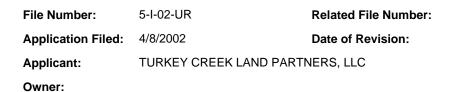
# CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW





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#### PROPERTY INFORMATION

General Location:	West side of Lovell Rd. south of I-40, and north and so	uth side of Parkside Dr. just west of Lovell Rd.	
Other Parcel Info.:			
Tax ID Number:	131 29, 29.32, 29.33, 29.34 & OTHER: 29.35	Jurisdiction: City	
Size of Tract:	45 acres		
Accessibility:	Access is via Lovell Rd. and Parkside Dr., which are minor arterial streets.		

# GENERAL LAND USE INFORMATION

Existing Land Use:	Commercial subdivision and conservation area		
Surrounding Land Use:			
Proposed Use:	Revision to the Master Signage Plan for Turkey Creek		Density:
Sector Plan:	Southwest County	Sector Plan Designation:	
Growth Policy Plan:	Urban Growth Area (Inside City Limits)		
Neighborhood Context:	The development site is located in a commercial area that is centered around the interchange of I40/I75 and Lovell Rd.		

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

Lovell Rd

Street: Location:

**Proposed Street Name:** 

**Department-Utility Report:** 

Reason:

#### ZONING INFORMATION (where applicable)

Current Zoning:

C-3 (General Commercial) & F-1 (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:

Surveyor:

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.):	WITHDRAW the Use-on-Review as requested by the applicant.		
Staff Recomm. (Full):			
Comments:	BACKGROUND ON MASTER SIGNAGE PLAN APPROVAL FOR TURKEY CREEK SUBDIVISION: The applicant received approval from the Planning Commission on March 14, 2002 for a Master Signage Plan that included all of Turkey Creek Subdivision as a unified development. This approval included one development directory sign located along the interstate frontage which is now under construction, and four project directional signs located at intersections along Parkside Dr. (See attached Staff report for 2-B-02-UR)		
	The original application for the Master Signage Plan included a proposed development directory sign for Lovell Rd. that did not comply with the Ordinance requirements. They were proposing to utilize the 100' high McDonalds' sign (BZA variance approved to increase height from 50' to 100') as a development directory sign. The directory sign was to include signs for McDonalds, IHOP and Ruby Tuesday (all businesses located on the lots fronting on Lovell Rd.) and a reader board for a total sign area of 460 square feet (maximum allowed is 275 square feet). The proposed sign did not designate the name of the development at the top of the sign as required by the regulations. As designed, that sign would have been an illegal sign under the Ordinance and would not be allowed since sign variances are not permitted under the Master Signage Plan regulations. An application had also been submitted to the BZA for this proposed sign (The BZA cannot approve this sign since it would be an off-premise sign, and off-premise signs are not permitted within the City). Prior to approval of the Master Signage Plan, the applicant removed the Lovell Rd. directory sign from the Use-on-Review application.		
	PRESENT REQUEST: The applicant is now requesting that the four development parcels fronting on Lovell Rd., and the Conservation Easement parcel that is located on the north and south sides of Parkside Dr., be removed from the Master Signage Plan. They have stated that they did not understand that the prohibition of variance requirement of Article 5 Section 10 (A)25 would apply to all signs (Staff had met with the applicant when the regulations were being drafted and had discussed the no variance provision). They further identify that existing signs and committed signs on these lots violate the intent and spirit of the language. It should be noted that a variance application has been submitted to the BZA for the relocation of a billboard on the Conservation Easement property.		
	STAFF RECOMMENDATION: It is Staff's recommendation that either all of the Turkey Creek development should be covered by the Master Signage Plan, or the entire development should be removed from the Master Signage Plan regulations which would require that the directory sign under construction along the interstate be removed.		
	Staff's position is based on the provisions of the Ordinance that state that the Master Signage Plan should:		
	<ul> <li>a) provide flexibility and incentives for coordinated, well designed sign systems for shopping centers, commercial subdivisions, office parks and other large scale commercial and mixed use developments; and</li> <li>b) promote the use of signs which are aesthetically pleasing, of appropriate scale, and integrated with surrounding buildings and landscape, in order to meet the community's expressed desire for quality development consistent with the property's land use designation.</li> </ul>		
	It is not the intent of the Ordinance to piecemeal unified developments where you obtain the benefits of Master Signage Plan for parts of the development (development directory sign presently being		

		the interstate that will identify Wal-Mart, Target and other businesses without frontage e) and exclude other parts of the development in order to obtain variances from the		
MPC Action:	Denied (Withdrawn)		MPC Meeting Date:	6/13/2002
Details of MPC action:				
Summary of MPC action:				
Date of MPC Approval:		Date of Denial:	Postponements:	5/9/02
Date of Withdrawal:	6/13/2002	Withdrawn prior to publication?:	Action Appealed?:	

# LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:	
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: