

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

▶ **FILE #:** 7-D-16-UR

AGENDA ITEM #: 44

AGENDA DATE: 7/14/2016

▶ **APPLICANT:** JAKE THOMAS

OWNER(S): KBM Commercial Properties, LLC

TAX ID NUMBER: 132 02722

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 9314 Kingston Pike

▶ **LOCATION:** South side of Kingston Pike, west of Moss Grove Blvd.

▶ **APPX. SIZE OF TRACT:** 1.72 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Moss Grove Blvd., a private Joint Permanent Easement and a right-in/right-out shared access driveway, with access out to Kingston Pike, a major arterial street with a four and five lane cross section within a required right-of-way of 100'.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Ten Mile Creek and Sinking Creek

▶ **ZONING:** PC-1 (Retail and Office Park) (k)

▶ **EXISTING LAND USE:** Vacant lot

▶ **PROPOSED USE:** Mixed use commercial building including restaurant space

HISTORY OF ZONING: Rezoning to PC-1 (k) (Retail and Office Park) was approved by Knoxville City Council on 9/25/07.

SURROUNDING LAND USE AND ZONING: North: Shopping center / SC-3 (Regional Shopping Center)

South: Retail business / PC-1 (Retail and Office Park) (k)

East: Retail business / PC-1 (Retail and Office Park) (k)

West: Historic house - office / PC-1 (Retail and Office Park) (k) & H-1 (Historic Overlay)

NEIGHBORHOOD CONTEXT: The Sherrill Hill mixed use development has residential development on three sides and commercial development to the north across Kingston Pike. Zoning in the area includes SC and SC-3 Shopping Center, RAE, PR and RB Residential.

STAFF RECOMMENDATION:

▶ **APPROVE** the development plan for a mixed use commercial building of approximately 8,450 square feet with restaurant space not to exceed 5,250 square feet subject to 10 conditions.

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance and conditions of the PC-1 (Retail and Office Park) (k) rezoning approval.

2. Meeting all applicable requirements of the approved Master Plan for the Sherrill Hill development (11-A-07-PA).
3. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
4. Revising the development plan to include a 5' wide sidewalk along the driveway on the south side of the property with a connection to the proposed commercial building. This sidewalk becomes a part of the sidewalk system that provides pedestrian connections throughout the Sherrill Hill development.
5. Installation of the sidewalks (pedestrian access) as designated on the revised development plan meeting all applicable requirements of the Americans with Disabilities Act (ADA) and the Knoxville Department of Engineering. The connection from the sidewalk along the southern property line to the proposed commercial building may be installed as a part of the future building development.
6. Installation of landscaping as shown on the landscape plan within six months of the issuance of an occupancy permit for this project.
7. Meeting all applicable requirements of the Knoxville Department of Engineering.
8. Working with the First Utility District of Knox County in establishing any required sanitary sewer easements across this property to serve the future development area south of the Sherrill House.
9. Any proposed signage is subject to compliance with the Knoxville Zoning Ordinance Sign Regulations and approval by the Planning Commission Staff and Knoxville Plans Review and Inspections Division.
10. This approval does not include approval of the future building site identified on the development plan.

With the conditions noted, this plan meets the requirements for approval of a use on review in the PC-1 District.

COMMENTS:

The applicant is proposing to develop this 1.722 acre site located on the south side of Kingston Pike, west of Moss Grove Blvd., with a mixed use commercial building of approximately 8,450 square feet. The building will include approximately 5,250 square feet of restaurant space. Since the restaurant space has a higher parking requirement, the maximum size of the space used for a restaurant is limited by the total parking being provided on the site. Access to the site will be from a shared right-in/right-out driveway off of Kingston Pike and a shared driveway off of Moss Grove Blvd. that parallels Kingston Pike. There is no direct access from the site to Kingston Pike.

The Planning Commission had approved a use on review request (1-M-16-UR) for this site on January 14, 2016 for a mixed use commercial building with approximately 8,000 square feet. The new use on review application is required due to the increase in the size of the building. Approval of this application will replace the previous approval.

The Planning Commission approved a use on review application (August 13, 2015) for the historic Sherrill House located directly to the west of this site that modified the detention basin in this area by shifting the basin onto the Sherrill House property.

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

1. All public utilities are available to serve the site.
2. The traffic impact study that had been prepared for the entire Sherrill Hill development included improvements that will address the traffic impacts of this development.
3. The impacts from this proposed commercial development on the residences that adjoin the Sherrill Hill development to the west will be minimal since this project is not adjacent to those residential properties.

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

1. With the recommended conditions, the proposal meets all requirements of the PC-1 zoning as well as the general criteria for approval of a use on review.
2. The proposed commercial development with the recommended conditions 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 since the development is located off an arterial street. 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 Southwest County Sector Plan identifies this as a mixed use development area allowing commercial use. The One Year Plan also designates the site for commercial use. The development complies with both the Sector Plan and One Year Plan.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: 1363 (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 Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.