



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

**FILE #:** 12-D-12-RZ **AGENDA ITEM #:** 19  
 12-A-12-SP **AGENDA DATE:** 3/14/2013

POSTPONEMENT(S): 12/13/12-2/14/13

**APPLICANT:** PHILIP M. GARRETT  
**OWNER(S):** Philip M. Garrett

**TAX ID NUMBER:** 104 PART OF 093, 096 & 097 MAP ON FILE AT MPC.

**JURISDICTION:** Commission District 6

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

**TRACT INFORMATION:** 31 acres.

**SECTOR PLAN:** Southwest 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 PLAN DESIGNATION/ZONING:** MDR/O (Medium Density Residential and Office) and SLPA (Slope Protection) / PC (Planned Commercial)/TO (Technology Overlay) and BP (Business and Technology)/TO (Technology Overlay)

**PROPOSED PLAN DESIGNATION/ZONING:** C (Commercial) and SLPA (Slope Protection) / OB (Office, Medical, and Related Services)/TO (Technology Overlay) and CA (General Business)/TO (Technology Overlay)

**EXISTING LAND USE:** Vacant land and residential

**PROPOSED USE:** Mixed uses

**EXTENSION OF PLAN DESIGNATION/ZONING:** Yes, extension of GC from the west

**HISTORY OF ZONING REQUESTS:** A rezoning request for PR at 12 du/ac for apartments was withdrawn at the request of the applicant, due to opposition and other issues, on 3/12/09 (11-F-08-RZ).

**SURROUNDING LAND USE, PLAN DESIGNATION, ZONING**

North: Hardin Valley Rd. - Vacant parcels / GC / CA (General Business)/TO (technology Overlay)

South: Residential subdivision / LDR & SLPA / PR (Planned Residential) @ 1-3 du/ac/TO

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

West: Businesses, vacant land, dwellings, Schaeffer Rd. / GC, MDR-O, SLPA / 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:**

► **DENY GC (General Commercial) sector plan designation for the northern portion of the site.**

This portion of the site is already zoned PC/TO, but is designated for medium density residential or office uses. In order to consider CA/TO zoning, the sector plan must be amended to GC. Staff is recommending that the PC/TO be retained, eliminating the need for the sector plan amendment. PC/TO zoning is consistent with the other properties to the west on the south side of Hardin Valley Rd. PC will allow commercial development of the site, but will retain the requirement for review of a development plan by MPC, which is necessary because of slope and access concerns. PC zoning also allows office development, as proposed by the sector plan.

► **RECOMMEND that County Commission APPROVE OB (Office, Medical & Related Services) / TO (Technology Overlay), subject to 1 condition:  
DENY CA (General Business) / TO zoning.**

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 portion of the site requested for CA/TO zoning should retain its current PC/TO zoning, consistent with the other properties to the west on the south side of Hardin Valley Rd. PC will allow commercial development of the site, but will retain the requirement for review of a development plan by MPC, which is necessary because of slope and access concerns. PC zoning also allows office development, as proposed by the sector plan. The condition is included because the realignment of Schaeffer Rd. to line up with Cherahala Blvd. has been identified as a recommended road improvement in several planning documents. See the attached excerpts from the TTCDA Comprehensive Development Plan and the TDOT needs assessment.

**COMMENTS:**

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No known improvements have been made recently to any of the streets accessing this site. There is a recommended proposal to realign Schaeffer Rd. to line up with Cherahala at Hardin Valley Rd. If GC were approved, then CA zoning could be considered for a portion of the site, which would eliminate the opportunity for staff to recommend the Schaeffer Rd. realignment.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan appropriately proposes medium density residential and office uses for the site, consistent with the current PC and the recommended OB zoning. Office development may also occur in the existing PC-zoned area.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

No changes in government policy impact this request.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

No trends have been identified that warrant the proposed amendment to GC for a portion of this site.

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 area, which is southeast of the major interchange of Pellissippi Parkway and Hardin Valley Rd., along the future realigned Schaeffer Rd., is appropriately located 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 requested CA zoning is not necessary, because it is already zoned PC, which allows for commercial development, subject to development plan approval by MPC. 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. MPC would also review a plan for commercial development within the PC zone.

