

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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File Number: 8-M-08-UR
Application Filed: 7/11/2008
Applicant: SCOTT C. BROOKS

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: North side of Oak Ridge Hwy., south of Beaver Ridge Rd.
Other Parcel Info.:
Tax ID Number: 91 001.03 **Jurisdiction:** County
Size of Tract: 1.15 acres
Accessibility: Access is via Oak Ridge Hwy., a major arterial street with a 32' pavement width within an 88' right-of-way, and Beaver Ridge Rd., a local street, with a 19' pavement width within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: Automotive store **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** C & STPA
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This property is located in an area that has a mix of commercial and residential land uses.

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

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PC (Planned Commercial)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Rezoned to PC in 1990 (2-K-90-RZ). Several use on reviews have been approved since that time (7-J-06-UR & 4-F-07-UR).

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:

Kelley Schlitz

Staff Recomm. (Abbr.):

APPROVE the development plan for a 6,000 sq. ft. retail building in the PC (Planned Commercial) zoning district, subject to the following 9 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
3. Adherence to conditions outlined in the previously approved Traffic Impact Study conducted by Wilbur Smith & Assoc. in July 2006.
4. Any future development proposal will require use on review consideration and an updated traffic impact study.
5. For this phase of development, access will be limited to Oak Ridge Hwy. via the existing driveway.
6. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
7. Installing landscaping as shown on the landscape plan within six months of the issuance of occupancy permits for this project, or posting a bond in an amount acceptable to the Knox County Department of Engineering and Public Works to guarantee such installation.
8. Adherence to the protective covenants recorded for this development (7-J-06-UR).
9. Proposed ground and wall signs will be required to meet all applicable requirements of the Knox County Zoning Ordinance (Art.3.90.09).

With the conditions noted, this plan meets the requirements for approval of a use-on-review in the PC zoning district.

Comments:

The applicant is proposing to develop a 1.15 acre portion of this 14.76 acre site which is zoned PC (Planned Commercial). A portion of this site was approved for a retail center in July of 2006 (7-H-06-UR) and two office buildings were approved in April of 2007 (4-F-07-UR). This request is for an Advanced Auto Parts retail store with a total building area of 6,000 square feet.

Access to this site will be limited to Oak Ridge Hwy. for this third phase of development. A traffic impact study was submitted as part of the previous request and addressed the retail center and 2 office buildings. According to a letter submitted by the engineering firm who conducted the previous traffic impact study, this proposal will not generate more traffic than what was outlined by the original traffic study. If or when additional phases of development are proposed for this site, the applicant will be required to update the original traffic impact study.

Since this is a planned commercial development, the applicant will be required to meet all requirements outlined in the protective covenants which were recorded for the first and second phases of development. In addition to updating the traffic impact study, if or when additional phases of development are proposed, the applicant will need approval of another use on review by MPC and adhere to the protective covenants recorded for this project.

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. Oak Ridge Hwy. is a major arterial street and has sufficient capacity to handle the additional traffic which will be generated by this development. The impact of the proposed development on adjacent properties will be minimal, because the property does not face any established residential uses.
3. The proposal will have no impact on schools.
4. 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 KNOX COUNTY 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 retail center 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.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Northwest County Sector Plan proposes commercial and stream protection uses for this site. PC (Planned Commercial) is listed as a permitted zone under the commercial 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:** 8/14/2008

- Details of MPC action:**
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Summary of MPC action: APPROVE the development plan for a 6,000 sq. ft. retail building in the PC (Planned Commercial) zoning district, subject to the following 9 conditions:

Date of MPC Approval: 8/14/2008 **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:**