

**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
 USE ON REVIEW REPORT**

▶ **FILE #:** 7-L-18-UR **AGENDA ITEM #:** 39
 POSTPONEMENT(S): 7/12/2018 **AGENDA DATE:** 8/9/2018

▶ **APPLICANT:** **MARKETS AT CHOTO / HUBER PROPERTIES**
 OWNER(S): Huber Properties

TAX ID NUMBER: 162 M B 00104, 00105 & 00107 [View map on KGIS](#)

JURISDICTION: County Commission District 5

STREET ADDRESS: 12344 S Northshore Dr

▶ **LOCATION:** **Southeast side of S Northshore Dr., north of Choto Rd.**

▶ **APPX. SIZE OF TRACT:** **7.31 acres**

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via S. Northshore Dr., a minor arterial street with a three lane street section with a 36' pavement width within an 88' right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Tennessee River

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

▶ **EXISTING LAND USE:** **Vacant land**

▶ **PROPOSED USE:** **Self service storage facility and mixed use commercial building**

HISTORY OF ZONING: Property was rezoned to CN (Neighborhood Commercial) (k) with conditions by Knox County Commission on March 22, 2010. The Knox County Commission approved a request to remove the use restriction condition on February 26, 2018.

SURROUNDING LAND USE AND ZONING:
 North: Residences - A (Agricultural)
 South: Mixed commercial - CN (Neighborhood Commercial) (k)
 East: Residences - PR (Planned Residential)
 West: Residences - PR (Planned Residential)

NEIGHBORHOOD CONTEXT: This area has primarily developed with rural and low density residential uses under A and PR zoning. The neighborhood commercial node to the south has developed following the rezoning to CN in 2010.

STAFF RECOMMENDATION:

▶ **APPROVE** the development plan for a 10,000 square foot mixed use commercial building, a 60,700 square foot self-service storage facility, and the revised parking lot for the previously approved veterinary clinic, subject to 8 conditions.

1. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Department.
2. The stream buffer is required to comply with Section 26-223. (1)a.2. & (1)d.9. of the Knox County

Stormwater Ordinance, and with the remediation area per the Aquatic Resource Alteration Permit (ARAP) for the Choto Meadows development.

3. Installation of sidewalks and the walking trail extension as identified on the concept plan. Sidewalks and the walking trail extension shall meet all applicable requirements of the Americans with Disabilities Act (ADA) and the Knox County Department of Engineering and Public Works. A bond shall be provided to the Knox County Department of Engineering and Public Works by the developer in an amount sufficient to guarantee the installation of the sidewalks and walking trail extension.
4. During the grading and construction of the self-service storage facility, the contractor shall clearly mark in the field the limits of site grading to protect the existing vegetation buffer along the northeastern property line. Following construction, a revised landscape plan shall be submitted to Planning Commission staff to verify compliance with the landscape requirements for a self-service storage facility in the CN district.
5. Installation of all landscaping as shown on the revised plan within six months of the issuance of occupancy permits, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation
6. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
7. Prior to submitting building plans for building permit approval, final building elevations shall be submitted to Planning Commission staff for verification of compliance with the architectural standards condition of the zoning approval and zoning ordinance requirements for self-service storage facilities.
8. Meeting all other applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the CN zone and the other criteria for approval of a use on review.

COMMENTS:

The applicant is requesting approval of a mixed use development under the CN (Neighborhood Commercial) (k) zoning district on this 7.31 acre tract located on the southeast side of S. Northshore Dr. just northeast of the S. Northshore Dr. / Choto Rd. roundabout. This development was previously approved by the Planning Commission on March 8, 2018. The applicant has submitted a revised site plan with an increase in the square footage for the proposed self service storage facility,

The proposed development includes a 10,000 square foot, two story mixed use commercial building that will include 5,000 square feet of commercial and office uses on first floor facing S. Northshore Dr. The lower level of the building which will have access from the rear will be part of the self-service storage facility. The proposed self-service storage facility has a total building area of 60,700 square feet which includes a 1,000 square foot office located along the S. Northshore Dr. frontage. A new parking lot is proposed in front of the previously approved veterinary clinic (5-A-13-OB). The veterinary clinic was approved by the Planning Commission on May 9, 2013 as a similar use determination.

Access to the proposed development includes a single access drive out to S. Northshore Dr. and a driveway connection to the Weigel's Store located to the southwest along S. Northshore Dr.

When the property was rezoned to CN (Neighborhood Commercial) (k) by Knox County Commission on March 22, 2010, the approval was subject to four conditions that included a list of permitted uses, outdoor lighting standards, architectural standards and use on review approval of any development plans. The Planning Commission considered a rezoning request (1-E-18-RZ) for this site on January 11, 2018 to remove the condition regarding use restrictions in the CN district. The Planning Commission recommended approval of the request, still retaining the three conditions regarding outdoor lighting standards, architectural standards and use on review approval of any development plans. The Knox County Commission approved the request on February 26, 2018.

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 10,000 square foot mixed use commercial/office building will be built using brick, stone and stucco siding similar to the materials and design used at The Markets and Choto located to the southwest. The self-service storage facility buildings will use brick and stucco siding on the ends of the buildings that face S. Northshore Dr. Extensive landscaping is proposed for the site. The lighting plan uses full cut-off fixtures with LED lighting and will limit 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 minimal impact on local services since utilities are already in place to serve the development.
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.
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 since the site has direct access to a minor arterial street.

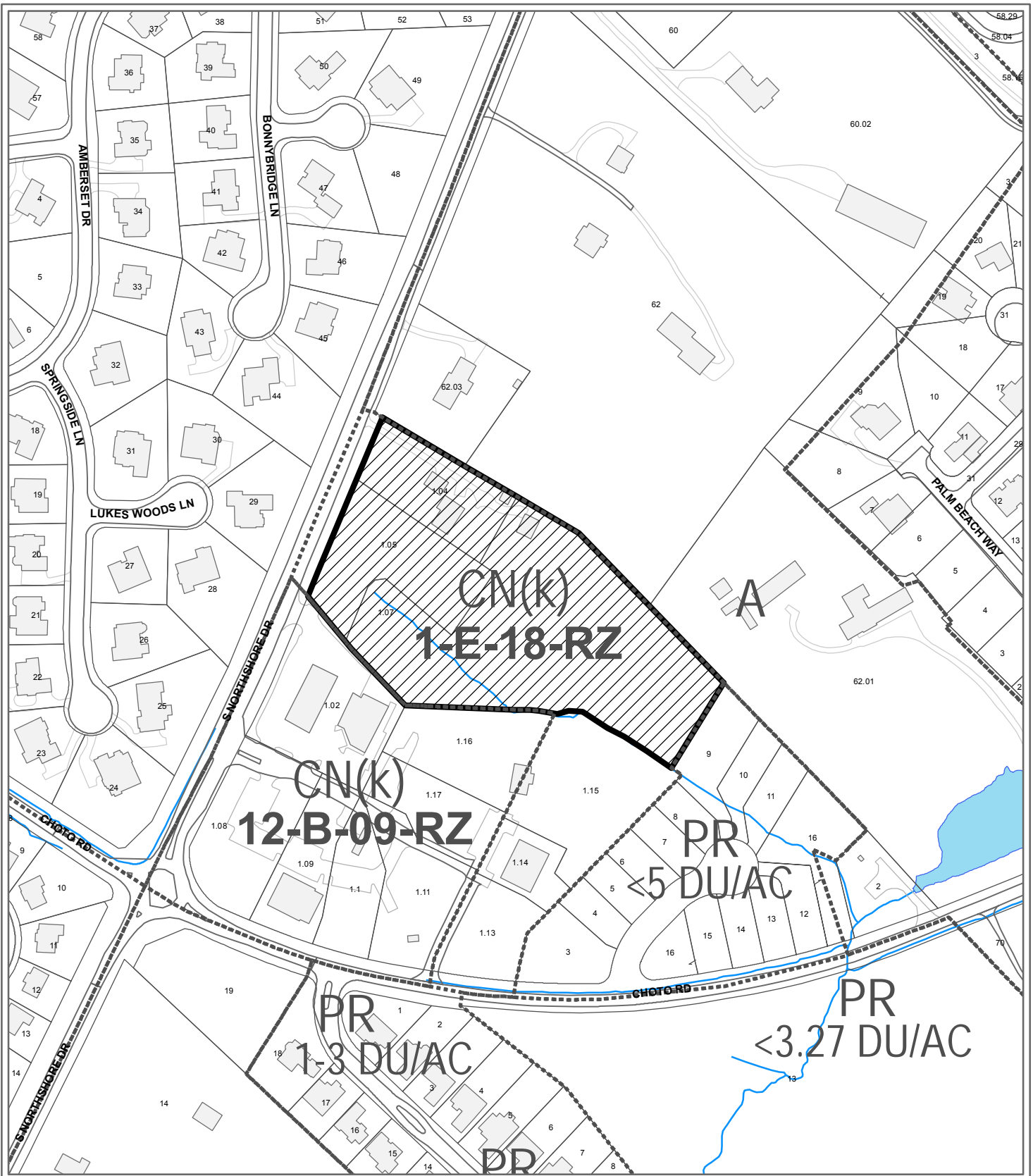
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Southwest County Sector Plan identifies the property for neighborhood commercial use. The proposed use and plan are in compliance with that plan.
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: Not required.

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.



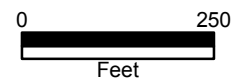
**7-L-18-UR
USE ON REVIEW**

Petitioner: Markets at Choto / Huber Properties



Self service storage facility and mixed use building in CN (Neighborhood Commercial) (k)