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.

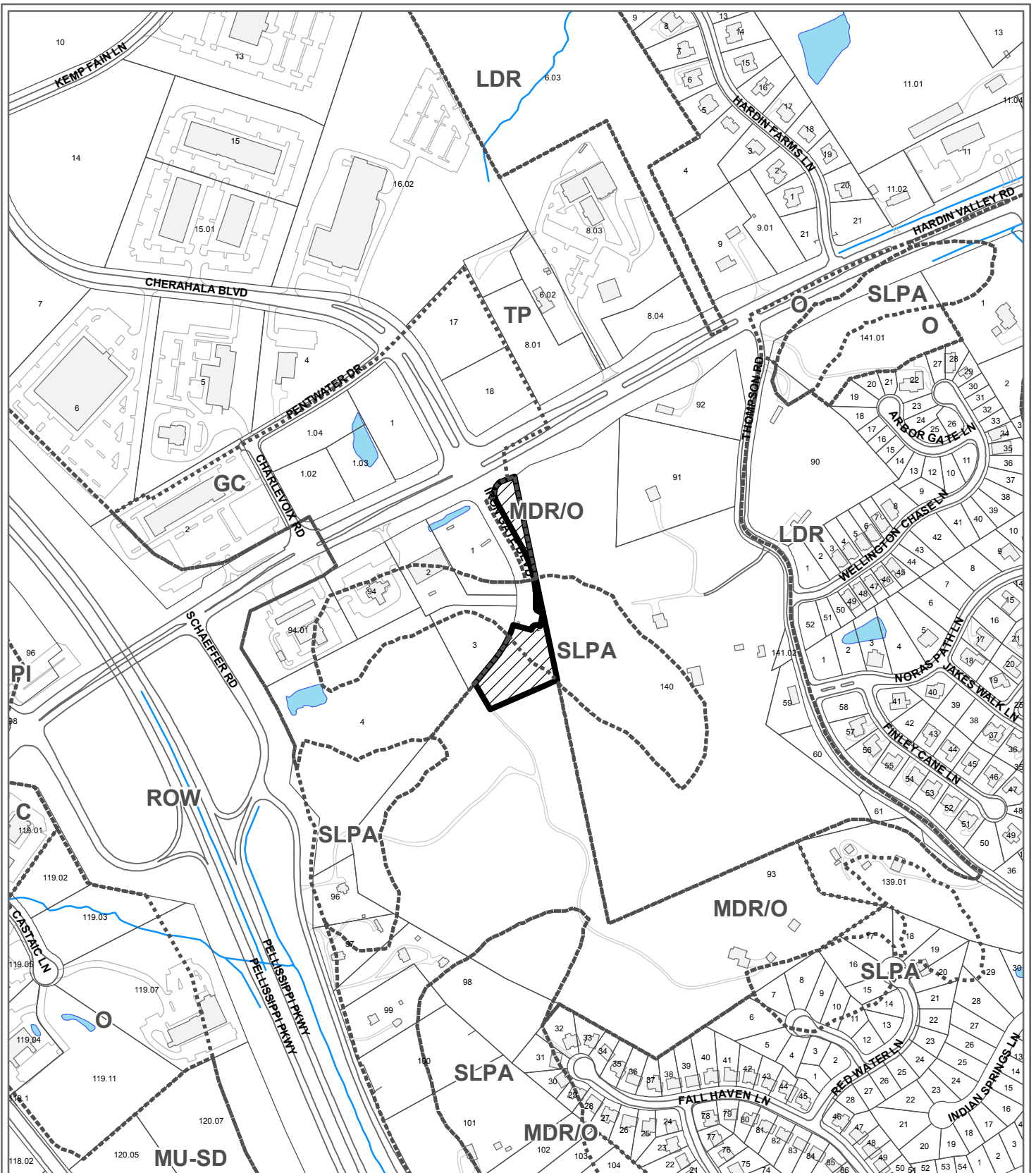
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

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 will need to approve a Certificate of Appropriateness for this rezoning. This request is scheduled to be considered by TTCDA on Mon., March 11, 2013 (12-A-12-TOR).

