

# 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

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Knoxville, Tennessee 37902  
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**File Number:** 8-K-08-UR                      **Related File Number:**  
**Application Filed:** 7/7/2008              **Date of Revision:**  
**Applicant:** HARDIN VALLEY, LLC.

## PROPERTY INFORMATION

**General Location:** Southwest side of Iron Gate Blvd., southeast of Hardin Valley Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 104 H D 003 & 004                      **Jurisdiction:** County  
**Size of Tract:** 2.18 acres  
**Accessibility:** Access is via Iron Gate Blvd., a future collector street with a 32' pavement width within a 70' right-of-way which connects to Hardin Valley Rd.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Restaurant and office building                      **Density:**  
**Sector Plan:** Northwest County              **Sector Plan Designation:** TP & SLPA  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** The site is located near the interchange of Pellissippi Parkway and Hardin Valley Rd. in an area that has a mix of business, institutional and residential uses within the Technology Overlay Corridor.

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

**Street:** Iron Gate Blvd  
**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:** 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 restaurant and office building in the PC (Planned Commercial) & TO (Technology Overlay) zoning districts, subject to 8 conditions:

- Staff Recomm. (Full):**
1. Obtaining approval from the Tennessee Technology Corridor Development Authority (TTCCA) for the proposed development.
  2. Obtaining a variance from the Knox County Board of Zoning Appeals for a reduction in the number of required on-site parking spaces.
  3. Meeting all applicable requirements of the Knox County Zoning Ordinance.
  4. Obtaining approval for the resubdivision of the property.
  5. A building permit being shall not be issued for this development until : a) Iron Gate Blvd. is constructed to a standard acceptable to the Knox County Department of Engineering and Public Works and opened for public use; b) the main driveway for Hardin Valley Crown Center Subdivision that borders this parcel on the north side is completed from Iron Gate Blvd. to the existing access easement/driveway located between the Bread Box Food Store and Bank East; and c) the improvements recommended in the Traffic Impact Study (Cannon & Cannon, Inc., dated 2/16/06) for the existing access easement out to Hardin Valley Rd., between the Bread Box Food Store and Bank East, have been constructed and approved 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. Connecting the development to sanitary sewer, as well as meeting other applicable requirements of the Knox County Health Department.
  8. Installing all landscaping, as shown on the landscape plan, within six months of issuance of occupancy permits for the project, or posting a bond with the Knox County Department of Engineering and Public Works, to guarantee such installation.

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:** The applicant is proposing to develop this 2.18 acre site (portion of Lot 4 of Hardin Valley Crown Center) with a restaurant with approximately 6000 square feet and an office building with approximately 4,800 square feet. The development will have access from an internal driveway system that connects to Hardin Valley Rd. between the Breadbox Store and Bank East, and Iron Gate Blvd., a collector street that also connects to Hardin Valley Rd. The development plan shows proposed driveway connections to Lot 3 located to the east of the site and the remaining portion of Lot 4 that is proposed as Lot 5 within the subdivision. A final plat approval will be required for the resubdivision of the property.

As proposed, the restaurant and office building will require a total of 101 on-site parking spaces. While the development plan shows a total of 106 spaces, only 88 spaces are located within the 2.18 acre parcel designated for the development. The remaining spaces will be located on future Lot 5. A variance will be required from the Knox County Board of Zoning Appeals for a reduction in the number of on-site parking spaces. Other options include a revision to the proposed lot boundary or obtaining a long-term lease for use of the parking spaces located on the adjoining property subject to the approvals outlined in the Knox County Zoning Ordinance.

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 (TTCCA). The TTCCA will consider this request on September 8, 2008.

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. In utilizing the cross access driveway system within the subdivision with the controlled access to Iron Gate Blvd and Hardin Valley Rd., the existing road system will be adequate to handle the proposed development.
- 3. 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 KNOXVILLE ZONING ORDINANCE

- 1. The proposal meets all requirements of the PC zoning district as well as the general criteria for approval of a use-on-review.
- 2. The proposed restaurant and office building 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. No surrounding land uses will pose a hazard or create and unsuitable environment for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

- 1. The Northwest County Sector Plan proposes commercial uses for the site. The proposed planned commercial development is consistent with the PC (Planned Commercial) zoning district and sector plan 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:** 9/11/2008

**Details of MPC action:**

- 1. Obtaining approval from the Tennessee Technology Corridor Development Authority (TTEDA) for the proposed development.
- 2. Obtaining a variance from the Knox County Board of Zoning Appeals for a reduction in the number of required on-site parking spaces.
- 3. Meeting all applicable requirements of the Knox County Zoning Ordinance.
- 4. Obtaining approval for the resubdivision of the property.
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**Summary of MPC action:**

APPROVE the development plan for a restaurant and office building in the PC (Planned Commercial) & TO (Technology Overlay) zoning districts, subject to 8 conditions:

**Date of MPC Approval:**

9/11/2008

**Date of Denial:**

**Postponements:** 8/14/2008

**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:**

**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:**