



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
USE ON REVIEW REPORT**

▶ **FILE #:** 9-O-07-UR

AGENDA ITEM #: 93

AGENDA DATE: 9/13/2007

▶ **APPLICANT:** SHULER PROPERTIES

OWNER(S): HARDIN VALLEY, LLC.

TAX ID NUMBER: 104 H D 002

JURISDICTION: County Commission District 6

▶ **LOCATION:** Southeast side of Hardin Valley Rd., southwest of Iron Gate Blvd.

▶ **APPX. SIZE OF TRACT:** 1.47 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

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.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **ZONING:** PC (Planned Commercial) / TO (Technology Overlay)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Retail and restaurant

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Mixed commercial and Pellissippi Corporate Center / CA (General Business) & TO (Technology Overlay)

South: Vacant land / PC (Planned Commercial) / TO (Technology Overlay)

East: Vacant land / PC (Planned Commercial) / TO (Technology Overlay)

West: Bank / PC (Planned Commercial) / TO (Technology Overlay)

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.

STAFF RECOMMENDATION:

▶ **APPROVE the development plan for an 11,210 square foot retail center in the PC (Planned Commercial) & TO (Technology Overlay) zoning districts, subject to 8 conditions:**

1. Obtaining approval from the Tennessee Technology Corridor Development Authority (TTCDA) 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 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. 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.
5. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
 6. Connecting the development to sanitary sewer, as well as meeting other applicable requirements of the Knox County Health Department.
 7. 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.
 8. 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 an unsuitable environment for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

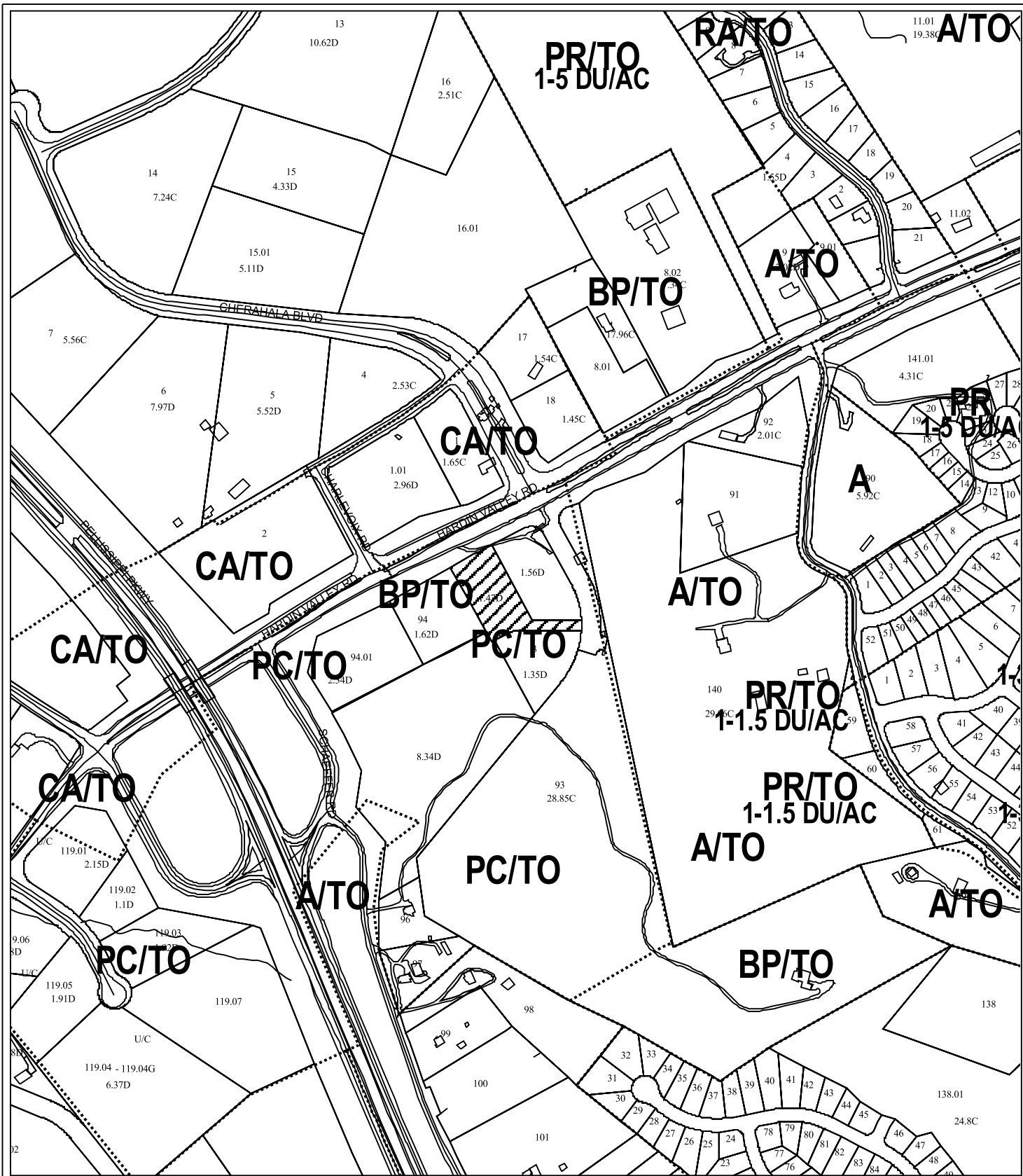
1. The Northwest County Sector Plan proposes commercial uses for the site. The proposed planned commercial development is consistent with the PC (Planned Commercial) zoning district and sector plan designation.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT 456 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



9-O-07-UR
 USE ON REVIEW



Retail and restaurant in PC (Planned Commercial) / TO (Technology Overlay)

Original Print Date: 08/28/07 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Shuler Properties

Map No: 104

Jurisdiction: County



