CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

File Number: 10-H-08-UR Related File Number:

Application Filed: 9/8/2008 **Date of Revision:**

Applicant: JOHN A. MURPHY



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PROPERTY INFORMATION

General Location: North of terminus of Horseshoe Bend Ln., northeast of Pellissippi Pkwy.

Other Parcel Info.:

Tax ID Number: 89 222.09 Jurisdiction: County

Size of Tract: 2 acres

Accessibility: Access is via Horseshoe Bend Ln., a local street with a 26' ft. pavement width within a 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant

Surrounding Land Use:

Proposed Use: 10,000 sq. ft. commercial building Density:

Sector Plan: Northwest County Sector Plan Designation: TP & STPA

Growth Policy Plan: Planned Growth Area

Neighborhood Context: The site is located in a commercial subdivision (completed in 1999) having direct access to Pellissippi

Parkway.

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

Street:

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: BP (Business and Technology) / TO (Technology Overlay) and F (Floodway)

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning: This property is part of the Horseshoe Bend Business Park that was subdivided in 1999.

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

10/17/2008 02:48 PM Page 1 of 3

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: Kelley

Kelley Schlitz

Staff Recomm. (Abbr.):

APPROVE the request for a 10,000 sq. ft. commercial building in the BP/TO zoning district, subject to the following 9 conditions:

Staff Recomm. (Full):

- 1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
- 2. Obtaining a Certificate of Appropriateness from the Tennessee Technology Corridor Development Authority (TTCDA) for the development and signage plans.
- 3. Obtaining variances from the Knox County Board of Zoning and Appeals and the TTCDA for reduction of front and side yard setbacks for the BP Zoning District.
- 4. Installing the proposed landscaping as shown on the revised landscape plan, within six months of the issuance of occupancy permits for this project, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.
- 5. Identifying the floodway, no-fill zone, 100 and 500 year flood plain, and the required minimum floor elevations on the development plan.
- 6. Place a note on the development plan that the subject property is located within the proposed alignment of State Route 475. This route will have an impact on any development within the Horseshoe Bend Business Park.
- 7. Meeting all other applicable requirements of the Knox County Zoning Ordinance. This includes certification that the use of the building will be a use permitted under BP zoning.
- 8. Meeting all applicable requirements of the Knox County Department of Engineering and Public
- 9. A revised site plan reflecting the conditions of approval must be submitted to MPC staff prior to issuance of any building permits.

With the conditions noted, this plan meets the requirements for approval of a Use-on-Review in the BP/TO Zones.

Comments:

The applicant is proposing to construct a 10,000 square foot commercial building on a 2 acre lot in the existing Horseshoe Bend Business Park. Due to site constraints caused by the floodway of Beaver Creek and configuration of the lot, the applicant has requested variances from the Knox County Board of Zoning and Appeals and the Tennessee Technology Corridor Development Authority (TTCDA) to reduce of the required side yard setback from 40 ft. to 20', and to allow a portion of the parking lot to be located within the required 50 ft. front setback for the BP Zoning District. Staff has informed the applicant that this site is located within the 1000' wide study corridor for the proposed Knoxville Regional Beltway. The applicant has acknowledged this on the development plans.

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

- 1. The proposed commercial building will have minimal impact on local services since all utilities and streets are in place to serve this development.
- 2. The proposed use is consistent with other office and commercial uses found within the Technology Overlay District.

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

- 1. The proposed commercial building will meet the standards for development within the BP (Business and Technology) & TO (Technology Overlay) Zones subject to approval of the identified variances.
- 2. The proposed use 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 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.

10/17/2008 02:48 PM Page 2 of 3

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan identifies this property as being within the technology park use designation. The proposed commercial building is consistent with the intent of the Sector Plan in that area and for development within the Technology Corridor.

MPC Action: Approved MPC Meeting Date: 10/9/2008

Details of MPC action:

- 1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
- 2. Obtaining a Certificate of Appropriateness from the Tennessee Technology Corridor Development Authority (TTCDA) for the development and signage plans.
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Summary of MPC action:

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the following 9 conditions:

Date of MPC Approval:10/9/2008Date of Denial:Postponements:Date of Withdrawal:Withdrawn prior to publication?: ☐ Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:	Knox County Board of Zoning Appe	als
Date of Legislative Action:		Date of Legislative Action, Second Reading:
Ordinance Number:		Other Ordinance Number References:
Disposition of Case:		Disposition of Case, Second Reading:
If "Other":		If "Other":
Amendments:		Amendments:
Date of Legislative Appeal:		Effective Date of Ordinance:

10/17/2008 02:48 PM Page 3 of 3