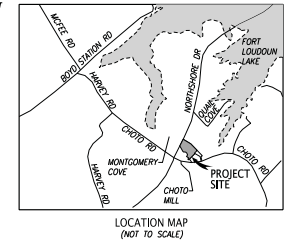
Map No: 162
Jurisdiction: County



Original Print Date: 6/20/2018

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



- NOTES:**
1. THE TOPOGRAPHIC AND BOUNDARY DATA WAS PROVIDED BY BENCHMARK ASSOCIATES, DATED OCTOBER 2, 2017.
 2. UNLESS NOTED OTHERWISE, DIMENSIONS ARE TAKEN FROM THE FENCE LINE, PROPERTY LINE, FACE OF CURB, EDGE OF PAVEMENT OR OUTSIDE FACE OF BUILDING.
 3. THE MINERAL AGGREGATE BASE AND ASPHALTIC SURFACE COURSES SHALL MEET THE MATERIALS, EQUIPMENT, CONSTRUCTION AND TESTING REQUIREMENTS OF THE KNOX COUNTY DEPARTMENT OF ENGINEERING STANDARD SPECIFICATIONS.
 4. TRAFFIC CONTROL DEVICES AND PAVEMENT MARKINGS SHALL CONFORM TO THE FEDERAL HIGHWAY ADMINISTRATION'S "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES".
 5. PROPERTY CONCERNED REFLECTS PARCELS 162MB00104, 162MB00105, AND 162MB00107, IN KNOX COUNTY CLT MAP 162-M. ZONING FOR THE PROPERTY IS CN, NEIGHBORHOOD COMMERCIAL ZONE, DISTRICT W6.
TOTAL AREA = 7,312 AC, LOT 9 = 0.78 AC, LOT 10 = 1.00 AC, LOT 11 = 3.07 AC, LOT 12 = 1.31 AC.
OWNER: MARKETS AT CHOTO, LLC
213 FOX ROAD
KNOXVILLE, TN 37922
CONTACT: MR. JOHN HUBER
PHONE: 865.966.1600
 6. BUILDING SETBACKS ARE 35'-FT. FRONT, 20'-FT. ON SIDE, AND 25'-FT. REAR.
 7. DETENTION AND WATER QUALITY WILL BE ADDRESSED IN UNDERGROUND STORAGE BELOW PAVEMENT.

THE MARKETS AT CHOTO
NORTHSHORE DR @ CHOTO RD
KNOX COUNTY, TENNESSEE

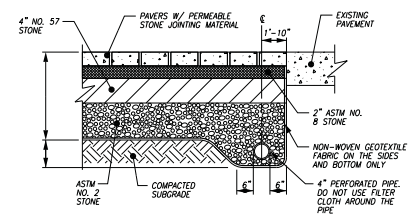
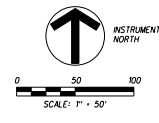
HUBER PROPERTIES LLC
213 FOX ROAD, SUITE 100
KNOXVILLE, TN 37922
CONTACT: MR. JOHN HUBER
TELEPHONE NO.: 865.966.1600
EMAIL: john@southernsignature.net

USE ON REVIEW
SITE PLAN

PROJ. NO.	ISSUED BY	DATE	REVISION/ISSUE
290.006.5	AMC	06/26/18	
	AMC	05/28/18	
	AMC	03/27/18	
	AMC	02/20/18	

Project: 290.006.5
Date: 02/20/18
Scale: 1"=50'

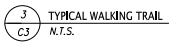
Sheet: C1



- NOTES:**
1. PAVEMENT HAS NOT BEEN DESIGNED FOR CONSTRUCTION TRAFFIC/ACTIVITIES. USE OF THESE SURFACES FOR CONSTRUCTION ACTIVITIES SHALL BE DONE AT THE CONTRACTOR'S CONVIENIENCE AND RISK. DAMAGE TO PAVEMENT RESULTING FROM THESE ACTIVITIES SHALL BE REPAIRED IN CONFORMANCE WITH THE INITIAL PAVEMENT SPECIFICATIONS.
 2. NON-WOVEN GEOTEXTILE FABRIC SHALL BE GEOTEX 801, OR EQUAL.



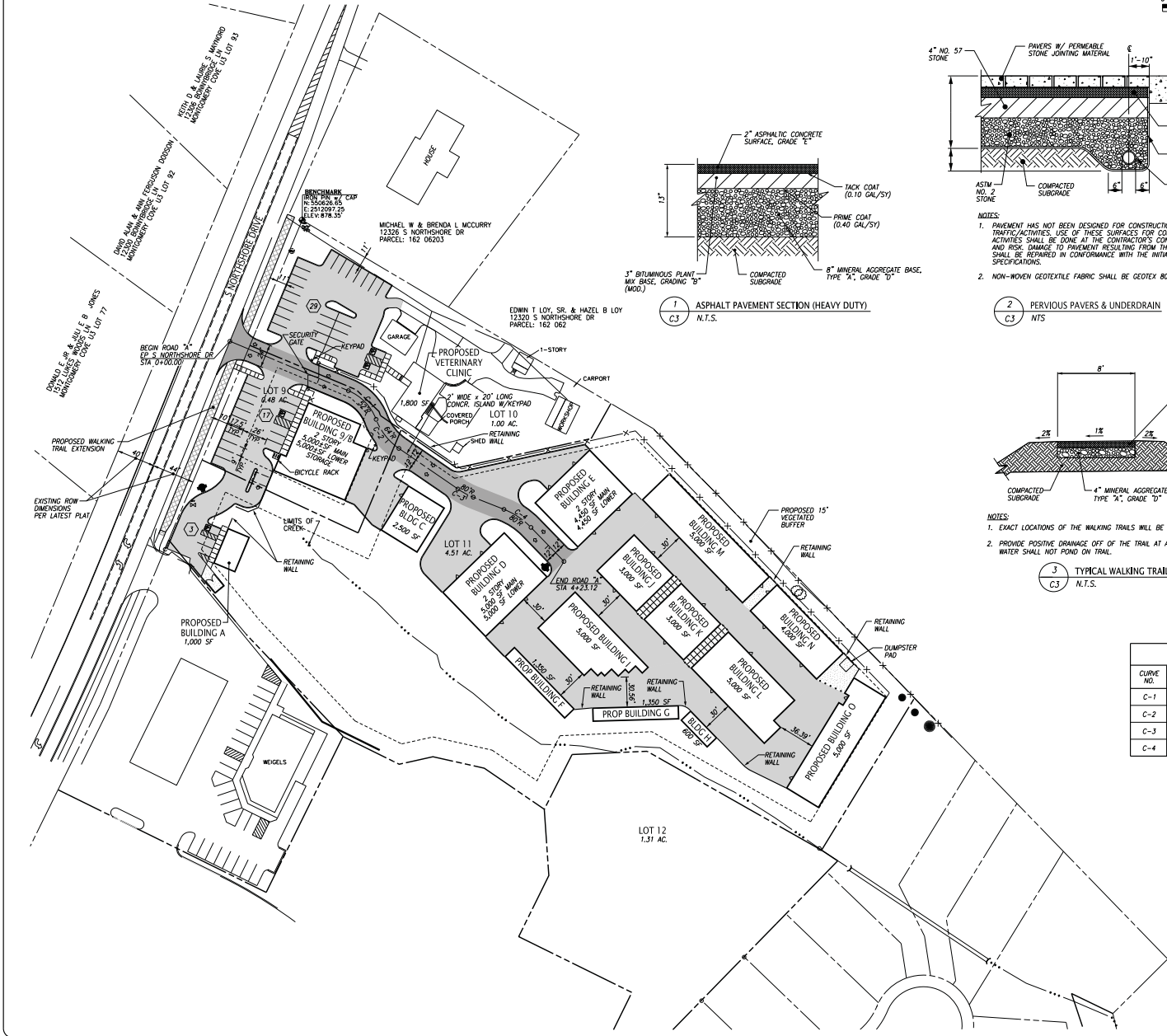
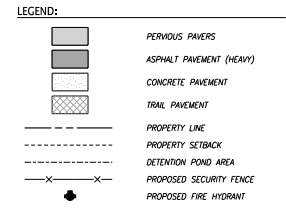
- NOTES:**
1. EXACT LOCATIONS OF THE WALKING TRAILS WILL BE FIELD LOCATED.
 2. PROVIDE POSITIVE DRAINAGE OFF OF THE TRAIL AT ALL LOCATIONS. WATER SHALL NOT POND ON TRAIL.

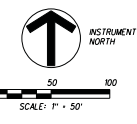


HORIZONTAL CURVE DATA TABLE

CURVE NO.	P.I. COORDINATES		DELTA ANGLE	RADIUS	TANGENT	LENGTH
	NORTHING	EASTING				
C-1	550,441.6945	2,512,165.7792	46° 38' 08" (RT)	52.00	22.41	42.33
C-2	550,401.9972	2,512,180.7922	34° 45' 10" (LT)	65.00	20.03	38.82
C-3	550,343.5294	2,512,265.7641	12° 56' 09" (LT)	80.00	9.07	18.06
C-4	550,321.2925	2,512,321.9412	24° 19' 01" (RT)	80.00	17.21	33.91

7-L-18-UR
Revised: 6/26/2018





FULGHUM
MACINDOE
 & ASSOCIATES, INC.

10330 HAZEN VALLEY ROAD
 SUITE 201
 KNOXVILLE, TN 37932
 OFFICE: 865.690.6419
 FAX: 865.690.6448
 www.fulghummacindoe.com