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 4/29/2013. 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-A-12-SP / 12-D-12-RZ  
SOUTHWEST COUNTY SECTOR PLAN AMENDMENT**

Petitioner: Garrett, Philip M.



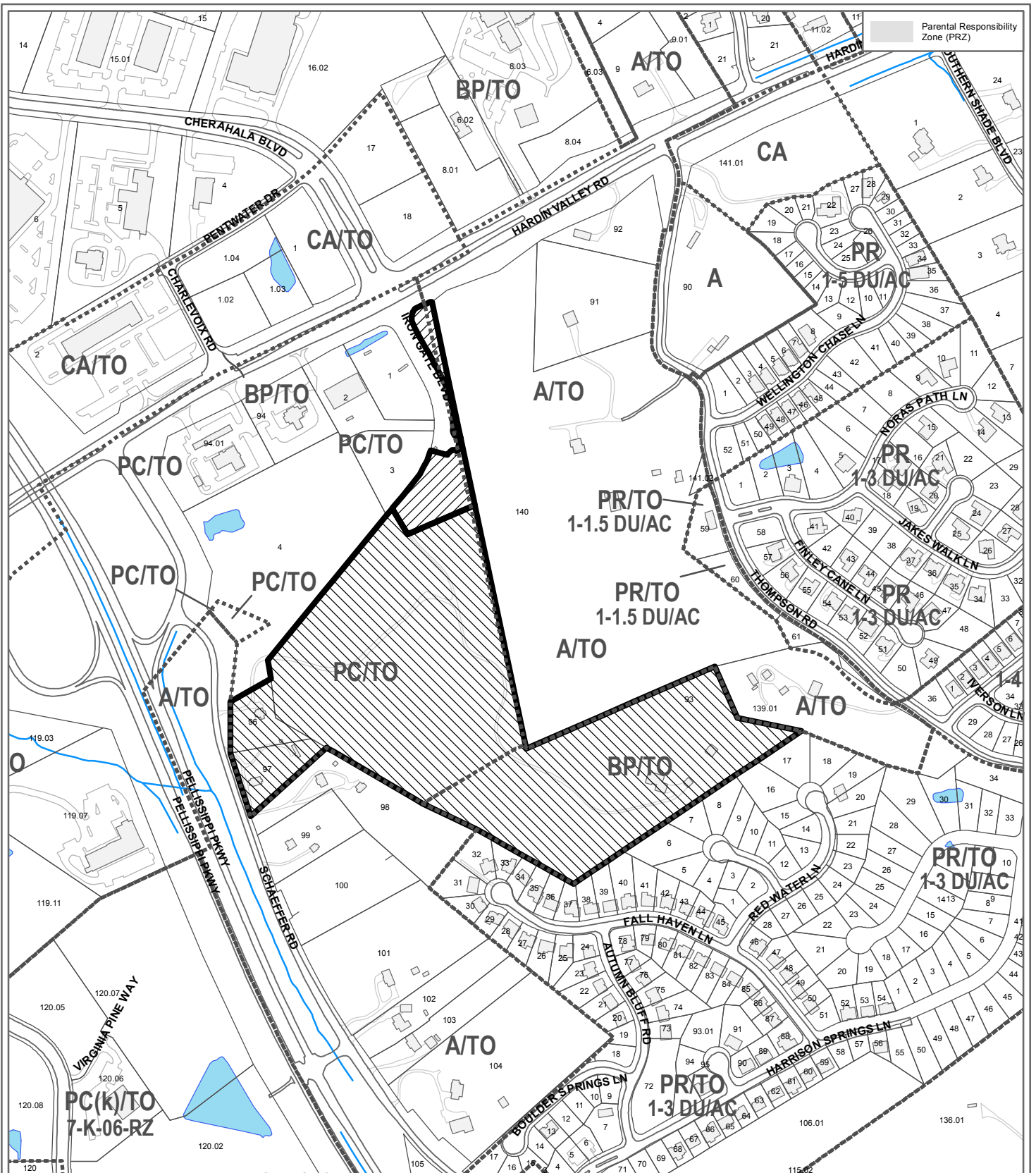
From: MDR/O (Medium Density Residential and Office) and SLPA (Slope Protection)  
To: GC (General Commercial) and SLPA (Slope Protection)

Map No: 104

Jurisdiction: County

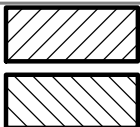


Original Print Date: 11/19/2012      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



**12-D-12-RZ  
REZONING**

Petitioner: Garrett, Philip M.

