

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 9-D-19-UR **Related File Number:**
Application Filed: 7/29/2019 **Date of Revision:**
Applicant: KINGSTON PIKE LLC

PROPERTY INFORMATION

General Location: West side of Moss Grove Boulevard, south of Kingston Pike
Other Parcel Info.:
Tax ID Number: 132 02717 **Jurisdiction:** City
Size of Tract: 0.999 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
Surrounding Land Use:
Proposed Use: 7,500 square feet of commercial (3,500 square foot addition) **Density:**
Sector Plan: Southwest County **Sector Plan Designation:** CC (Community Commercial)
Growth Policy Plan: Urban Growth Area
Neighborhood Context: The Sherrill Hill Subdivision 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: 0 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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Tom Brechko

Staff Recomm. (Abbr.):

APPROVE the development plan for a retail building with up to 7,500 square feet subject to 7 conditions.

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance and conditions of the approved rezoning.
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 utility provider.
4. Installation of the sidewalks as identified on the development plan. Sidewalks shall meet all applicable requirements of the Americans with Disabilities Act (ADA) and the Knoxville Department of Engineering.
5. Installation of landscaping as shown on the development plan within six months of the issuance of occupancy permits for this project.
6. Meeting all applicable requirements of the Knoxville Department of Engineering.
7. Proposed signage for the commercial center is subject to approval by the City of Knoxville and Knoxville-Knox County Planning Staff.

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 build a commercial building with up to 7,500 square feet on a one acre site that is located on the west side of Moss Grove Blvd., the main entrance off of Kingston Pike into the Sherrill Hill development. Access to the site will be from a shared driveway off of Moss Grove Blvd. that parallels Kingston Pike and serves this site and the Kingston Pike frontage lots for the Sherrill Hill Development. This site was part of the Academy Sports retail store development approval that included two future retail stores with a total area of 12,000 square feet.

Approval was recently granted by the City of Knoxville for an 8,000 square foot building for a dentist office and an additional tenant space. With that approval, there was only 4,000 square feet remaining out of the original approval of 12,000 square feet for this site. The applicant has submitted this Use-on Review application to request approval of an additional 3,500 square feet of commercial space to allow a total of 7,500 square feet on this site.

This commercial site adjoins Seven Oaks Subdivision and is subject to the rezoning conditions that required "that there be a 75 foot "no build" area from the adjacent residentially zoned properties with 50 feet to be an undisturbed area.

With the increase of 3,500 square feet of commercial space for this site, the applicant was required to submit a Traffic Impact Letter (submitted by Cannon & Cannon, Inc on July 26, 2019) to evaluate the impact of the proposed development. It was determined that no additional traffic improvements would be required.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND THE COMMUNITY AS A WHOLE

1. Public water and sewer utilities are available to serve the site.
2. The traffic impact study that had been prepared for the entire Sherrill Hill development recommended street improvements that have been implemented to 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 reduced by the required 50 foot undisturbed buffer along that

boundary line.

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 retail stores with the recommended conditions 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 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 Southwest County Sector Plan and One Year Plan identify this site for community 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 with Conditions **Meeting Date:** 9/12/2019

Details of Action:

Summary of Action: APPROVE the development plan for a retail building with up to 7,500 square feet subject to 7 conditions.

Date of Approval: 9/12/2019 **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: **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:**