

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

▶ **FILE #:** 8-D-15-UR

AGENDA ITEM #: 60

AGENDA DATE: 8/13/2015

▶ **APPLICANT:** LKM PROPERTIES, LP

OWNER(S): LKM Properties

TAX ID NUMBER: 67 009

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 7565 Clinton Hwy

▶ **LOCATION:** Southwest side of Clinton Hwy., southeast side of W. Emory Rd.

▶ **APPX. SIZE OF TRACT:** 20.45 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Clinton Hwy. and W. Emory Rd. which are both classified as major arterial streets. Clinton Hwy. is a four lane median divided road. W. Emory Rd. is a two lane facility with a pavement width of 20' within a 50' wide right-of-way. Access to both of these roadways is controlled by the Tenn. Dept. of Transportation(TDOT).

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **ZONING:** SC (Shopping Center), SC/F (Shopping Center / Flowway, F (Floodway) & CA (General Business)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Access driveway and a sign

HISTORY OF ZONING: The site was rezoned to SC (Shopping Center) in 1999

SURROUNDING LAND USE AND ZONING: North: Shopping center / SC shopping center

South: Beaver Creek / F floodway

East: Mixed commercial / CA commercial

West: Residences / PR residential

NEIGHBORHOOD CONTEXT: The site is located in the Powell community on the west side of Clinton Hwy. Development in the area consists of mixed commercial uses and detached dwellings. Beaver Creek forms the southern boundary of this site. The FEMA flood area for the creek will impact how this site can be developed.

STAFF RECOMMENDATION:

▶ **APPROVE the request for the driveway from Clinton Hwy. to W. Emory Rd. and the monument sign as shown on the plan subject to 10 conditions**

1. Certification on the plan by the applicant's surveyor that there is 300' feet of sight distance in both directions at each proposed driveway entrance to the proposed retail store

2. Align the proposed left turn lane shown on the plan with the existing left turn lane on W. Emory Rd. at Clinton Hwy. or as required by TDOT
3. Relocating the southeastern driveway to the retail store so that it is at least 100' west of the right-of-way line of Clinton Hwy. or as recommended by Knox County Dept. of Engineering and Public Works
4. Identify the proposed roadway as a driveway or as a cross access easement
5. Construction of the proposed driveway to meet the minimum standards for a local public street or as recommended by Knox County Dept. of Engineering and Public Works
6. Access to lots 1 and 2 will be determined with later use on review requests,
7. Meeting all applicable requirements of the Tenn. Dept. of Transportation (TDOT)
8. Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works
9. Meeting all applicable requirements of the Tenn. Dept. of Environment and Conservation and meeting all requirements of the Knox County Stormwater Control Ordinance
10. A revised site plan reflecting the conditions of approval must be submitted to MPC staff for certification prior to obtaining a grading permit.

COMMENTS:

The site in question has two different zoning classifications. The portion of the parcel that fronts on Clinton Hwy., to a depth of approximately 225', is zoned CA (General Commercial). The remainder of the parcel is zoned SC (Shopping Center). The applicant is proposing to build a retail store (Weigels) in the CA zoned area. In order to provide additional access to the store and to provide access to the remainder of the property, the applicant is proposing a driveway that will connect between Clinton Hwy. and W. Emory Rd.. This driveway will be located in the SC (Shopping Center) zoned portion of the site, therefore, it requires use on review approval. Due to the fact that this driveway will function as a street, staff will require the facility be built to public street standards. Both Clinton Hwy. and W. Emory Rd. are state controlled roads, TDOT has been involved in the review of this application. Before this plan can go forward, TDOT will have to approve permits for both ends of this driveway. In order to do so, the applicant may be required to alter the design of the proposed driveway and to relocate access point(s) to the store. The proximity to Beaver Creek complicates the development of this site for the intended use. More specifically, the floodway of the creek has an impact on the alignment of the proposed driveway with W. Emory Rd..

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

1. All utilities are in place to serve the existing site.
2. The location of the proposed driveway will provide convenient alternative access between the two legs of W. Emory Rd.
3. The proposed monument sign meets all of the requirements and will not be a detriment to the area.
3. The proposal will have no impact on schools.

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

1. The proposed driveway and monument sign are 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 since it has direct access to a minor arterial street.
2. The proposal meets all requirements of the SC zoning district and all other applicable requirements of the Knox County Zoning Ordinance.