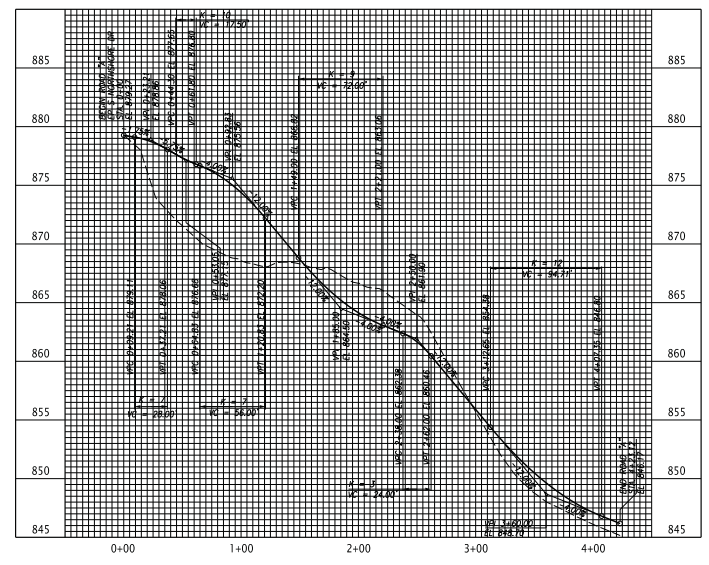
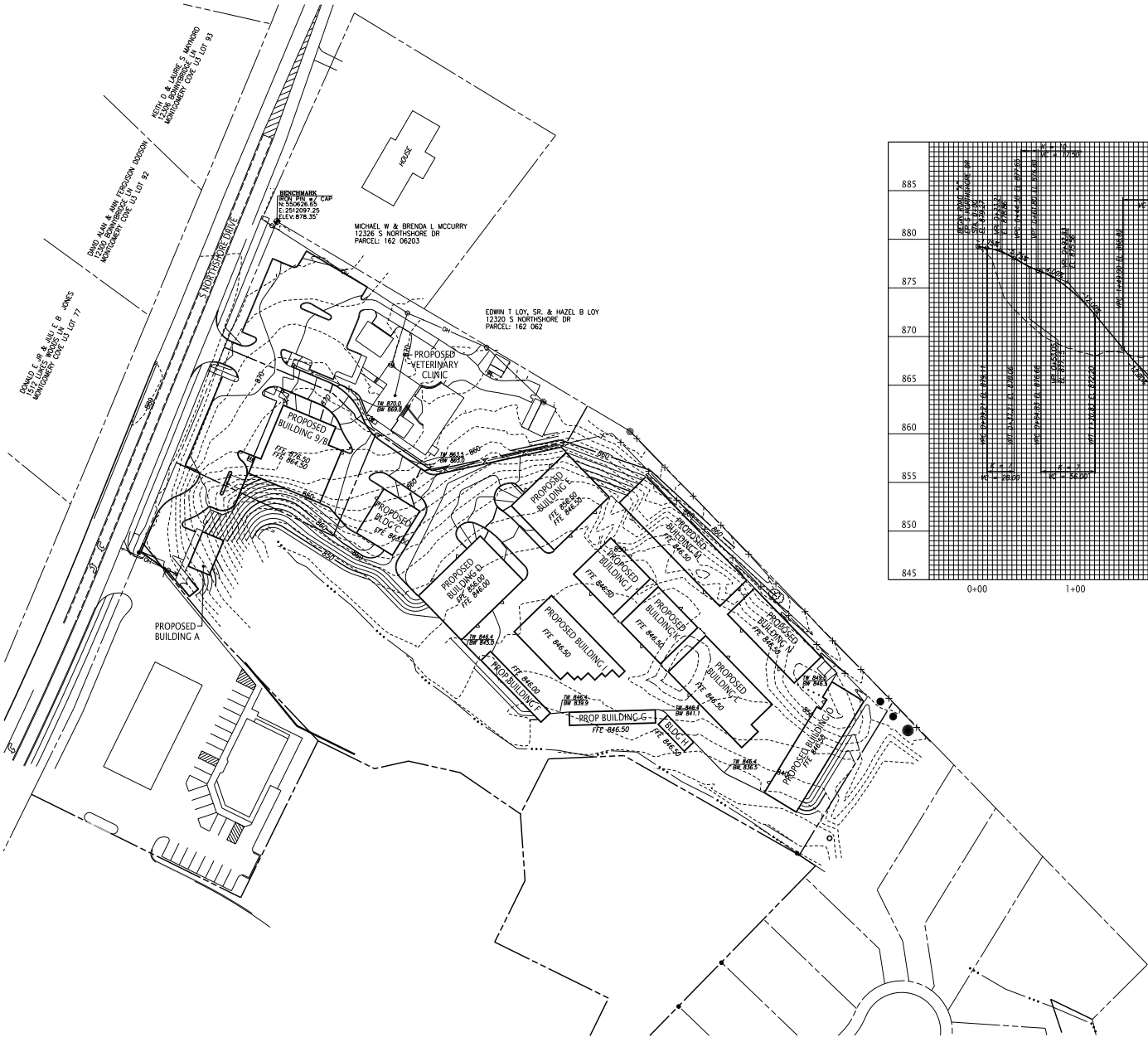
THE MARKETS AT CHOTO
 NORTHSORE DR @ CHOTO RD
 KNOX COUNTY, TENNESSEE

HUBER PROPERTIES LLC
 213 FOX ROAD, SUITE 100
 KNOXVILLE, TN 37922
 CONTACT: MR. JOHN HUBER
 TELEPHONE NO.: 865.966.1600
 EMAIL: john@southernsignature.net

USE ON REVIEW
 GRADING PLAN

PROJ. NO.	ISSUED BY	DATE	REVISION/ISSUE
290.006.5	AMC	06/26/18	
	AMC	05/28/18	
	AMC	03/27/18	
	AMC	02/20/18	

Project: 290.006.5
 Date: 02/20/18
 Scale: 1"=50'

