

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: 5-C-11-UR **Related File Number:**
Application Filed: 2/28/2011 **Date of Revision:**
Applicant: HUGHES COMMERCIAL PROPERTIES

PROPERTY INFORMATION

General Location: West side of Moss Grove Blvd., south of Kingston Pike and Market Place Blvd.
Other Parcel Info.:
Tax ID Number: 132 27.08 **Jurisdiction:** City
Size of Tract: 13.5 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: Retail stores **Density:**
Sector Plan: Southwest County **Sector Plan Designation:** MU-SWC01; GC -One Year Plan
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 retail stores with approximately 87,000 square feet subject to 9 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. Installation of the sidewalks (pedestrian access) as designated on the development plan. The sidewalks can be installed in phases (Academy Sports, Future Retail #1 and Future Retail # 2). All sidewalks designated on the development plan for a specific development phase shall be installed as a part of that development.
5. Revising the site and landscape plans to move the Future Retail #2 building and proposed dumpster pad out of the 75 foot "no build" area.
6. Approval and recording of the final plat for the Sherrill Hill Resubdivision of Lots 1R1-1R5 (5-SF-11-F).
7. Installation of landscaping as shown on the development plan within six months of the issuance of occupancy permits for this project.
8. Meeting all applicable requirements of the Knoxville Department of Engineering.
9. Meeting all applicable requirements of Knoxville's Sign 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 approximately 87,000 square feet of retail space on a 13.5 acre site located on the west 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 Moss Grove Blvd. and a shared driveway off of Moss Grove Blvd. that parallels Kingston Pike and serves this site and the Kingston Pike frontage lots for the Sherrill Hill Development. The proposed development includes a 75,000 square foot Academy Sports retail store and two future retail stores with a total area of 12,000 square feet.

This commercial site adjoins seven residential lots of Seven Oaks Subdivision and is subject to the rezoning conditions that required "that there be a 75 foot "no build" area from the adjacent residentially zoned properties with 50 feet to be an undisturbed area (unless by agreement between the property owner and adjoining residential owners with the approval of the Metropolitan Planning Commission, a berm or fence or additional vegetation is placed in the undisturbed area) giving a total of 75 foot building separation from the adjoining residentially zoned properties". The site and landscape plans need to be revised to move the Future Retail #2 building out of the 75 foot "no build" area. Staff is also recommending that the proposed dumpster pad for that building be moved out of the "no build" area. The proposed landscape plan includes landscape screening along the 50 foot undisturbed area to further reduce the impact of the commercial development on the adjoining residential subdivision.

The traffic impact study that had been prepared for the entire Sherrill Hill development covered the proposed commercial development on this site. The recommended improvements at the Kingston Pike and Moss Grove Blvd. intersection have been put in place.

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. The impacts from this proposed commercial development on the residences that adjoin the Sherrill Hill development to the west will be reduced by the required 50 foot undisturbed buffer along that boundary line, and the proposed landscaping and site lighting plans.

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 retail stores with the recommended conditions are 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:** 5/12/2011

- 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. Installation of the sidewalks (pedestrian access) as designated on the development plan. The sidewalks can be installed in phases (Academy Sports, Future Retail #1 and Future Retail # 2). All sidewalks designated on the development plan for a specific development phase shall be installed as a part of that development.
 5. Revising the site and landscape plans to move the Future Retail #2 building and proposed dumpster pad out of the 75 foot "no build" area.
 6. Approval and recording of the final plat for the Sherrill Hill Resubdivision of Lots 1R1-1R5 (5-SF-11-F).
 7. Installation of landscaping as shown on the development plan within six months of the issuance of occupancy permits for this project. The landscaping can be installed in phases (Academy Sports, Future Retail #1 and Future Retail # 2). All landscaping designated on the development plan for a specific development phase shall be installed as a part of that development. (Aa amended by MPC 5-12-2011)
 8. Meeting all applicable requirements of the Knoxville Department of Engineering.
 9. Meeting all applicable requirements of Knoxville's Sign Inspector.

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 development plan for retail stores with approximately 87,000 square feet subject to 9 conditions.

Date of Approval: 5/12/2011 **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:

If "Other":

Amendments:

Date of Legislative Appeal:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: