

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: 9-O-07-UR **Related File Number:**
Application Filed: 8/6/2007 **Date of Revision:**
Applicant: SHULER PROPERTIES

PROPERTY INFORMATION

General Location: Southeast side of Hardin Valley Rd., southwest of Iron Gate Blvd.
Other Parcel Info.:
Tax ID Number: 104 H D 002 **Jurisdiction:** County
Size of Tract: 1.47 acres
Accessibility: Access is via Hardin Valley Rd., a minor arterial street with a four lane divided median section within a required 100' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Retail and restaurant **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** C & 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 an 11,210 square foot retail center in the PC (Planned Commercial) & TO (Technology Overlay) zoning districts, subject to 9 conditions:

Staff Recomm. (Full):

1. Obtaining approval from the Tennessee Technology Corridor Development Authority (TTCCA) for the proposed development.
2. Obtaining the peripheral setback variance from the Knox County Board of Zoning Appeals.
3. Meeting all applicable requirements of the Knox County Zoning Ordinance.
4. Approval of the proposed right-in/right-out driveway onto Hardin Valley Rd. is subject to the action taken by the Planning Commission on the Bank East request (see file # 9-M-07-UR). If the approved right-in/right-out driveway on the Bank East property is eliminated in-lieu-of the proposed right-in/right-out driveway on this site and the connection between the two properties remains, the proposed right-in/right-out driveway is approved. If the request to remove the access between the two parcels is approved, the proposed right-in/right-out driveway is denied. If the approved right-in/right-out driveway on the Bank East property remains along with the access between the two parcels, the proposed right-in/right-out driveway is denied.
5. Installation of traffic calming devices as required by the Knox County Department of Engineering and Public Works along the driveway that is located between the Bank East property and the proposed retail center.
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.
9. Obtaining a Subdivision Regulation variance from the required utility and drainage easement for the building encroachment and recording an approved revised final plat.

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 1.47 acre lot for a 11,210 square foot retail center that will include a small restaurant. The retail center will have access to the internal driveway system within the Hardin Valley Crown Center Subdivision. The recommended approval of the proposed right-in/right-out driveway to Hardin Valley Rd. is subject to the action that is taken on the Bank East use-on-review request (9-M-07-UR). See condition 4 above for the details on this access. The placement of the building will require zoning and subdivision variances as addressed in the conditions above.

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 10, 2007.

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 commercial development 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. 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: 9/13/2007

Details of MPC action:

1. Obtaining approval from the Tennessee Technology Corridor Development Authority (TTEDA) for the proposed development.
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3. Meeting all applicable requirements of the Knox County Zoning Ordinance.
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Summary of MPC action:

APPROVE the development plan for an 11,210 square foot retail center in the PC (Planned Commercial) & TO (Technology Overlay) zoning districts, subject to 9 conditions:

Date of MPC Approval:

9/13/2007

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":

Amendments:

Date of Legislative Appeal:

If "Other":

Amendments:

Effective Date of Ordinance: