

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

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

File Number: 4-F-09-UR **Related File Number:**
Application Filed: 2/23/2009 **Date of Revision:**
Applicant: SITE INCORPORATED

PROPERTY INFORMATION

General Location: Northwest side of E. Emory Rd., northeast side of Norris Freeway.
Other Parcel Info.:
Tax ID Number: 38 83, 84 & 85 **Jurisdiction:** County
Size of Tract: 8.22 acres
Accessibility: Access is via E. Emory Rd., a major arterial street with a two lane cross section and Norris Freeway, a minor arterial street that presently has a two lane section at the proposed access point.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Food store **Density:**
Sector Plan: North County **Sector Plan Designation:** C & STPA
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This site is located at the intersection of E. Emory Rd. and Norris Freeway in an area with a mix of retail commercial, office and residential development.

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

Street: 4109 E Emory Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: SC (Shopping Center), A (Agricultural) & F (Floodway)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: None noted

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 food market with approximately 16,350 sq. ft. within the SC zoning district, subject to 11 conditions.

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Receiving approvals for the proposed driveway access to Norris Freeway from the Tennessee Valley Authority (TVA) and the Tennessee Department of Transportation (TDOT).
3. Installation of the street improvements for E. Emory Rd. and Norris Freeway as outlined in the Traffic Impact Study conducted by Site Incorporated. A southbound left turn lane on Norris Freeway into the site is required if the access to Norris Freeway is approved.
4. Providing traffic control plans to the Knox County Department of Engineering and Public Works for the during and after construction improvements required in E. Emory Rd. and Norris Freeway prior to any grading or building permits being issued for this development.
5. Certification of required sight distance at the development entrance to the east on E. Emory Rd.
6. Installing landscaping as shown on the landscape plan within six months of the issuance of occupancy permits for this project, or posting a bond in an amount acceptable to the Knox County Department of Engineering and Public Works to guarantee such installation.
7. Working with the Knox County Greenways Coordinator on establishing a greenway easement along Beaver Creek on this property.
8. Proposed signage will be required to meet all applicable requirements of the Knox County Zoning Ordinance.
9. Use-on-Review approval is required for any development on the 1.47 acre outlot identified on the development plan.
10. Approval of a final plat consolidating the three existing tax parcels into two lots including shared access easements for use of the shared driveways.
11. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval of a use-on-review in the SC zoning district.

Comments:

The applicant is proposing to develop a 6.79 acre tract for an Aldi food store with approximately 16,350 square feet. Access to the site is proposed from both E. Emory Rd. and Norris Freeway. The proposed access to Norris Freeway requires approval from both TVA and TDOT. A traffic impact analysis was prepared for the proposed development with recommended turn lane improvements to both streets.

The site plan identifies a 1.47 acre outlot that will share the proposed access drives to this site. The final plat that resubdivides this property must include a cross access easement for the shared driveways. A use-on-review approval will be required for development of the outlot.

Knox County's proposed Beaver Creek greenway system crosses the development site on the north side.

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

1. Public water and sewer utilities are available in the area to serve this site.
2. With the proposed turn lane improvements identified in the traffic impact analysis there will be sufficient capacity on E. Emory Rd. and Norris Freeway to handle the additional traffic which will be generated by this development.
3. The proposal will have no impact on schools.
4. The proposed development is 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. The proposal meets all requirements of the SC zoning district as well as the general criteria for approval of a use-on-review.
2. The proposed food market 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.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The North County Sector Plan proposes commercial use and stream protection for this site. SC (Shopping Center) is listed as a permitted zone under the commercial designation.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

MPC Action: Approved **MPC Meeting Date:** 4/9/2009

- Details of MPC action:**
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Summary of MPC action: APPROVE the development plan for a food market with approximately 16,350 sq. ft. within the SC zoning district, subject to 11 conditions.

Date of MPC Approval: 4/9/2009 **Date of Denial:** **Postponements:**
Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Board of Zoning Appeals

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: