

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

▶ **FILE #:** 12-C-17-UR **AGENDA ITEM #:** 41
 POSTPONEMENT(S): 12/14/2017 **AGENDA DATE:** 1/11/2018
 ▶ **APPLICANT:** 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: 12330 S Northshore Dr

▶ **LOCATION:** Southeast side of S. Northshore Dr., northeast 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:** Residence and vacant land

▶ **PROPOSED USE:** Mixed Commercial Building, Veterinary Clinic and a Self-Service Storage Facility.

HISTORY OF ZONING: Property was rezoned to CN (Neighborhood Commercial) (k) with conditions by Knox County Commission on March 22, 2010.

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:

▶ **POSTPONE** until the February 8, 2018 MPC meeting as requested by the applicant.

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 S.

Northshore Dr. / Choto Rd. roundabout. The proposed development includes a 10,000 square foot, two story mixed commercial building, a veterinary clinic and a 40,500 square foot self-service storage facility.

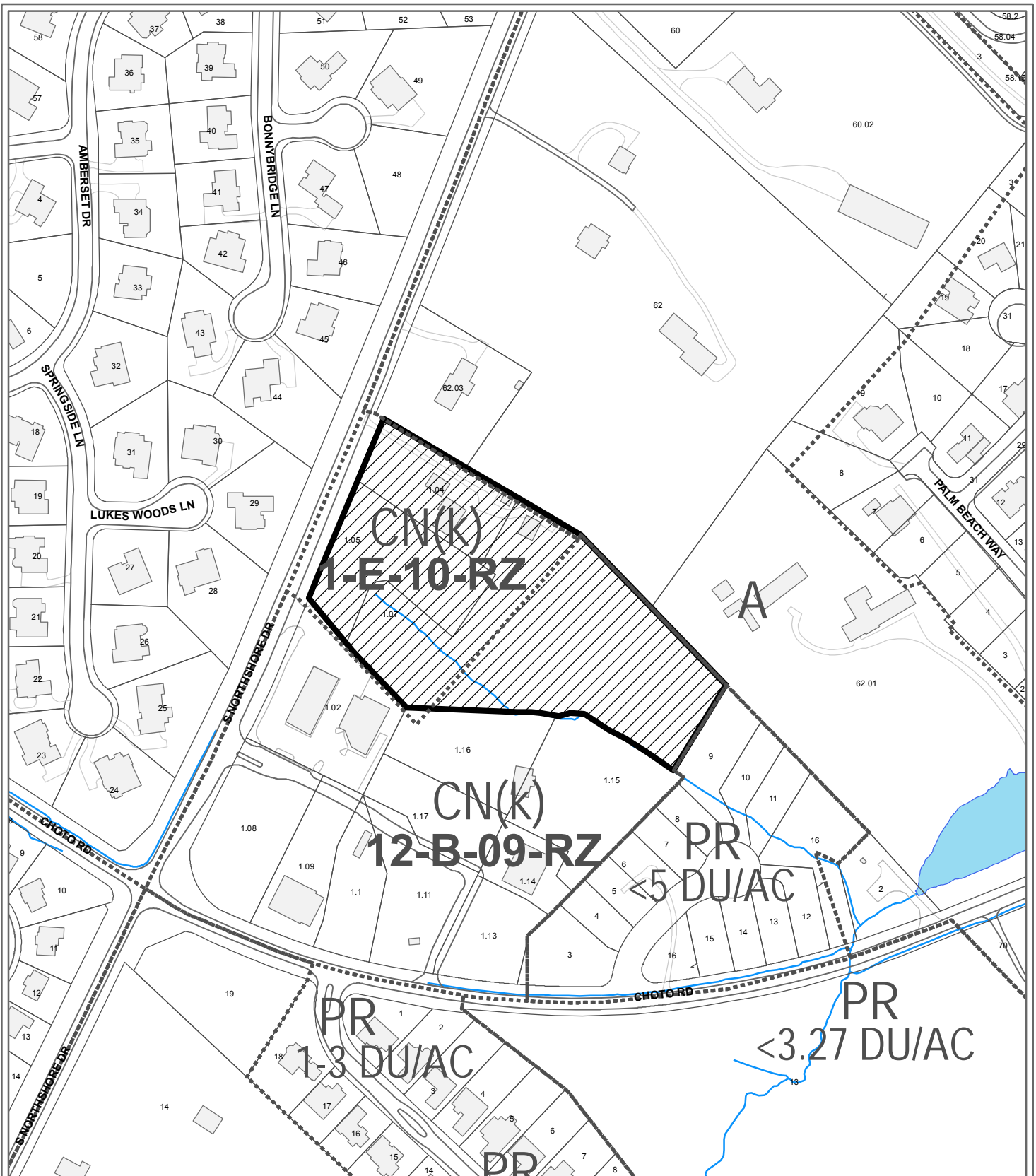
When the property was rezoned to CN (Neighborhood Commercial) (k) by Knox County Commission on March 22, 2010, the approval was subject to four conditions that included a list of permitted uses, outdoor lighting standards, architectural standards and use on review approval of any development plans.

The applicant has requested the postponement to allow time for consideration of a rezoning application that would modify the condition on the list of permitted uses.

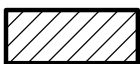
ESTIMATED TRAFFIC IMPACT: Not required.

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.



**12-C-17-UR
USE ON REVIEW**

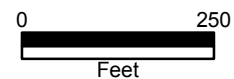


Mixed Commercial Building, Veterinary Clinic and a Self-Service Storage Facility in CN (Neighborhood Commercial) (k)

Petitioner: Huber Properties

Map No: 162

Jurisdiction: County

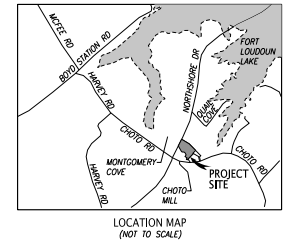


Original Print Date: 11/13/2017

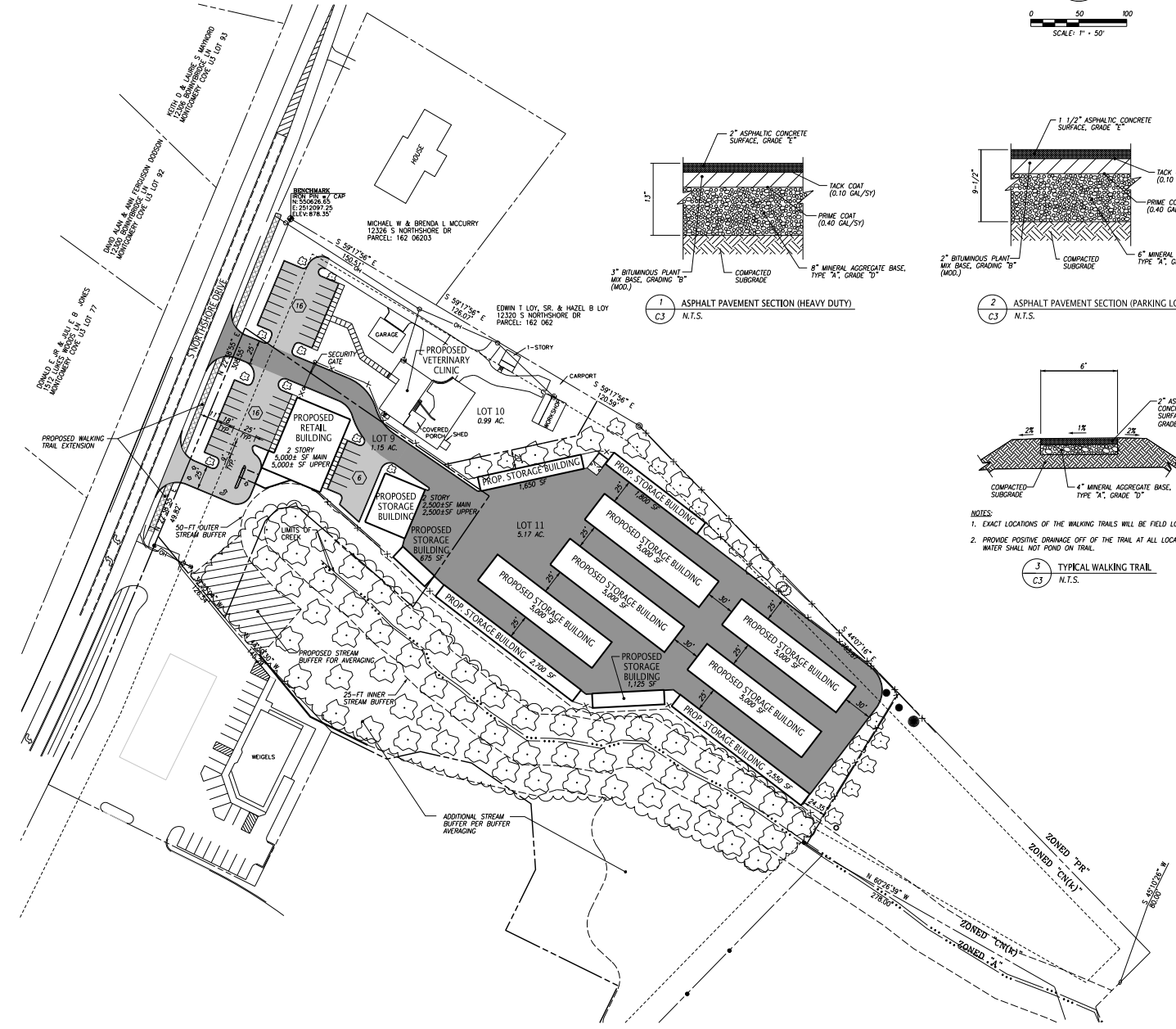
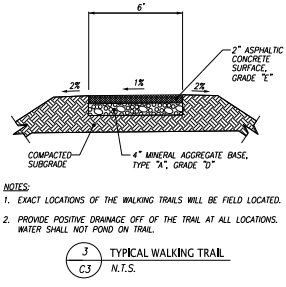
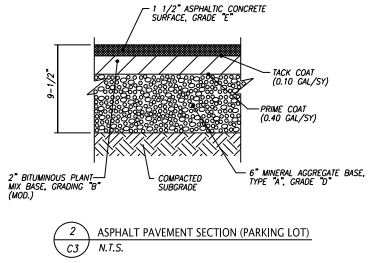
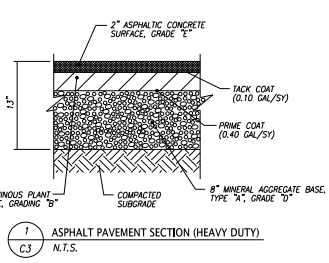
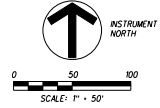
Revised: 11/29.17

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

DESIGNED BY	AWC	DATE	
ISSUED FOR REVIEW	AWC	10/25/17	
PROJECT NO.	290.006.5	SHEET	C2
DATE	10/25/17	SCALE	1"=50'



- 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, 162MB0103, AND 162MB0107, IN KNOX COUNTY CLT MAP 162-M ZONING FOR THE PROPERTY IS CN, NEIGHBORHOOD COMMERCIAL ZONE, DISTRICT WG. TOTAL AREA = 7.13 AC.
 6. BUILDING SETBACKS ARE 35'-FT. FRONT, 20'-FT. ON SIDE, AND 25'-FT. REAR.
- OWNER: MARKETS AT CHOTO, LLC
213 FOX ROAD
KNOXVILLE, TN 37922
CONTACT: MR. JOHN HUBER
PHONE: 865.966.1600



12-C-17-UR

- LEGEND:
- ASPHALT PAVEMENT (STANDARD)
 - ASPHALT PAVEMENT (HEAVY)
 - TRAIL PAVEMENT
 - STREAM BUFFER AREA (AVERAGED)
 - PROPERTY LINE
 - PROPERTY SETBACK
 - BUFFER AREA
 - PROPOSED SECURITY FENCE
 - PROPOSED LANDSCAPING
 - EXISTING/PROPOSED BUFFER
 - EXISTING UTILITY POLE
 - EXISTING FENCE
 - EXISTING OVERHEAD UTILITY



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

[MPC Comment] case # 12-C-17-UR

1 message

Diana Joubert <dianajoubert@gmail.com>

Mon, Dec 11, 2017 at 4:30 PM

Reply-To: dianajoubert@gmail.com

To: commission@knoxmpc.org

I am writing in opposition to the proposed storage facility at the Northshore/Choto roundabout.

When this development was put in, the builder spoke in glowing terms of offices, restaurants, and stores. He did not mention a tacky storage unit. Once this unit is built, the quality of prospective clients will never reach its potential. This is not what we were promised!

If you continue to allow development along Northshore, traffic will be an increasing issue. We at least need a safe shoulder.

