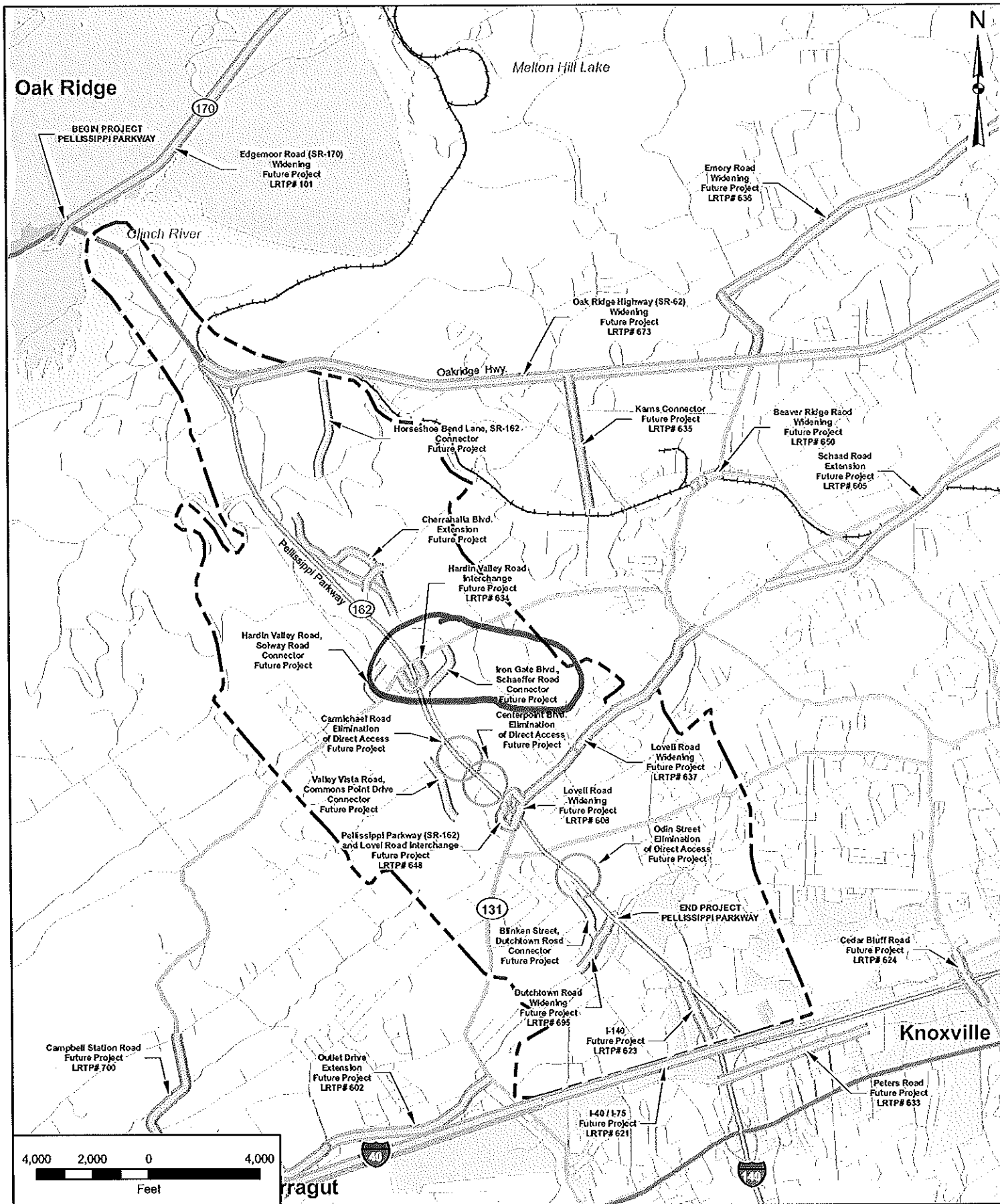
8.3 Other Planned Projects

In considering the need for the proposed project, and the level of improvements needed, other planned projects adjacent to, or connecting to Pellissippi Parkway should be noted in order to determine whether these other projects will lead to improvements along the Parkway independent of the proposed project. Planned projects along Pellissippi Parkway are illustrated in Figure 7 and listed in Table 4:

