

# 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-J-16-UR  
Application Filed: 4/4/2016  
Applicant: BURR, LLC

Related File Number:  
Date of Revision:

## PROPERTY INFORMATION

**General Location:** Northwest side of Hardin Valley Rd., northeast of Greenland Way.  
**Other Parcel Info.:**  
**Tax ID Number:** 103 103 **Jurisdiction:** County  
**Size of Tract:** 4.1 acres  
**Accessibility:** Access is via Hardin Valley Rd., a minor arterial street with a 3 lane section with a 44' pavement width within an 80' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Shopping Center **Density:**  
**Sector Plan:** Northwest County **Sector Plan Designation:** Civic/Institutional  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This area is developed with a mix of residential, institutional, office and commercial uses, under A, PR, OB, BP and PC zoning.

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

**Street:** 10813 Hardin Valley Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PC (Planned Commercial) / TO (Technology Overlay)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** Property was rezoned to PC (Planned Commercial) / TO (Technology Overlay) by Knox County Commission on 6/26/2006.

## 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 request for a shopping center with approximately 25,804 square feet, as shown on the development plan, subject to 10 conditions

Staff Recomm. (Full):

1. Obtaining approval from the Tennessee Technology Corridor Development Authority (TTCDA) for the proposed development (5-B-16-TOB) that is before the Board on May 9, 2016.
2. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
3. Subject to approval by Pellissippi State Community College, installation of the secondary driveway connection on the north side of the shopping center that would connect to the drive aisles within the Pellissippi State campus.
4. Providing the sidewalk connections as identified on the development plan, subject to meeting Americans with Disabilities Act (ADA) requirements and the requirements of the Knox County Department of Engineering and Public Works.
5. The final design of the west bound deceleration lane on Hardin Valley Rd. is subject to approval by the Knox County Department of Engineering and Public Works.
6. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
7. Submitting a revised landscape plan for Staff approval that increases the landscaping along the property frontage on the west side of the entrance similar to what is proposed along the east side of the entrance.
8. Installing all landscaping as identified on the revised landscape plan within six months of the issuance of an occupancy permit for this project, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation. Landscaping shall be installed so as not to interfere with the sight triangles and visibility along public streets.
9. Proposed signage for the shopping center is subject to approval by Planning Commission Staff and the TTCDA Board.
10. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted above, this request meets the requirements for approval in the PC (Planned Commercial) & TO (Technology Overlay) zoning districts, as well as other criteria for approval of a use on review.

Comments: This is a request for a shopping center with three buildings and a proposed building area of approximately 25,804 square feet. The development site of 4.10 acres is located on the northwest side of Hardin Valley Rd, just east of Greenland Way and the main entrance to Pellissippi State Community College. Access to the site will be from a single driveway onto Hardin Valley Rd. located approximately 490 feet east of the entrance to Pellissippi State (centerline to centerline).

A driveway connection is proposed on the north side of the site that would connect to the drive aisles within the Pellissippi State campus, subject to approval by Pellissippi State Community College. It is staff's position that this secondary connection would greatly improve traffic flow for both sites. Students and staff would be able to access the restaurants and shops without having to go onto Hardin Valley Rd. This connection would also allow an alternative connection onto Hardin Valley Rd. at the signalized intersection.

The minimum parking required for this shopping center by the Knox County Zoning Ordinance is 129 spaces. The applicant is proposing 170 parking spaces. The shopping center parking standards do not clearly account for restaurant space within the center. The applicant has indicated that approximately 35% of the center may be leased for restaurant use which would support the request for 170 spaces. The proposed stormwater system includes the use of permeable pavers in the center portion of the parking lot.

Staff is recommending that the proposed landscape plan be modified to increase the landscaping along the property frontage on the west side of the entrance similar to what is proposed along the east side of the entrance.

The site is located within the TO (Technology Overlay) zoning district and is subject to review and approval by the Tennessee Technology Corridor Development Authority (TTCDA). The TTCDA will consider this request on May 9, 2016. Planning Commission staff's recommendation of approval for the use on review includes the site layout for all three buildings, which includes the two future buildings. The TTCDA Board will be reviewing the design details for those two buildings under future applications.

A traffic impact study was submitted for the proposed shopping center. The development plan was revised to address the recommendations of the study as modified by the Knox County Department of Engineering and Public Works.

#### 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 proposed shopping center 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. With the recommended conditions, the proposal meets all requirements of the PC/TO 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 additional traffic through residential areas since the development is located off of 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 Northwest County Sector Plan proposes commercial uses for this site. The proposed shopping center is in conformity with the Sector Plan designation.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved **Meeting Date:** 5/12/2016

#### **Details of Action:**

1. Obtaining approval from the Tennessee Technology Corridor Development Authority (TTCDA) for the proposed development (5-B-16-TOB) that is before the Board on May 9, 2016.
2. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
3. Subject to approval by Pellissippi State Community College, installation of the secondary driveway connection on the north side of the shopping center that would connect to the drive aisles within the Pellissippi State campus.
4. Providing the sidewalk connections as identified on the development plan, subject to meeting Americans with Disabilities Act (ADA) requirements and the requirements of the Knox County Department of Engineering and Public Works.
5. The final design of the west bound deceleration lane on Hardin Valley Rd. is subject to approval by the Knox County Department of Engineering and Public Works.
6. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
7. Submitting a revised landscape plan for Staff approval that increases the landscaping along the property frontage on the west side of the entrance similar to what is proposed along the east side of the entrance.
8. Installing all landscaping as identified on the revised landscape plan within six months of the issuance of an occupancy permit for this project, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation. Landscaping shall be installed so as not to interfere with the sight triangles and visibility along public streets.
9. Proposed signage for the shopping center is subject to approval by Planning Commission Staff and the TTCDA Board.
10. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted above, this request meets the requirements for approval in the PC (Planned Commercial) & TO (Technology Overlay) zoning districts, as well as other criteria for approval of a use on review.

**Summary of Action:**

APPROVE the request for a shopping center with approximately 25,804 square feet, as shown on the development plan, subject to 10 conditions

**Date of Approval:**

5/12/2016

**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:**