Diana Joubert

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This message was directed to commission@knoxmpc.org



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

[MPC Comment] 1-E-18-RZ AND 12-C-17-UR

1 message

'Libby Griffin' via Commission <commission@knoxmpc.org>

Thu, Dec 28, 2017 at 9:42 AM

Reply-To: libby660griffin@yahoo.com

To: Metropolitan Planning Commission <commission@knoxmpc.org>

1-E-18-RZ (Rezoning) AND 12-C-17-UR (Use on Review) in Chota & Northshore neighborhood

Dear Commissioners

1-E-18-RZ (Rezoning) and 12-C-17-UR (Use on Review) are scheduled with the Metropolitan Planning Commission (MPC) for a hearing on 1/11/18. The developer is proposing to build two-story mixed use commercial building(s) just east of the Weigle's, including self-service storage immediately adjacent to residential neighborhoods.

The property near the Chota & Northshore intersection was rezoned NC (Neighborhood Commercial) on March 22, 2010, subject to four conditions, including a list of permitted uses / restrictions and subject to Use on Review. According to the MPC Use on Review Report (page 2), Proposal 12-C-17-UR was postponed "to allow time for consideration of a rezoning application that would modify the condition on the list of permitted uses."

This appears to be an attempt by the developer to circumvent existing Neighborhood Commercial guidelines in general and specific uses permitted on this property by the MPC in March, 2010.

I have read the Recode Knoxville Technical Report presented September 19, 2017. I think this is an excellent concept and an excellent start to the process of reorganizing our hometown. Although Recode is not finished or accepted, it contains pertinent information for the MPC to consider.

Page 14 of the Recode Knoxville Technical Report, presented 9/19/17, includes "outdoor storage" under Highway Commercial (currently "C-4" & Recode "C-H"), and describes it as a "High Intensity" use. Under Recode Knoxville, Neighborhood Commercial would not permit this use nor would General Commercial.

I ask that the Knoxville/Knox County Metropolitan Planning Commission deny 1-E-18-RZ Use on Review 12-C-17-UR.

Libby Griffin

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This message was directed to commission@knoxmpc.org



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

[MPC Comment] 12-C-17-UR

1 message

'Libby Griffin' via Commission <commission@knoxmpc.org>

Tue, Dec 19, 2017 at 6:33 PM

Reply-To: libby660griffin@yahoo.com

To: Metropolitan Planning Commission <commission@knoxmpc.org>

Cc: Libby Griffin <libby660griffin@yahoo.com>, Wayne Kline <wkline@hdclaw.com>

Dear Commissioners,

12-C-17-UR (Use on Review) is scheduled with the Metropolitan Planning Commission (MPC) for a hearing on 1/11/18. The developer is proposing to build two-story mixed use commercial building(s) just east of the Weigle's, including self-service storage immediately adjacent to residential neighborhoods.

The property was rezoned NC (Neighborhood Commercial) on March 22, 2010, subject to four conditions, including a list of permitted uses and subject to Use on Review. According to the MPC Use on Review Report (page 2), Proposal 12-C-17-UR has been postponed "to allow time for consideration of a rezoning application that would modify the condition on the list of permitted uses."

This appears to be an attempt by the developer to circumvent existing Neighborhood Commercial guidelines in general and specific uses permitted on this property by the MPC in March, 2010.

I just read the Recode Knoxville Technical Report presented September 19, 2017. I think this is an excellent concept and an excellent start to the process of reorganizing our hometown. Although Recode is not finished or accepted, it contains pertinent information for the MPC to consider.

Page 14 of the Recode Knoxville Technical Report, presented 9/19/17, includes "outdoor storage" under Highway Commercial (currently "C-4" & Recode "C-H"), and describes it as a "High Intensity" use. Under Recode Knoxville, Neighborhood Commercial would not permit this use nor would General Commercial.

I ask that the Knoxville/Knox County Metropolitan Planning Commission deny Use on Review 12-C-17-UR.

Libby Griffin

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This message was directed to commission@knoxmpc.org

12-C-17-UR-PP-1-11-18



Tom Brechko <tom.brechko@knoxmpc.org>

Choto Storage UOR

1 message

12-C-17-UR

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

Fri, Dec 29, 2017 at 11:31 AM



Mr. Brechko,

Please postpone my UOR application for consideration of self-storage at Markets at Choto from the January 2018 meeting to the February 2018 meeting.

Thank you,

John Huber

Owner / Developer



P. O. Box 23038

Knoxville, TN 37933

O 865-966-1600

F 865-978-6600

E john@southernsignature.net

www.MarketsatChoto.com

12-C-17-UR-PP-12-14-17

KNOXVILLE, KNOX COUNTY

M P C

METROPOLITAN
PLANNING
COMMISSION

T E N N E S S E E

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
FAX • 215 • 2068
www.knoxmpc.org

Request to Postpone • Table • Withdraw

Name of Applicant: Huber Properties

AS IT APPEARS ON THE CURRENT MPC AGENDA

Original File Number(s): 12-C-17-UR

Date Scheduled for MPC Review: Dec. 14, 2017

Date Request Filed: 11/27/17 Request Accepted by: Busseau



REQUEST

Postpone
Please postpone the above application(s) until:
Jan 11, 2018
DATE OF FUTURE MPC PUBLIC MEETING

Table
Please table the above application(s).

Withdraw
Please withdraw the above application(s).

State reason for request:
Discussion of potential rezoning of subject property

Eligible for Fee Refund? Yes No
Amount: _____
Approved by: _____
Date: _____

APPLICATION AUTHORIZATION

I hereby certify that I am the property owner, applicant, or applicant's authorized representative.

Signature: [Signature]

PLEASE PRINT
Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____
Fax: _____
E-mail: _____

PLEASE NOTE
Consistent with the guidelines set forth in MPC's *Administrative Rules and Procedures*:

POSTPONEMENTS
Any first time (new) MPC application is eligible for one automatic postponement. This request is for 30 days only and does not require MPC approval if received by MPC no later than 3:30 p.m. on the Monday prior to the MPC meeting. All other postponement requests must be acted upon by MPC before they can be officially postponed to a future MPC public meeting.

TABLINGS
Any item requested for tabling must be acted upon by MPC before it can be officially tabled.

WITHDRAWALS
Any MPC item is eligible for automatic withdrawal. A request for withdrawal must be received by MPC no later than 3:30 p.m. on the Monday prior to the MPC meeting. Withdrawal requests that do not meet these guidelines must be acted upon by MPC before they can be officially withdrawn.

Any new item withdrawn may be eligible for a fee refund according to the following:
Application withdrawal with fee refund will be permitted only if a written request is received by MPC prior to public notice. This request must be approved by either the Executive Director, or the Development Services Manager. Applications may be withdrawn after this time, but without fee refund.

Use on Review Development Plan

Name of Applicant: Huber Properties

Date Filed: 10/26/17 Meeting Date: 12/14/17

Application Accepted by: James Reed

Fee Amount: File Number: Development Plan

Fee Amount: 1500 File Number: Use on Review 12-C-17-UR



PROPERTY INFORMATION

Address: 12330 S. Northshore Dr
General Location: N/E of Choto Rd, S/E side of S. Northshore Dr

Tract Size: 7.31 No. of Units: Acres

Zoning District: CN

Existing Land Use: Residential/Unused Land

Planning Sector: Southwest County

Sector Plan Proposed Land Use Classification: LDR

Growth Policy Plan Designation: Planned

Census Tract: 58.12

Traffic Zone: 176

Parcel ID Number(s): 162MB00104 00105 00107

Jurisdiction: County Commission W65 District

PROPERTY OWNER/OPTION HOLDER

Name: Huber Prop John Huber

Company: Huber Properties

Address: P.O. Box 23038

City: Knox State: TN Zip: 37972

Telephone: 865-966-1600

Fax:

E-mail: john@southernsignature.net

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

Name: same as above

Company:

Address:

City: State: Zip:

Telephone:

Fax:

E-mail:

APPROVAL REQUESTED

Development Plan: Residential Non-Residential

Home Occupation (Specify Occupation)

Other (Be Specific)

Storage Building

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]

Name: John Huber

Company: same as above

Address:

City: State: Zip:

Telephone:

E-mail:

12-C-17-UR-signature



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. When applicable, MPC staff will provide a sign to post on the property at the time of application.

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

The sign must be posted no later than two weeks prior to the scheduled MPC/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/BZA meeting.

MPC staff will provide the first sign(s) for no additional charge as part of the application fees. If the sign(s) are lost or stolen and need to be replaced, then the applicant will be responsible for picking up a new sign from the MPC offices. The applicant will be charged a replacement fee for the second sign consistent with the agency's cost of purchasing each sign.

I hereby agree to post the sign provided on the subject property on or before November 29, 2017 consistent with the guidelines provided above; and remove the sign within one week after the MPC/BZA decision.

Signature: [Handwritten Signature]
Printed name: John Huber
MPC/BZA File #: 12-C-17-UR

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
FAX • 215 • 2068
www.knoxmpc.org