

# CASE SUMMARY

**APPLICATION TYPE: USE ON REVIEW**

KNOXVILLE • KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N

T E N N E S S E E

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Knoxville, Tennessee 37902  
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**File Number:** 1-H-14-UR                      **Related File Number:**  
**Application Filed:** 11/25/2013              **Date of Revision:**  
**Applicant:** HORNE PROPERTIES, INC.

## PROPERTY INFORMATION

**General Location:** North side of Kingston Pike, east of N. Cedar Bluff Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 132 02816                      **Jurisdiction:** City  
**Size of Tract:** 1.29 acres  
**Accessibility:** The primary access to the site will be via the internal access driveway system serving the Kingston Corner Subdivision with access out to N. Cedar Bluff Rd. and Kingston Pike, both of which are 6 lane median divided arterial streets at this location.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Retail Shops                      **Density:**  
**Sector Plan:** Southwest County              **Sector Plan Designation:** Commercial  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This site is located in an area that is dominated by shopping centers and general commercial uses. The zoning in the area is O-1, C-3, C-6, SC, SC-3, PC-1 and PC-2 commercial zones.

## ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

**Street:** 9175 Kingston Pike  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PC-1 (Retail and Office Park)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** Property was rezoned to PC-1 (Retail and Office Park) on November 17, 2009.

## PLAN INFORMATION (where applicable)

**Current Plan Category:**

Requested Plan Category:

**SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

No. of Lots Proposed:                      No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

**OTHER INFORMATION (where applicable)**

Other Bus./Ord. Amend.:

**MPC ACTION AND DISPOSITION**

Planner In Charge: Tom Brechko

Staff Recomm. (Abbr.): APPROVE the request for retail shops containing approximately 12,600 square feet of floor area as shown on the development plan, subject to 8 conditions

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
3. An occupancy permit shall not be issued for this development until the internal access driveways serving the Kingston Corner Commercial Subdivision and any required off-site street improvements are installed by the developer and approved by the Knoxville Department of Engineering. If the driveway and street improvements are phased for the subdivision, the access driveways that adjoin this site must be completed prior to issuance of the occupancy permit.
4. An occupancy permit shall not be issued for this development until the storm water facilities serving the Kingston Corner Commercial Subdivision and this proposed development are installed by the developer and approved by the Knoxville Department of Engineering.
5. Meeting all applicable requirements of the Knoxville Department of Engineering.
6. Installation of landscaping as shown on the landscape plan within six months of the issuance of an occupancy permit for this project.
7. Meeting all applicable requirements of the Knoxville City Arborist.
8. Proposed signage subject to approval by the Planning Commission staff and Knoxville's Sign Enforcement Inspector.

With the conditions noted, this plan meets the requirements for approval of a use on review in the PC-1 District.

Comments: The applicant is proposing to develop retail shops with approximately 12,600 square feet of floor area on a 1.29 acre lot that is a part of the Kingston Corner Commercial Subdivision. The site is located on the north side of Kingston Pike, east of N. Cedar Bluff Rd. While the lot has frontage along Kingston Pike, there will be no direct access from the site to the arterial street. Access to the site will be through the driveway network for the commercial subdivision which provides access to N. Cedar Bluff Rd. and Kingston Pike. Storm water management for this site will be tied into the overall storm water system for the subdivision. The applicant has submitted plans for a 9' high monument sign for the retail shops along the Kingston Pike frontage.

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

1. All public utilities are available to serve the site.
2. The traffic impact study that had been prepared for the Kingston Corner Commercial Subdivision recommended improvements that will address the traffic impacts of this development.
3. The proposed retail shops are compatible with the scale and intensity of the surrounding development and zoning pattern.

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

1. With the recommended conditions, the proposal meets all requirements of the PC-1 zoning as well as the general criteria for approval of a use on review.
2. The proposed commercial development with the recommended conditions is consistent with the following general standards for uses permitted on review: The proposal 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

neighborhood 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 development is located off of two arterial streets. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Knoxville One Year Plan the Southwest County Sector Plan propose commercial use for this site.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved **Meeting Date:** 1/9/2014

- Details of Action:**
1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
  2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
  3. An occupancy permit shall not be issued for this development until the internal access driveways serving the Kingston Corner Commercial Subdivision and any required off-site street improvements are installed by the developer and approved by the Knoxville Department of Engineering. If the driveway and street improvements are phased for the subdivision, the access driveways that adjoin this site must be completed prior to issuance of the occupancy permit.
  4. An occupancy permit shall not be issued for this development until the storm water facilities serving the Kingston Corner Commercial Subdivision and this proposed development are installed by the developer and approved by the Knoxville Department of Engineering.
  5. Meeting all applicable requirements of the Knoxville Department of Engineering.
  6. Installation of landscaping as shown on the landscape plan within six months of the issuance of an occupancy permit for this project.
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With the conditions noted, this plan meets the requirements for approval of a use on review in the PC-1 District.

**Summary of Action:** APPROVE the request for retail shops containing approximately 12,600 square feet of floor area as shown on the development plan, subject to 8 conditions

**Date of Approval:** 1/9/2014 **Date of Denial:** **Postponements:**  
**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

### **LEGISLATIVE ACTION AND DISPOSITION**

<b>Legislative Body:</b>	Knoxville City Council	<b>Date of Legislative Action, Second Reading:</b>	
<b>Date of Legislative Action:</b>		<b>Other Ordinance Number References:</b>	
<b>Ordinance Number:</b>		<b>Disposition of Case, Second Reading:</b>	
<b>Disposition of Case:</b>		<b>If "Other":</b>	
<b>If "Other":</b>		<b>Amendments:</b>	
<b>Amendments:</b>		<b>Effective Date of Ordinance:</b>	
<b>Date of Legislative Appeal:</b>			