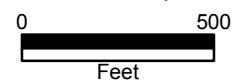


From: PC (Planned Commercial)/TO (Technology Overlay)  
To: CA (General Business)/TO (Technology Overlay)

From: PC (Planned Commercial)/TO (Technology Overlay) and BP  
(Business And Technology)/TO (Technology Overlay)  
To: OB (Office, Medical and Related Services)/TO (Technology Overlay)

Map No: 104

Jurisdiction: County



Original Print Date: 12/4/2012 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902





## 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:

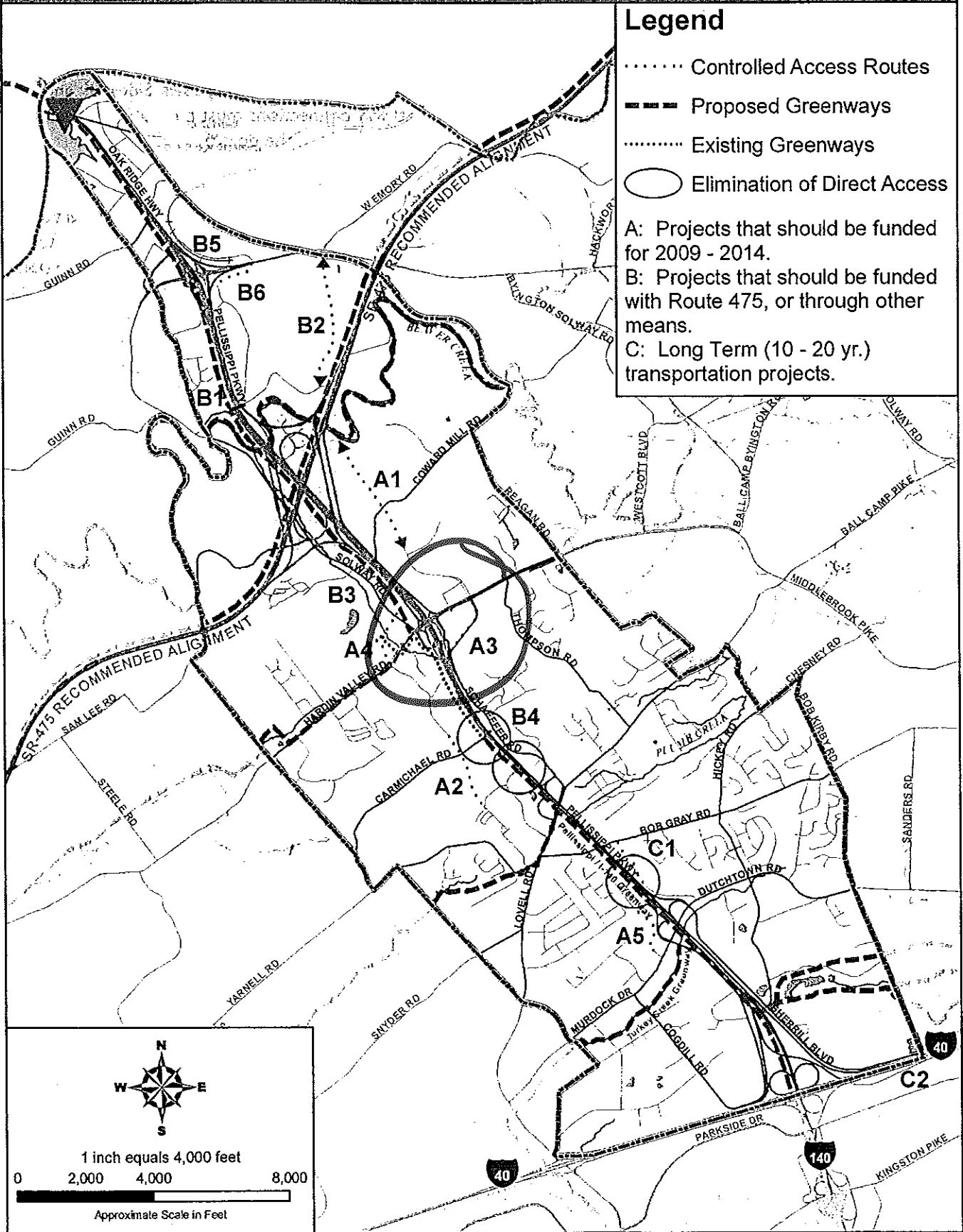
- A. These projects should be programmed as capital improvements, 2010-2015. They are envisioned as immediate necessities in view of economic development, and in the case of access control, as measures to avoid accidents along the parkway.
- A1 Extend Cherahala Boulevard to Coward Mill Road and northward 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.