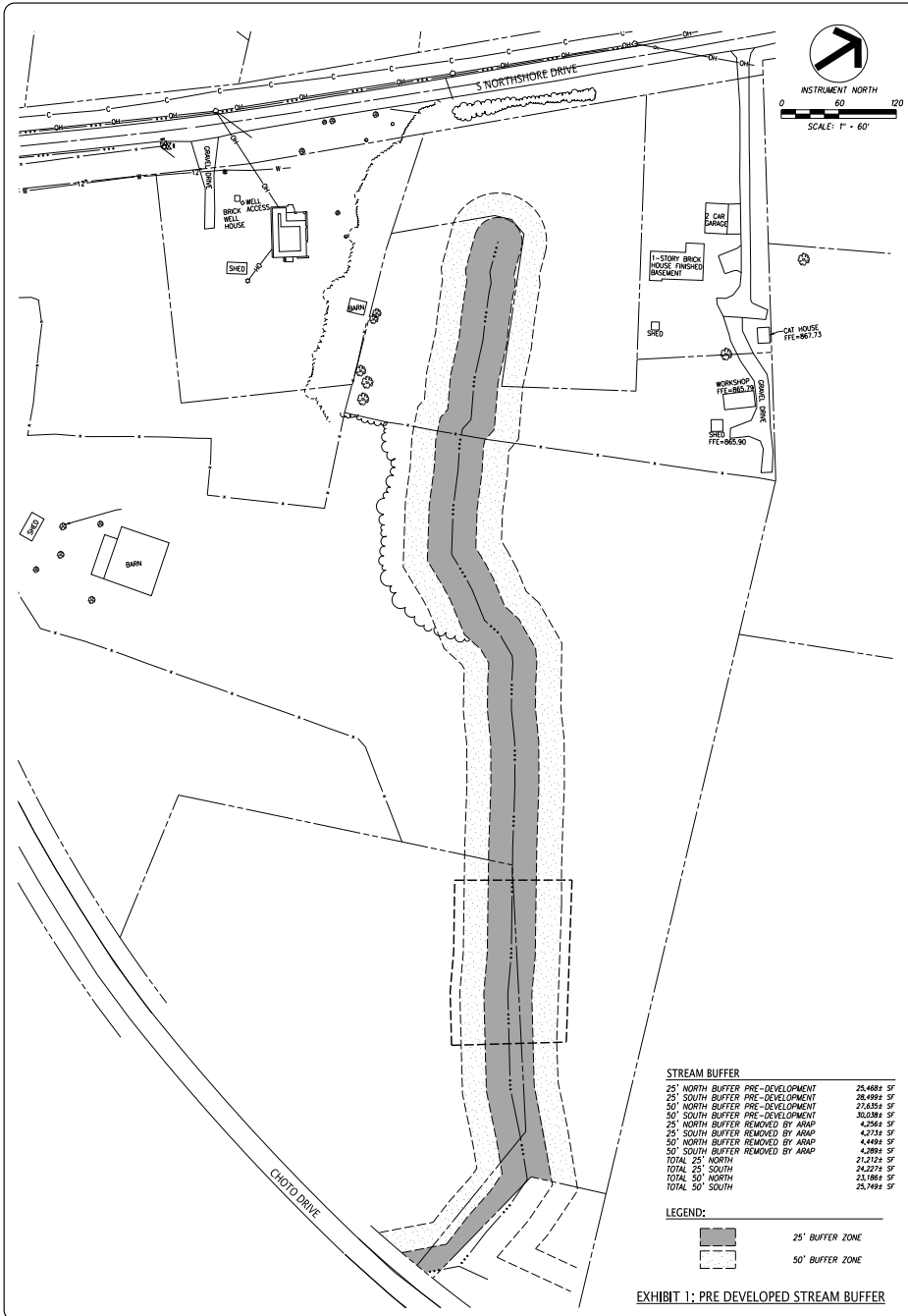


ROAD "A"
 SCALE: 1"=50' HORIZ.
 1"=5' VERT.

7-L-18-UR
 Revised: 6/26/2018

- LEGEND:**
- 970 — PROPOSED CONTOUR
 - - - 970 - - - EXISTING CONTOUR
 - — — — — PROPERTY LINE
 - - - - - 50' 15' - - - PROPOSED STORM LINE
 - — — — — PROPOSED HEADWALL
 - PROPOSED CATCH BASIN