Table 4. Other Planned Projects

Plan Identifier	Route/Location	Type of Improvement	Proposed Horizon Year
Interchange Improvements			
L RTP Project #634	Pellissippi Parkway (SR-162)/Hardin Valley Road Interchange	Reconfigure existing interchange to improve safety and operations	2024
L RTP Project # 649	Pellissippi Parkway (SR-162)/Oak Ridge Highway (SR-62) Interchange	Reconfigure existing interchange to improve safety and operations	2024
L RTP Project # 648	Pellissippi Parkway (SR-162)/Lovell Road Interchange	Reconfigure existing interchange to improve safety and operations	2024
Roadway Connector Projects			
TTCDA, 2008 Plan	Blinken Street Dutchtown Road Connector	Connects Parkway Heights condominiums to Dutchtown Road	2010-2015
TTCDA, 2008 Plan	Valley Vista Road , Commons Point Drive Connector	Extend Valley Vista Road to create a connection between Hardin Valley Road and Lovell Road	2010-2015
TTCDA, 2008 Plan	Iron Gate Boulevard, Schaffer Road Connector	Realign Schaeffer Road so that the northern terminus aligns with Cherahala Boulevard at Hardin Valley Road	2010-2015
TTCDA, 2008 Plan	Hardin Valley Road, Solway Road Connector	Realign Solway Road so that its southern terminus aligns with Valley Vista Road	2010-2015
TTCDA, 2008 Plan	Cherahala Boulevard Extension Future Project	Extend Cherahala Boulevard to Coward Mill Road and northward to Horseshoe Bend Business Park	2010-2015
Road Widening Projects			
L RTP Project # 695	Dutchtown Road Widening	Murdock Road to East of Pellissippi Parkway southbound ramps	2014
L RTP Project # 637	Lovell Road Widening	Shaeffer Road to Middlebrook Pike (SR-169)	2024
L RTP Project # 673	Oak Ridge Highway Widening	Byington-Beaver Ridge Rd (SR-131) to Pellissippi Parkway	2034





OTHER PLANNED PROJECTS

FIGURE

7



The Hardin Valley Road and Lovell Road interchange projects are intended to improve the safety and functioning of the interchanges. This could improve LOS along the Parkway by eliminating or reducing traffic delays from vehicles entering and exiting the Parkway. The amount of LOS improvement will be dependent on the type and effectiveness of the interchange design. In addition, although these projects will improve access to the Parkway from the interchange due to improved design, they will not remedy the direct access issues caused by other at grade roadways and driveways accessing the Parkway.

The Oak Ridge Highway interchange project also will improve access from the interchange onto the Parkway and could also potentially improve the overall LOS of the Parkway. However, this project has the potential to address an additional issue identified by the project stakeholders in the February stakeholder meeting: lack of an interchange ramp which allows motorists from Oak Ridge Highway to travel south on Pellissippi Parkway. The current interchange configuration encourages u-turns by motorists entering Pellissippi Parkway from Oak Ridge Highway. An effective new design of this interchange allowing a southern ramp to Pellissippi Parkway could eliminate these dangerous u-turns.

The connector projects mentioned in Table 4 (Valley Vista Road, Commons Point Drive Connector and the Blinken Street, Dutchtown Road Connector) could further improve the functioning of Pellissippi Parkway and at least partially address some of the concerns identified at the Stakeholder Meeting related to direct access. As stated previously, roadways with direct access to the Parkway (such as Carmichael Road and Centerpointe Boulevard) introduce additional vehicles into free flowing traffic, and allow vehicles to cross the Parkway in an attempt to make dangerous turns. The Valley Vista Road, Commons Point Drive Connector and the Blinken Street, Dutchtown Road Connector would allow the elimination of direct access at Odin Street, Centerpointe Boulevard and Carmichael Road.

The Horseshoe Bend Lane Connector, the Cherahalla Boulevard Extension Project and the Hardin Valley Road Solway Connector Project should increase mobility around the Parkway but will likely not have a direct impact on LOS or access issues along the Parkway. The widening projects mentioned above will also allow for greater mobility within the area but also will not have a direct impact on the Parkway's LOS or access issues.

8.4 Addresses Issues Identified and Has Agency Input and Local Support

The project will be coordinated with local, state, regional, and federal government agencies. Coordination will also occur through the Tennessee Environmental Streamlining (TESA) process and through TDOT's Initial Coordination process, in accordance with the procedures outlined in the Tennessee Environmental Procedures Manual.

Results from the four TESA concurrence points will be compiled and used in the evaluation of each alternative. Expected outcomes of this coordination include the confirmation of the purpose and need, environmental issues, permits that may be required, notification of other