

KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION USE ON REVIEW REPORT

► **FILE #:** 4-H-15-UR

AGENDA ITEM #: 36

AGENDA DATE: 4/9/2015

► **APPLICANT:** JMB INVESTMENT COMPANY, LLC

OWNER(S): JMB Investment Company, LLC

TAX ID NUMBER: 147 C D 001 & 002

[View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 3130 Circle Oak Dr

► **LOCATION:** East side of Circle Oak Dr., north side of W. Governor John Sevier Hwy.

► **APPX. SIZE OF TRACT:** 1.33 acres

SECTOR PLAN: South County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Circle Oak Dr., a local access street with a three lane pavement section within a 70' right-of-way.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knox-Chapman Utility District

WATERSHED: Knob Creek

► **ZONING:** PC (Planned Commercial)

► **EXISTING LAND USE:** Commercial building and vacant lot

► **PROPOSED USE:** Dollar General Store

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Knox County Senior Center / PC (Planned Commercial)

South: Residences / A (Agricultural)

East: Residences / PC (Planned Commercial) and A (Agricultural)

West: Vacant land / PC (Planned Commercial)

NEIGHBORHOOD CONTEXT: This site is just east of the intersection of W. Governor John Sevier Hwy. and Maryville Pike in an area of mixed residential, commercial and institutional uses.

STAFF RECOMMENDATION:

► **APPROVE the request for a retail commercial store of approximately 9,100 sq. ft. as shown on the development plan subject to 11 conditions.**

1. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Department.
2. Obtaining variances from the Knox County Board of Zoning Appeals for a reduction in the number of required parking spaces from 91 to 30 and a reduction in the required size of a parking stall, from 200 square feet to 171 square feet.
3. Installation of sidewalks as identified on the development plan, meeting all applicable requirements of the Knox County Department of Engineering and Public Works and the Americans with Disabilities Act (ADA).

The sidewalks shall be installed prior to the issuance of an occupancy permit for the project.

4. Installation of landscaping as shown on the landscape plan within six months of the issuance of occupancy permit for this project, or posting a bond with the Knox County Department of Engineering and Public Works, to guarantee such installation.
5. Installation of improvements to the edge of pavement and curb radii at the intersection of Circle Oak Dr. and W. Governor John Sevier Hwy and the development driveway entrance to accommodate the turning movements of trucks serving this development, subject to approvals by the Knox County Department of Engineering and Public Works and the Tennessee Department of Transportation.
6. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
7. Obtaining a street connection permit from the Tennessee Department of Transportation for any street improvements within the State right-of-way.
8. Obtaining approval and recording a final plat that will combine the two lots prior to obtaining a building permit.
9. Utilizing an all brick façade on the three sides of the building that face a public street frontage.
10. Utilizing the brick base monument sign approved for the Dollar General Store at the intersection of E. Governor John Sevier Hwy. and Thorn Grove Pike (7-D-14-UR) instead of the proposed pylon sign.
11. Meeting all applicable requirements of the Knox County Zoning Ordinance

With the conditions noted, the plan meets the requirements for approval in the PC (Planned Commercial) district and the other criteria for approval of a use on review.

COMMENTS:

The applicant is proposing to develop a Dollar General Store that will contain approximately 9,100 square feet of floor area on a 1.33 acre site located on the east side of Circle Oak Dr., north side of W. Governor John Sevier Hwy. and southeast side of Martel Ln. The access driveway will be from Circle Oak Dr. There will be no direct access to the site from W. Governor John Sevier Hwy.

As proposed, variances from the Knox County Board of Zoning Appeals will be required for a reduction in the number of required parking spaces from 91 to 30 and a reduction in the required size of a parking stall, from 200 square feet to 171 square feet. The reduction in the number of required parking spaces is based on the parking model that Dollar General uses for a store of this size.

The 2012 South County Sector Plan identifies this site as being located within the Governor John Sevier Highway Scenic Corridor. Based on the Plan's recommended design guidelines, Staff has recommended two conditions (#s 9 & 10) to bring the proposed development into conformance with the Plan. The first condition is that the three sides of the building that face a public street frontage utilize an all brick or combination of brick and stucco façade. The second condition is that the proposed pylon sign be changed to the brick base monument sign approved for the Dollar General Store at the intersection of E. Governor John Sevier Hwy. and Thorn Grove Pike.

Based on the scale of the proposed commercial development, a traffic impact study is not required.

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

1. Public utilities are available to serve the site.
2. Circle Oak Dr. was designed as a commercial access street and has sufficient capacity to handle the traffic which will be generated by this development.
3. This request will have no impact on schools and minimal impact on adjacent properties.

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

1. The request with the noted conditions conforms with the requirements of the PC zoning district, as well as other criteria for approval of a use on review.
2. The proposed use with the noted conditions 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 plans include appropriate landscaping and setbacks to minimize the impact to surrounding properties. The use should 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 South County Sector Plan proposes neighborhood commercial uses for this property which is consistent with the proposed development that is located in an approved commercial subdivision.
2. The site is located within the Rural Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: 515 (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.