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**

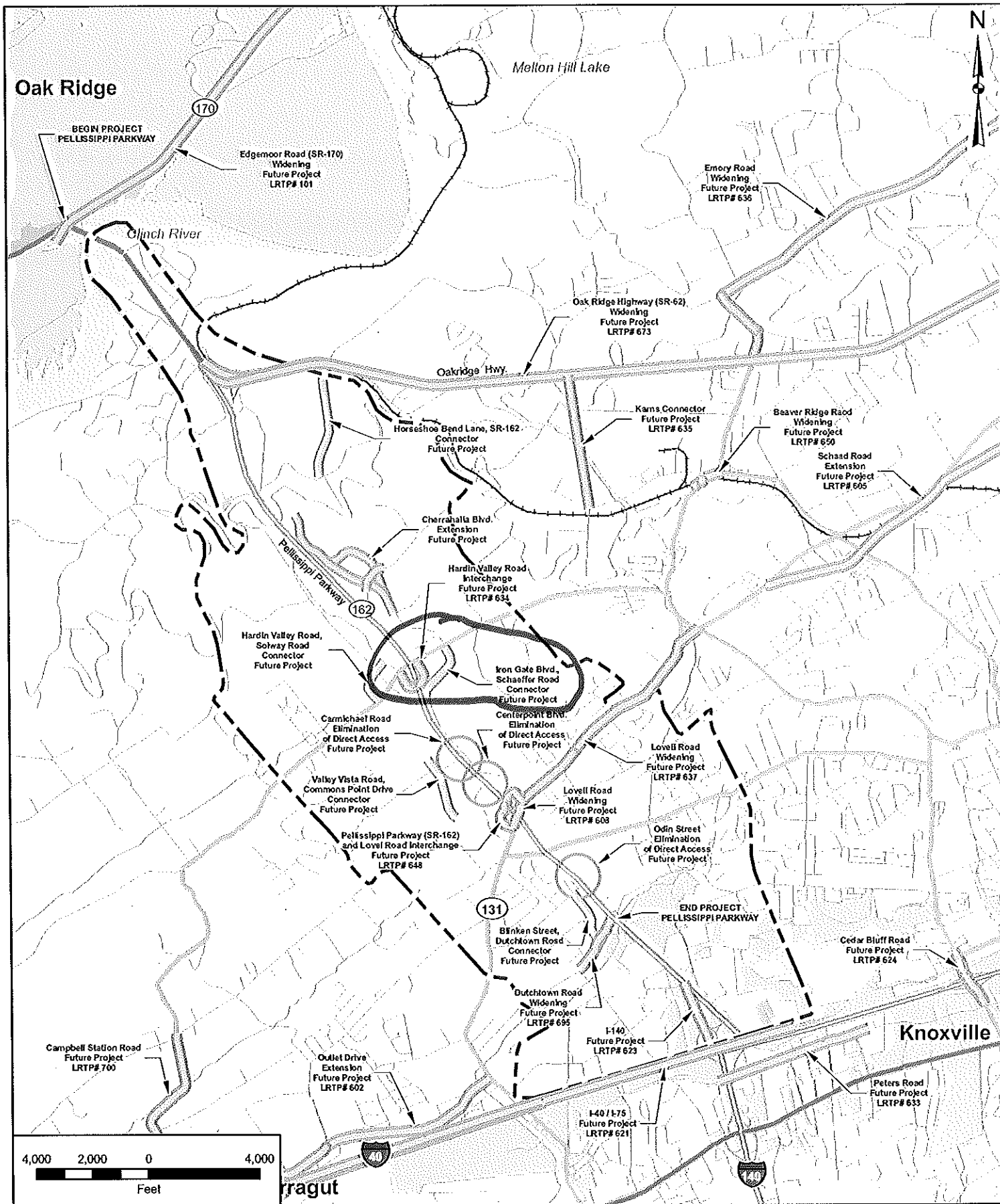
In considering the need for the proposed project, and the level of improvements needed, other planned projects adjacent to, or connecting to Pellissippi Parkway should be noted in order to determine whether these other projects will lead to improvements along the Parkway independent of the proposed project. 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
<b>Interchange Improvements</b>			
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
<b>Roadway Connector Projects</b>			
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
<b>Road Widening Projects</b>			
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



