



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

▶ **FILE #:** 10-H-08-UR

AGENDA ITEM #: 69

AGENDA DATE: 10/9/2008

▶ **APPLICANT:** JOHN A. MURPHY

OWNER(S): JOHN A. MURPHY

TAX ID NUMBER: 89 222.09

JURISDICTION: County Commission District 6

▶ **LOCATION:** North of terminus of Horseshoe Bend Ln., northeast of Pellissippi Pkwy.

▶ **APPX. SIZE OF TRACT:** 2 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Horseshoe Bend Ln., a local street with a 26' ft. pavement width within a 50' right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **ZONING:** BP (Business and Technology) / TO (Technology Overlay) and F (Floodway)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** 10,000 sq. ft. commercial building

HISTORY OF ZONING: This property is part of the Horseshoe Bend Business Park that was subdivided in 1999.

SURROUNDING LAND USE AND ZONING:
North: Beaver Creek / F (Floodway)
South: Vacant / BP/TO (Business & Technology Park) / (Technology Overlay)
East: Contractors office / BP/TO (Business & Technology Park) / (Technology Overlay)
West: Vacant / BP/TO (Business & Technology Park) / (Technology Overlay)

NEIGHBORHOOD CONTEXT: The site is located in a commercial subdivision (completed in 1999) having direct access to Pellissippi Parkway.

STAFF RECOMMENDATION:

▶ **APPROVE** the request for a 10,000 sq. ft. commercial building in the BP/TO zoning district, subject to the following 9 conditions:

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Obtaining a Certificate of Appropriateness from the Tennessee Technology Corridor Development Authority (TTCDA) for the development and signage plans.

3. Obtaining variances from the Knox County Board of Zoning and Appeals and the TTCCA for reduction of front and side yard setbacks for the BP Zoning District.
4. Installing the proposed landscaping as shown on the revised landscape plan, within six months of the issuance of occupancy permits for this project, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.
5. Identifying the floodway, no-fill zone, 100 and 500 year flood plain, and the required minimum floor elevations on the development plan.
6. Place a note on the development plan that the subject property is located within the proposed alignment of State Route 475. This route will have an impact on any development within the Horseshoe Bend Business Park.
7. Meeting all other applicable requirements of the Knox County Zoning Ordinance. This includes certification that the use of the building will be a use permitted under BP zoning.
8. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
9. A revised site plan reflecting the conditions of approval must be submitted to MPC staff prior to issuance of any building permits.

With the conditions noted, this plan meets the requirements for approval of a Use-on-Review in the BP/TO Zones.

COMMENTS:

The applicant is proposing to construct a 10,000 square foot commercial building on a 2 acre lot in the existing Horseshoe Bend Business Park. Due to site constraints caused by the floodway of Beaver Creek and configuration of the lot, the applicant has requested variances from the Knox County Board of Zoning and Appeals and the Tennessee Technology Corridor Development Authority (TTCCA) to reduce of the required side yard setback from 40 ft. to 20', and to allow a portion of the parking lot to be located within the required 50 ft. front setback for the BP Zoning District. Staff has informed the applicant that this site is located within the 1000' wide study corridor for the proposed Knoxville Regional Beltway. The applicant has acknowledged this on the development plans.

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

1. The proposed commercial building will have minimal impact on local services since all utilities and streets are in place to serve this development.
2. The proposed use is consistent with other office and commercial uses found within the Technology Overlay District.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. The proposed commercial building will meet the standards for development within the BP (Business and Technology) & TO (Technology Overlay) Zones subject to approval of the identified variances.
2. The proposed use is consistent with the general standards for uses permitted on review: The proposed development 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.

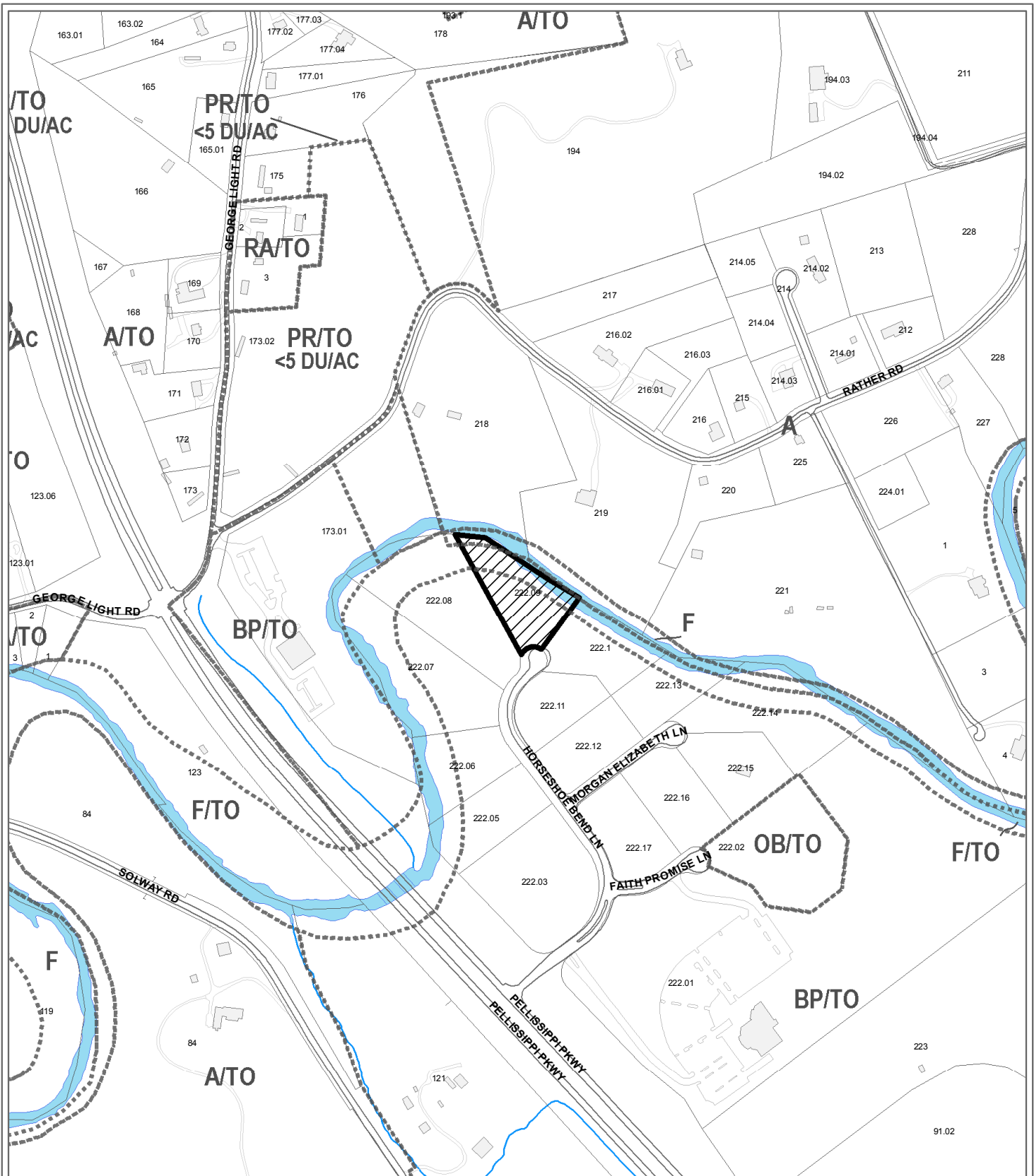
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan identifies this property as being within the technology park use designation. The proposed commercial building is consistent with the intent of the Sector Plan in that area and for development within the Technology Corridor.

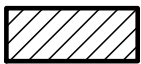
ESTIMATED TRAFFIC IMPACT: Not calculated.

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.



**10-H-08-UR
USE ON REVIEW**

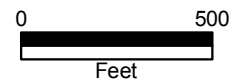


10,000 sq. ft. commercial building in BP (Business and Technology) / TO (Technology Overlay) / F (Floodway)

Petitioner: Murphy, John A.

Map No: 89

Jurisdiction: County



Original Print Date: 9/18/2008

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

CA/T GATE
ARCHITECTURE

MICHAEL DEED
ARCHITECT

415 N 5th / DON LAKE
KNOXVILLE, TN 37912

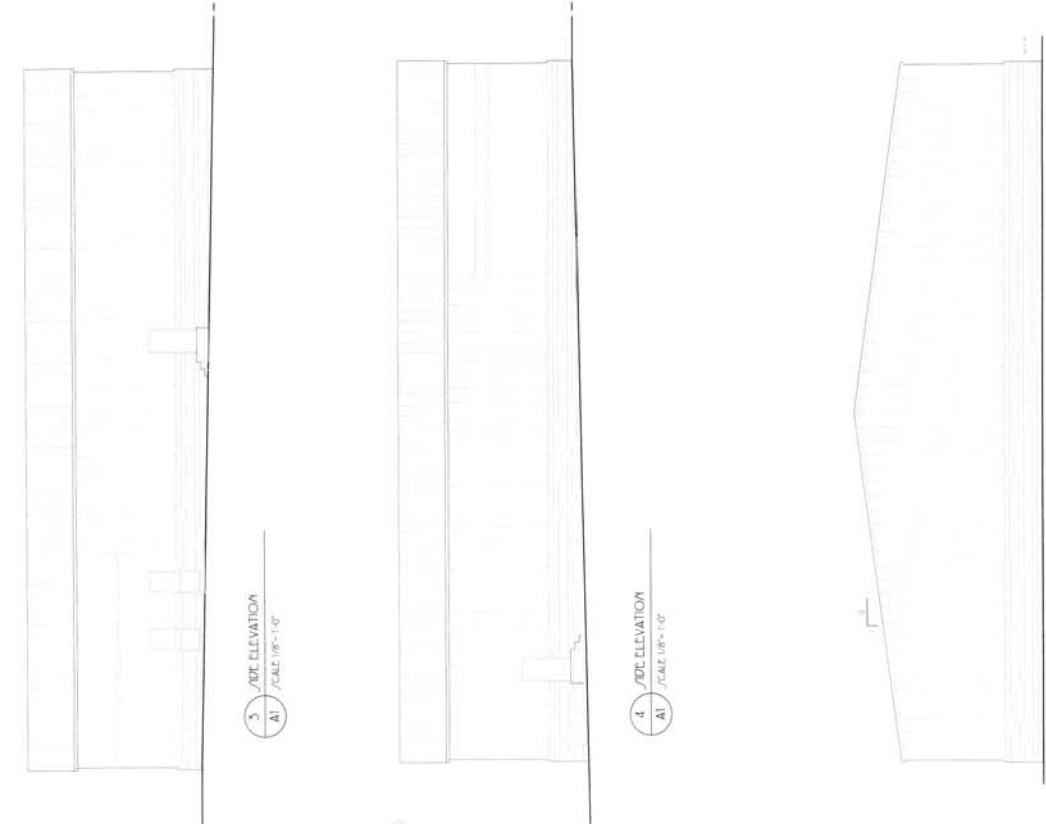
PHONE: 615-251-1511
FAX: 615-251-1511

MURPHY COMMERCIAL
DEVELOPMENT
KNOXVILLE, TN 37912

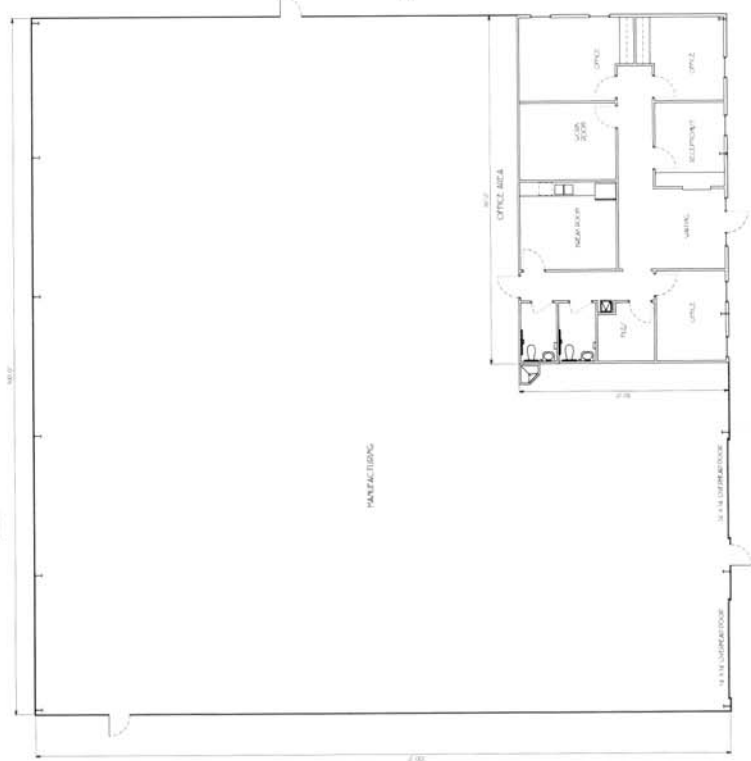
FLOOR PLAN
EXTERIOR ELEVATION

A1

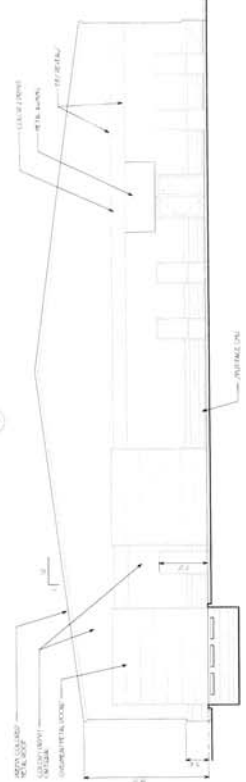
DATE	10/1/08
BY	MD
CHECKED	MD
SCALE	1/8" = 1'-0"
PROJECT NO.	



10-H-08-UR
10/1/08



1 FIRST FLOOR PLAN
A1 SCALE 1/8" = 1'-0"



2 FRONT ELEVATION
A1 SCALE 1/8" = 1'-0"

REVISION INFORMATION
 08/28/08 - 10/01/08 (MPC) - 10/01/08
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