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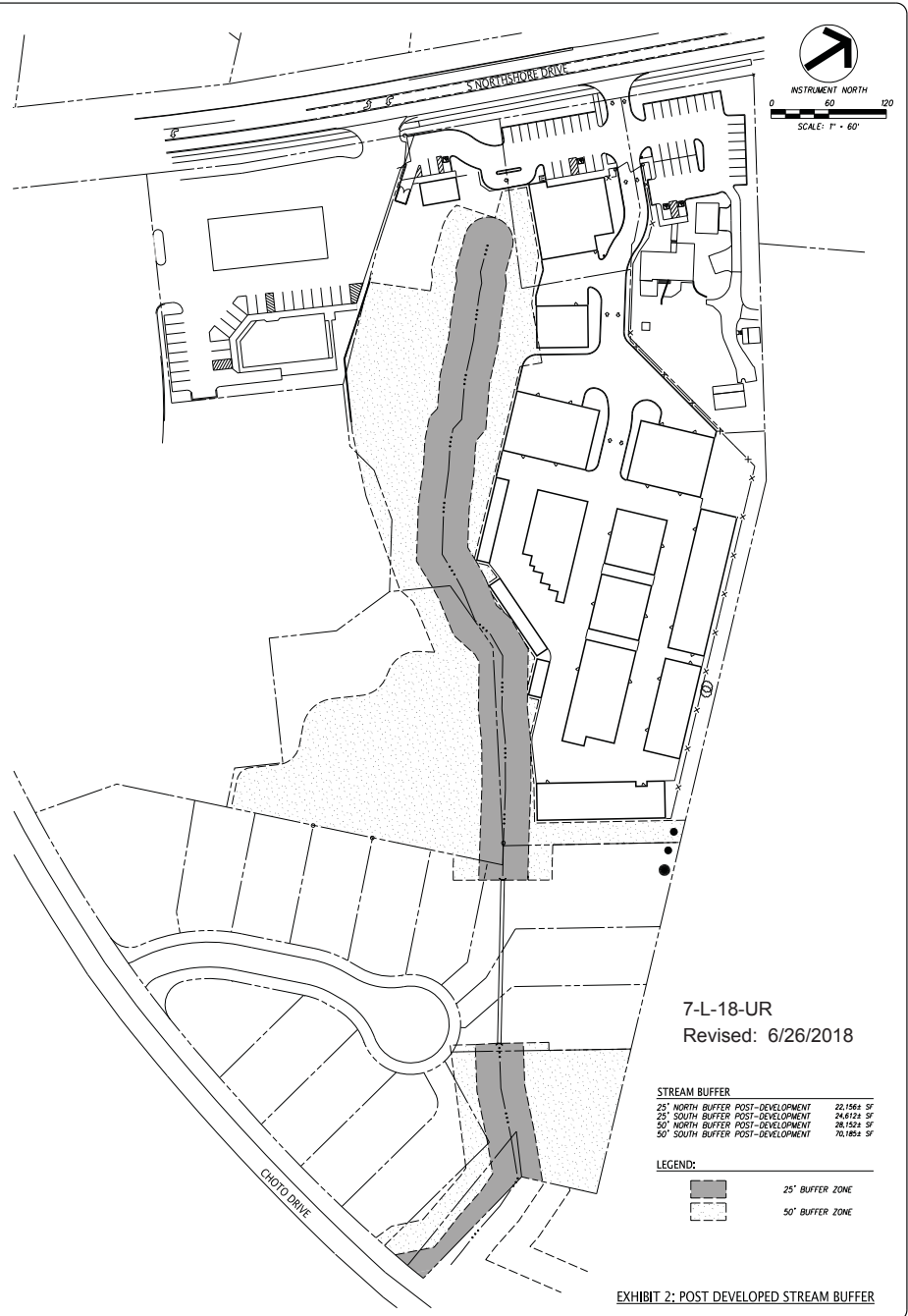
STREAM BUFFER

25' NORTH BUFFER PRE-DEVELOPMENT	25,489± SF
25' SOUTH BUFFER PRE-DEVELOPMENT	28,492± SF
50' NORTH BUFFER PRE-DEVELOPMENT	27,625± SF
50' SOUTH BUFFER PRE-DEVELOPMENT	30,588± SF
25' NORTH BUFFER REMOVED BY ADAP	4,254± SF
25' SOUTH BUFFER REMOVED BY ADAP	4,215± SF
50' NORTH BUFFER REMOVED BY ADAP	4,449± SF
50' SOUTH BUFFER REMOVED BY ADAP	4,289± SF
TOTAL 25' NORTH	21,212± SF
TOTAL 25' SOUTH	24,277± SF
TOTAL 50' NORTH	23,166± SF
TOTAL 50' SOUTH	25,749± SF

LEGEND:

	25' BUFFER ZONE
	50' BUFFER ZONE

EXHIBIT 1: PRE DEVELOPED STREAM BUFFER



STREAM BUFFER

25' NORTH BUFFER POST-DEVELOPMENT	22,156± SF
25' SOUTH BUFFER POST-DEVELOPMENT	24,612± SF
50' NORTH BUFFER POST-DEVELOPMENT	28,152± SF
50' SOUTH BUFFER POST-DEVELOPMENT	27,185± SF

LEGEND:

	25' BUFFER ZONE
	50' BUFFER ZONE

EXHIBIT 2: POST DEVELOPED STREAM BUFFER

7-L-18-UR
Revised: 6/26/2018

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CONTACT: MR. JOHN HUBER
TELEPHONE NO.: 865.966.1600
EMAIL: john@southernsignature.net

USE ON REVIEW
STREAM BUFFER EXHIBITS

PROJ. NO.	ISSUED BY	DATE	REVISION/ISSUE
	AMC	05/28/18	
	AMC	02/20/18	

Project: 290.006.5
Date: 02/20/18
Scale: 1"=60'

C3

NO.	DATE	REVISION/ISSUE

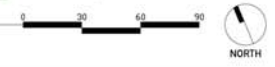
Project 18-002
Date 05/30/18
Scale See Plans
Sheet L1



- Plant Legend**
- Canopy Trees**
 - River Birch
 - Sugar Maple
 - Willow Oak
 - Flowering Trees**
 - Crape Myrtle
 - Redbud
 - Evergreen Trees**
 - Emerald Green Arborvitae
 - Foster Holly
 - Green Giant Arborvitae
 - Little Gem Magnolia
 - Shrubs**
 - Drift Rose
 - Dwarf Burford Holly
 - Compacta Holly
 - Knockout Rose
 - Skip Laurel
 - Sky Pencil Holly
 - Groundcovers**
 - Creeping Juniper
 - Variiegated Liriope

7-L-18-UR
Revised: 6/26/2018

Conceptual Landscape Plan
Scale: 1" = 30'-0"



7-L-18-UR-unpostpone_7-12-18

7-L-18-UR

Tom:

A. Arsen says recommend for approval
subject to resolution of the issue of
whether or not 2 story buildings at
5,000 sq. ft. per story (or per level)
is permissible.



JKK-

546-4646

jking @ ~~lewis~~

lewis.thomason.com

You may have better language
for the above but this is what
he said. I'm to send him a request
for interp. today/tomorrow -

7-L-18-UR_PP_7-12-18



Tom Brechko <tom.brechko@knoxmpc.org>

Markets at Choto Storage 7-L-18-UR
1 message



Thu, Jul 5, 2018 at 11:04 AM

John Huber <john@southernsignature.net>
To: Tom Brechko <tom.brechko@knoxmpc.org>

Mr. Brechko,

Please postpone my request for the storage Use on Review until August.

August 9, 2018

Thank you,

John Huber



P.O. Box 23038

Knoxville, TN 37933

865-966-1600 Office

865-978-6600 Fax

www.MarketsatChoto.com

Use on Review Development Plan

Name of Applicant: Markets at Choto / Uiber Properties

Date Filed: 5-29-18 Meeting Date: July 12, 2018

Application Accepted by: Thomas Buchko

Fee Amount: File Number: Development Plan

Fee Amount: 1500.00 File Number: Use on Review 7-L-18-UR

PROPERTY INFORMATION

Address: 12344 S. Northshore Dr.

General Location: SE side of S Northshore Dr., north of Choto Rd

Tract Size: 7.31 acres No. of Units:

Zoning District: CN (k)

Existing Land Use: Vacant land

Planning Sector: Southwest County

Sector Plan Proposed Land Use Classification: NC

Growth Policy Plan Designation: Planned

Census Tract: 58.12

Traffic Zone: 176

Parcel ID Number(s): 162MB ⁰⁰¹⁰⁴ ₀₀₁₀₅ ₀₀₁₀₇

Jurisdiction: City Council District
 County Commission 5 District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT
Name: Markets at Choto / Uiber Properties

Name: John Uiber
Company:

Address: P.O. Box 23038

City: Knoxville State: TN Zip: 37933

Telephone: 665-966-1600

Fax:

E-mail: john@southernsignature.net

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
Name: Same

Company:

Address:

City: State: Zip:

Telephone:

Fax:

E-mail:

APPROVAL REQUESTED

Development Plan: Residential Non-Residential

Home Occupation (Specify Occupation)

Other (Be Specific)
Revisions of Storage Plan

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: [Signature]

PLEASE PRINT
Name: John Uiber

Company: Markets at Choto / Uiber Properties

Address:

City: State: Zip:

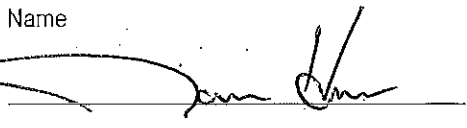
Telephone:

E-mail:

SIGNATURES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:

Please Sign in Black Ink:

(If more space is required attach additional sheet.)

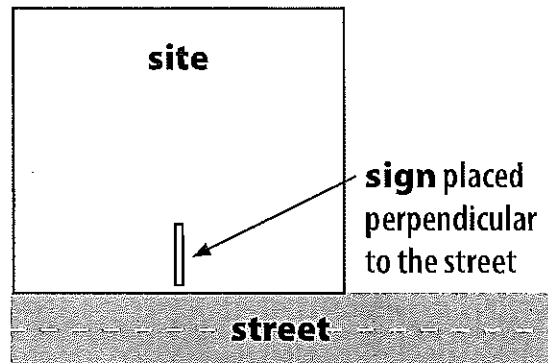
Name	Address	City	State	Zip	Owner	Option
	P.O. Box 23038	Knoxville	TN	37933		<input checked="" type="checkbox"/>

REQUIRED SIGN POSTING AGREEMENT FORM

For all rezoning, plan amendment, concept plan, use on review, BZA variance, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC/BZA Administrative Rules and Procedures. MPC staff will provide a sign to post on the property at the time of application.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign must be posted no later than *two weeks prior* to the scheduled MPC or BZA hearing and must remain in place until after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted no later than two weeks prior to the next MPC or BZA meeting.

MPC staff will provide the first sign(s) for no additional charge as part of the application fees. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

I hereby agree to post the sign provided on the subject property on or before

June 27th 2018

consistent with the guidelines provided above; and to *remove the sign within one week after* the MPC or BZA decision.

Signature: _____

[Handwritten Signature]

Printed Name: _____

Markets at Choto - Huber Properties

Date: _____

5/29/18

MPC or BZA File Number: _____

7-L-18-UR