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

## Fwd: Hardin Valley - 12-D-12-RZ

1 message

**Michael Brusseau** <mike.brusseau@knoxmpc.org>

Fri, Dec 7, 2012 at 10:02 AM

To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

----- Forwarded message -----

From: **Grant Berry** <elcid95q@gmail.com>

Date: Thu, Dec 6, 2012 at 5:50 PM

Subject: Hardin Valley - 12-D-12-RZ

To: rebeccalongmire@hotmail.com, herb@claibornehauling.com, bartcarey@comcast.net, artclancy3@gmail.com, cole5137@bellsouth.net, gewart@georgeewart.com, lenedna@bellsouth.net, makane1@bellsouth.net, Nathan.J.Kelly@gmail.com, cflomax@hotmail.com, brianpierce@mbiarch.com, jwroth@qmwkx.com, wstowers@stowerscat.com, jtocher.mpc@gmail.com

Cc: mike.brusseau@knoxmpc.org, mark.donaldson@knoxmpc.org, brad.anders@knoxcounty.org

### MPC Commissioners

In regards to 12-D-12-RZ , I would like to voice my opposition to the request to rezone the current BP/TO to a OB/TO zone.

I believe that it would be irresponsible with the surrounding properties, to make this zone change. The primary incompatibilities are in regards to the building setbacks. The current BP zone provides a 50ft setback against residential zones. The proposed OB zone provides for only a 20ft setback adjacent to existing residential zone. Regardless of the proposed use of this development, the reduction in setback, particularly as it applies to the existing PR of the Harrison Springs subdivision would incompatible.

The primary apparent use that is allowed within the requested OB zone that is not allowed within the current BP zone is residential uses. These residential uses could include multi-family. Due to potential development and the existing slopes and other environmental concerns associated with this property, any residential development on this property should be zoned to a PR zone to allow for an appropriately vetted Development Plan by MPC.

This property had a zoning request about 4 years ago (11-B-08/11-F-08), which included a requested PR zone for a proposed apartment complex. Due to the slope restrictions, and "Do Not Disturb" areas that were placed on the recommendations due to the slopes, this request was tabled and withdrawn. I believe that this request is simply an attempt to do a similar development while avoiding the MPC staff, and Commission Development Plan approval process.

At this time, with no submitted plan proposal, and no future public hearing process for plan review, this request for zone change to the OB/TO should be denied. If a rezoning is approved



on this property it would be prudent to include conditions of the rezoning. The conditions should include a minimum peripheral setback of 50 feet adjacent to existing residential zones, as well as Development Plan approval requirement.

Grant Berry  
2006 Downing Creek Lane  
Knoxville, TN 37932

--

Michael A. Brusseau, AICP, Senior Planner  
Knoxville-Knox County Metropolitan Planning Commission  
City-County Building, Suite 403  
400 Main St.  
Knoxville, TN 37902  
Phone: (865) 215-2500  
Fax: (865) 215-2068  
[www.knoxmpc.org](http://www.knoxmpc.org)