

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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www.knoxmpc.org

File Number: 11-E-09-UR

Related File Number:

Application Filed: 9/28/2009

Date of Revision:

Applicant: ALDI

PROPERTY INFORMATION

General Location: East side of Moss Grove Blvd., south side of Kingston Pike.

Other Parcel Info.:

Tax ID Number: 132 PART OF 02702

Jurisdiction: City

Size of Tract: 2.5 acres

Accessibility: Access is via Moss Grove Blvd., a private Joint Permanent Easement with access out to Kingston Pike, a major arterial street with a four and five lane cross section within a required right-of-way of 100'.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land

Surrounding Land Use:

Proposed Use: Grocery Store

Density:

Sector Plan: Southwest County **Sector Plan Designation:** MU, GC

Growth Policy Plan: Urban Growth Area (Inside City Limits)

Neighborhood Context: The Sherrill Hill Subdivision has residential development on three sides and commercial development to the north across Kingston Pike. Zoning in the area includes SC and SC-3 Shopping Center, RAE, PR and RB Residential.

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

Street: Moss Grove Blvd

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PC-1 (k) (Retail and Office Park)

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning: Rezoning to PC-1 (k) (Retail and Office Park) was approved by Knoxville City Council on 9/25/07.

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 development plan for a grocery store with approximately 16,000 square feet subject to 8 conditions.

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance and conditions of the approved rezoning.
2. Meeting all applicable requirements of the approved Master Plan for the Sherrill Hill development (11-A-07-PA).
3. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
4. Prior to issuance of a building permit for this development, all permits required from the Tennessee Department of Transportation (TDOT) for the installation of the Kingston Pike street improvements recommended in the Traffic Impact Study prepared by Cannon & Cannon, Inc. must be obtained. All the required improvements to Kingston Pike shall be completed prior to the issuance of a certificate of occupancy for the grocery store. Prior to the issuance of the building permit, Aldi's corporate office shall provide a letter to the City's Building Inspections Division stating that they understand that the certificate of occupancy will not be issued until the street improvements are completed.
5. Installation of the sidewalks as designated on the development plan with a connection to the sidewalks that are required along Moss Grove Blvd.
6. Installation of landscaping as shown on the development plan within six months of the issuance of occupancy permits for this project.
7. Meeting all applicable requirements of the Knoxville Department of Engineering.
8. Meeting all applicable requirements of Knoxville's Sign Inspector.

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

Comments: The applicant is proposing to develop a 16,000 square foot grocery store on a 2.5 acre site located on the east side of Moss Grove Blvd. (Joint Permanent Easement), the main entrance off of Kingston Pike into the Sherrill Hill development. Access to the site will be from a shared driveway off of Moss Grove Blvd. The shared driveway will also serve two other commercial lots on the east side of Moss Grove Blvd. There is no direct access from the Aldi's site onto Kingston Pike.

The traffic impact study that had been prepared for the entire Sherrill Hill development had recommended improvements at the Kingston Pike intersection. Those improvements have not been put in place. To guarantee that the improvements will be in place prior to the opening of the grocery store, staff has recommended conditions that all required permits from TDOT must be obtained before a building permit is issued and all the required improvements to Kingston Pike shall be completed prior to the issuance of a certificate of occupancy for the grocery store.

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

1. Public water and sewer utilities are available to serve the site.
2. The traffic impact study that had been prepared for the entire Sherrill Hill development recommended improvements that will address the traffic impacts of this development.
3. This proposed commercial development will have minimal impact on the residences that adjoin the Sherrill Hill development since it is adjacent to Kingston Pike and only adjoins commercial property.

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 grocery store 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 substantial additional traffic through residential areas since the development is located off an arterial street. 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 amended Southwest County Sector Plan identifies this as a mixed use development area allowing commercial use. The One Year Plan also designates the site for commercial use. The development complies with both the Sector Plan and One Year Plan.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved **Meeting Date:** 11/12/2009

- Details of Action:**
1. Meeting all applicable requirements of the Knoxville Zoning Ordinance and conditions of the approved rezoning.
 2. Meeting all applicable requirements of the approved Master Plan for the Sherrill Hill development (11-A-07-PA).
 3. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
 4. Prior to issuance of a building permit for this development, all permits required from the Tennessee Department of Transportation (TDOT) for the installation of the Kingston Pike street improvements recommended in the Traffic Impact Study prepared by Cannon & Cannon, Inc. must be obtained. All the required improvements to Kingston Pike shall be completed prior to the issuance of a certificate of occupancy for the grocery store. Prior to the issuance of the building permit, Aldi's corporate office shall provide a letter to the City's Building Inspections Division stating that they understand that the certificate of occupancy will not be issued until the street improvements are completed.
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 7. Meeting all applicable requirements of the Knoxville Department of Engineering.
 8. Meeting all applicable requirements of Knoxville's Sign Inspector.

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

Summary of Action: APPROVE the development plan for a grocery store with approximately 16,000 square feet subject to 8 conditions.

Date of Approval: 11/12/2009 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

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:**