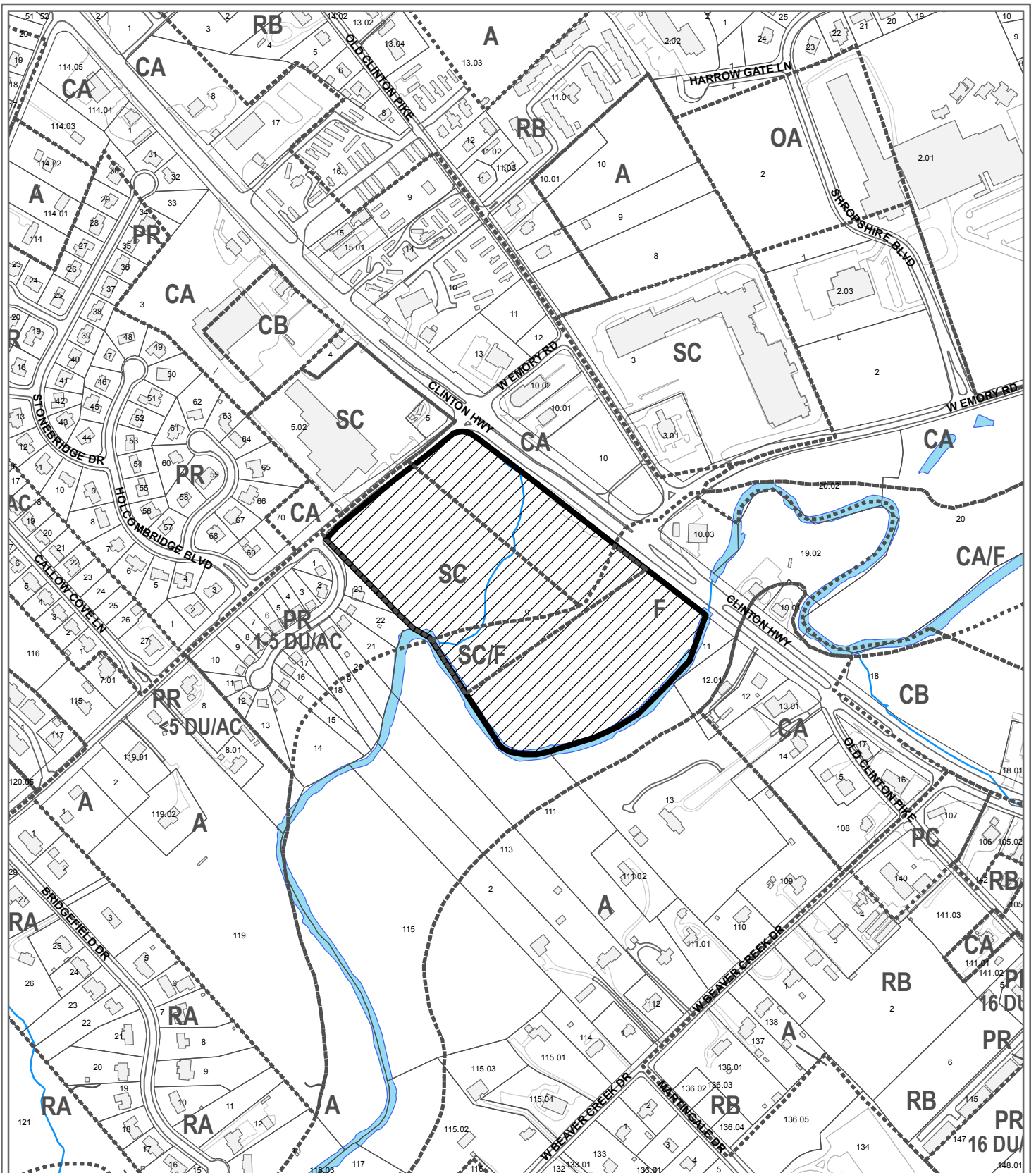
CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Northwest County Sector Plan designates this site for commercial uses and stream protection.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: Not required.

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.



**8-D-15-UR
USE ON REVIEW**

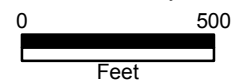


Access driveway and a sign in SC (Shopping Center), SC/F (Shopping Center / Floway, F (Floodway) & CA (General Business)

Petitioner: LKM Properties, LP

Map No: 67

Jurisdiction: County



Original Print Date: 7/24/2015

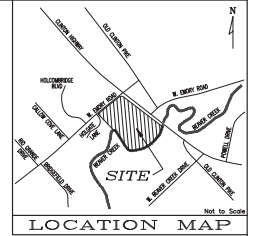
Revised:

