

# 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-E-12-UR

**Related File Number:**

**Application Filed:** 3/26/2012

**Date of Revision:**

**Applicant:** MICHAEL BRADY, INC.

## PROPERTY INFORMATION

**General Location:** South side of Kingston Pike, west side of Moss Grove Blvd.

**Other Parcel Info.:**

**Tax ID Number:** 132 02712

**Jurisdiction:** City

**Size of Tract:** 1.51 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 lot

**Surrounding Land Use:**

**Proposed Use:** Mixed Commercial Development

**Density:**

**Sector Plan:** Southwest County **Sector Plan Designation:** MU-SD

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

**Neighborhood Context:** The Sherrill Hill mixed use development 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:** 101 Moss Grove Blvd

**Location:**

**Proposed Street Name:**

**Department-Utility Report:**

**Reason:**

## ZONING INFORMATION (where applicable)

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

**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 mixed commercial building of approximately 9,582 square feet with restaurant space not to exceed 4,360 square feet subject to 9 conditions.

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance and conditions of the PC-1 (Retail and Office Park) (k) rezoning approval.
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.
5. Revising the landscape plan to comply with the landscaping requirements of the PC-1 zoning district. Landscaping needs to be added along the Kingston Pike frontage and the development entrance along Moss Grove Blvd. The revised landscape plan is subject to approval by Planning Commission Staff.
6. Installation of landscaping as shown on the revised landscape plan within six months of the issuance of occupancy permits for this project.
7. Submitting a grading plan to the Knoxville Department of Engineering for approval that will increase the sight distance from Driveway A (as designated on the development plan) to the north along Moss Grove Blvd. to a distance of 300', or a distance acceptable to the Knoxville Department of Engineering. The sight distance shall be improved prior to the issuance of a building permit for this development. A copy of the approved plan shall be provided to the Planning Commission Staff.
8. Meeting all applicable requirements of the Knoxville Department of Engineering.
9. Submitting the sign plans to Planning Commission Staff for approval. Only one business ground sign is permitted and it shall be a monument sign with a maximum height of 12 feet.

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 this 1.51 acre site located on the south side of Kingston Pike and the west side Moss Grove Blvd., with a mixed commercial building of approximately 9,582 square feet. The building will include approximately 4,360 square feet of restaurant space. Since the restaurant space has a higher parking requirement, the maximum size of the space used for a restaurant is limited by the total parking being provided on the site.

Access to the site will be from a shared driveway off of Moss Grove Blvd. that parallels Kingston Pike. There is no direct access from the site to Kingston Pike.

When staff conducted the site visit for this project, it was discovered that the fill that was placed on this site as a part of the preliminary stormwater management work had restricted the sight distance to the north along Moss Grove Blvd. from the driveway that serves the frontage lots along Kingston Pike. Staff had requested that the applicant identify the available sight distance on the revised plan. As identified on the plan, there is only 200' of sight distance at this location. Due to the volume of traffic that will be generated by the overall development, staff is recommending a condition that the sight distance be improved to a distance of 300' or other distance acceptable to the Knoxville Department of Engineering. Since the Sherrill Hill development is already in use, staff is recommending that the sight distance be improved prior to the issuance of a building permit for this specific development.

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. All public 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 minimal since this project is not adjacent to those residential properties.

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 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:** 5/10/2012

- Details of Action:**
1. Meeting all applicable requirements of the Knoxville Zoning Ordinance and conditions of the PC-1 (Retail and Office Park) (k) rezoning approval.
  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.
  5. Revising the landscape plan to comply with the landscaping requirements of the PC-1 zoning district. Landscaping needs to be added along the Kingston Pike frontage and the development entrance along Moss Grove Blvd. The revised landscape plan is subject to approval by Planning Commission Staff.
  6. Installation of landscaping as shown on the revised landscape plan within six months of the issuance of occupancy permits for this project.
  7. Submitting a grading plan to the Knoxville Department of Engineering for approval that will increase the sight distance from Driveway A (as designated on the development plan) to the north along Moss Grove Blvd. to a distance of 300', or a distance acceptable to the Knoxville Department of Engineering. The sight distance shall be improved prior to the issuance of a building permit for this development. A copy of the approved plan shall be provided to the Planning Commission Staff.
  8. Meeting all applicable requirements of the Knoxville Department of Engineering.
  9. Submitting the sign plans to Planning Commission Staff for approval. Only one business ground sign is permitted and it shall be a monument sign with a maximum height of 12 feet.

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 a mixed commercial building of approximately 9,582 square feet with restaurant space not to exceed 4,360 square feet subject to 9 conditions.

**Date of Approval:** 5/10/2012 **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:**

**Disposition of Case:**

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Other Ordinance Number References:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**