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



B-D-15-UR

THIS IS A PRIORITY CONSTRUCTION ACTIVITY



- NOTES:
1. SURVEYED AS MONUMENT AND POSSESSED.
 2. QUALITY OF NORTH IS BASED ON SHEET 3, TPO2 PROJECT HES-9(16), DATED 1990.
 3. THIS PROPERTY CONTAINS APPROXIMATELY 20.45 ACRES.
 4. THIS PROPERTY IS ZONED CA, SC, SC/F AND F.
 5. ALL ROAD PROFILES ARE BASED ON KNOWLEDGE/ANOK COUNTY GIS CONTOURS.
 6. UTILITIES:
WATER: HALLSDALE POWELL UTILITY DISTRICT
SEWER: HALLSDALE POWELL UTILITY DISTRICT
ELECTRIC: KNOXVILLE UTILITIES BOARD
GAS: KNOXVILLE UTILITIES BOARD
 7. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR UNADVISED. THE SURVEYOR'S OFFICE DOES NOT WARRANT THAT ALL UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION AND DEPTH. THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ALL UNDERGROUND UTILITIES.
 8. THIS PROPERTY LIES WITHIN ZONE X AND ZONE AE, WHICH ARE SPECIAL FLOOD HAZARD AREAS, ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM MAP NUMBER 470601010R FOR KNOX COUNTY, TN, EFFECTIVE DATE MAY 2, 2007.
 9. ALL PROPERTY DIMENSIONS ARE SCALED AND SUBJECT TO CHANGE ON THE FINAL PLAN.

SITE DATA
 LOT SIZE = 20.14 ACRES.
 AREA OF DISTURBANCE = 8.30 ACRES
 EXISTING IMPERVIOUS AREA = 0.00 ACRES
 PROPOSED IMPERVIOUS AREA = 75% OF THE DISTURBED AREA EXCLUDING THE 0.9 ACRES ASSOCIATED WITH THE POND.
 THEREFORE THE MAXIMUM ALLOWABLE IMPERVIOUS AREA IS 75% OF 7.40 ACRES. THE PROPOSED DEVELOPMENT INCLUDING THE JPE = 2.31 ACRES OF IMPERVIOUS AREA, NO FILL, REQUIRED FOR THIS DEVELOPMENT.
 SITE BALANCES.

PARKING TABLE
 34 TYPICAL PARKING STALLS
 2 HANDICAP PARKING STALLS
 36 TOTAL PARKING STALLS

OWNER
BEULAH AND ANNA BELL
 1121 N. HERITAGE DRIVE
 MARYVILLE, TN 37803

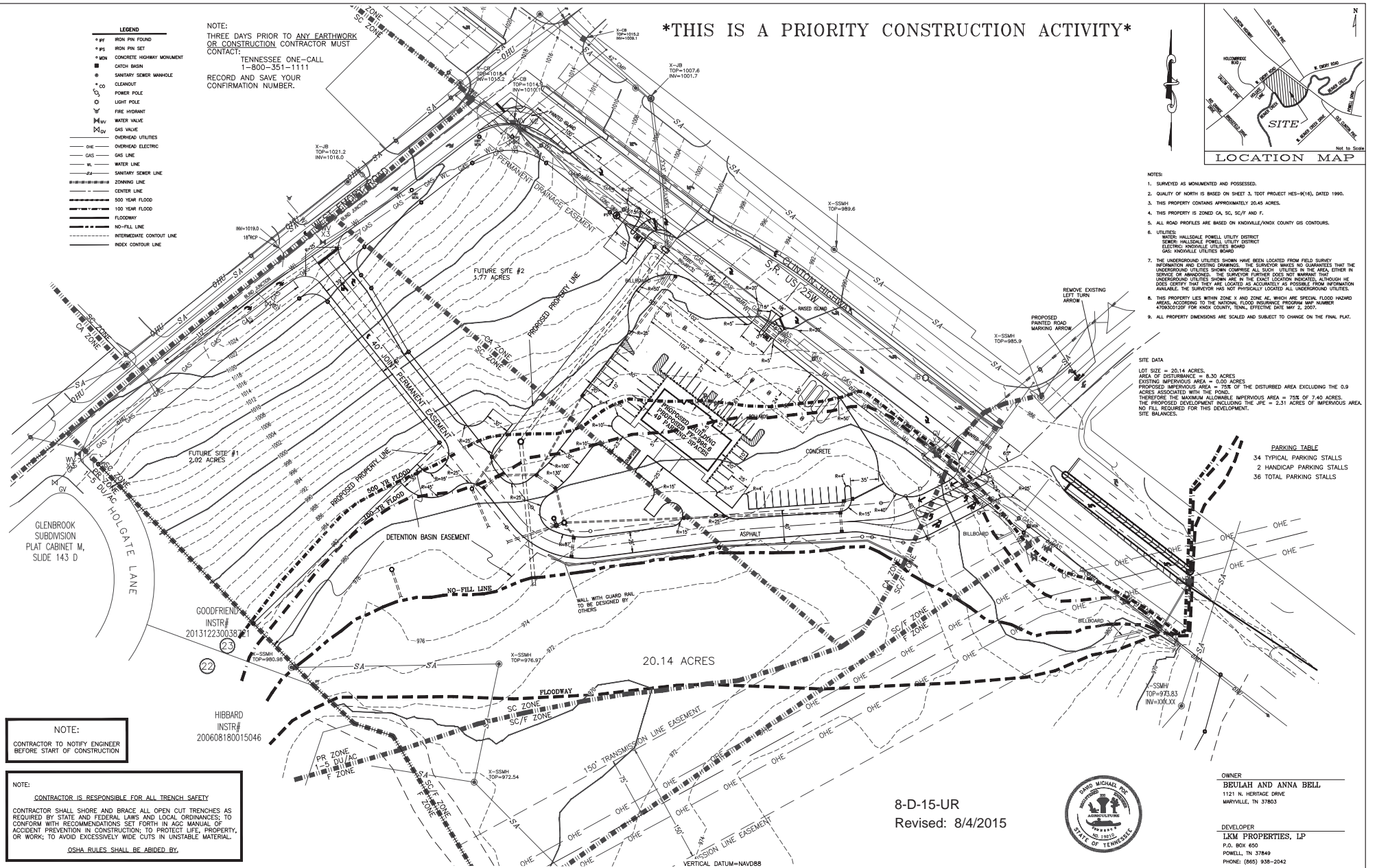
DEVELOPER
LKM PROPERTIES, LP
 P.O. BOX 650
 POWELL, TN 37849
 PHONE: (865) 938-2042



8-D-15-UR
 Revised: 8/4/2015

NOTE:
 THREE DAYS PRIOR TO ANY EARTHWORK
 OR CONSTRUCTION CONTRACTOR MUST
 CONTACT:
 TENNESSEE ONE-CALL
 1-800-351-1111
 RECORD AND SAVE YOUR
 CONFIRMATION NUMBER.

- LEGEND
- IRON PIN FOUND
 - IRON PIN SET
 - CONCRETE HIGHWAY MONUMENT
 - CATCH BASIN
 - SANITARY SEWER MANHOLE
 - CLEANOUT
 - POWER POLE
 - LIGHT POLE
 - FIRE HYDRANT
 - WATER VALVE
 - GAS VALVE
 - OVERHEAD UTILITIES
 - GAS LINE
 - WATER LINE
 - SANITARY SEWER LINE
 - ZONING LINE
 - CENTER LINE
 - 500 YEAR FLOOD
 - 100 YEAR FLOOD
 - FLOODWAY
 - NO-FILL LINE
 - INTERMEDIATE CONTOUR LINE
 - INDEX CONTOUR LINE



NOTE:
 CONTRACTOR TO NOTIFY ENGINEER
 BEFORE START OF CONSTRUCTION

NOTE:
 CONTRACTOR IS RESPONSIBLE FOR ALL TRENCH SAFETY
 CONTRACTOR SHALL SHORE AND BRACE ALL OPEN CUT TRENCHES AS
 REQUIRED BY STATE AND FEDERAL LAWS AND LOCAL ORDINANCES, TO
 CONFORM WITH RECOMMENDATIONS SET FORTH IN ACC MANUAL OF
 ACCIDENT PREVENTION IN CONSTRUCTION, TO PROTECT LIFE, PROPERTY,
 OR WORK; TO AVOID EXCESSIVELY WIDE CUTS IN UNSTABLE MATERIAL.
 OSHA RULES SHALL BE ABIDED BY.

DESIGNED	DMP	SCALE	HORIZONTAL: 1" = 50'	VERTICAL: 1" = 10'	DATE	5/28/15			
DRAWN	SEW								
CHECKED	DMP	NO.	DATE	REVISION	APPR.	NO.	DATE	REVISION	APPR.

DEED REFERENCES: INSTR. #200502250067086

SCALE
 HORIZONTAL: 1" = 50'
 VERTICAL: 1" = 10'

DATE
 5/28/15

1" = 50'

SITE PLAN FOR
LKM PROPERTIES
 7565 CLINTON HIGHWAY
 CLT MAP 67 PARCEL 9
 DISTRICT 6, KNOX COUNTY, TENNESSEE

24886-SP
 SHEET 3 OF 6 SHEET(S)
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