

▶ **FILE #:** 9-A-16-UR

AGENDA ITEM #: 42

AGENDA DATE: 9/8/2016

▶ **APPLICANT:** GARY HIBBEN
 OWNER(S): Highway Markings, Inc

TAX ID NUMBER: 4 03602 & 036 [View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 9510 Maynardville Pike

▶ **LOCATION:** Southeast side of Maynardville Pike, southwest of Harmon Dr.

▶ **APPX. SIZE OF TRACT:** 16.48 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is Maynardville Pk., a major arterial street with a pavement width of 26' within a right-of-way that is over 200' in width at this location

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: NA

WATERSHED: Bullrun Creek

▶ **ZONING:** PC (Planned Commercial) & A (Agricultural)

▶ **EXISTING LAND USE:** Highway markings business and vacant land

▶ **PROPOSED USE:** Highway marking business

HISTORY OF ZONING: The property was zoned PC (Planned Commercial) on 5/29/2007 A use on review for this business was approved by MPC on 5/8/2008

SURROUNDING LAND USE AND ZONING: North: Mixed commercial & residences / A agricultural & CA commercial

South: Mixed commercial & residences / A agricultural & CA commercial

East: Residences / A agricultural & Union County

West: Residences / A agricultural

NEIGHBORHOOD CONTEXT: This site is located at the Knox/Union County boundary. Development in the area consists of detached dwellings on parcels generally one in size or greater and mixed commercial uses along Maynardville Pk.

STAFF RECOMMENDATION:

▶ **APPROVE the request for the proposed business as shown on the development plan subject to 7 conditions**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance
2. Prior to certification of the plans for building permits, record the restrictive covenants as called for in Article 5 Section 33.14B of the Knox County Zoning Ordinance.
3. Provision of a landscaping plan for review and approval by MPC staff. Screening of outdoor storage areas and adjoining should be the primary focus of the plan
4. Establish and maintain the required stream buffers as required by the Knox County Dept. of Engineering

and Public Works

5. Meeting all other applicable requirements of the Knox County Dept. of Engineering and Public Works
6. Meeting all applicable requirements of the Knox County Health Dept.
7. A revised site plan reflecting the conditions of approval must be submitted to MPC staff for review and certification prior to the issuance of any building permits

COMMENTS:

The applicant is proposing to expand his existing business to this location. The site was rezoned to PC (Planned Commercial) in 2007 prior to the applicant moving his business to this location. The site is located at the Knox/Union County boundary. The primary use of this site will be to continue store highway construction and marking materials such as guard-rails, barrels and concrete barriers. Two streams cross the property. The applicant's plan shows that stream buffers are proposed.

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

1. The proposed business expansion will have minimal impact on local services since the needed utilities are in place to serve this development.
2. The proposed plans for the business will have minimal impact on the adjoining uses considering the low intensity of development and the site is accessed via a major arterial street.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. The business plan meet the standards for development within the PC (Planned Commercial)) zoning district and all other relevant requirements of the Zoning Ordinance.
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 uses will not draw additional traffic through residential areas.

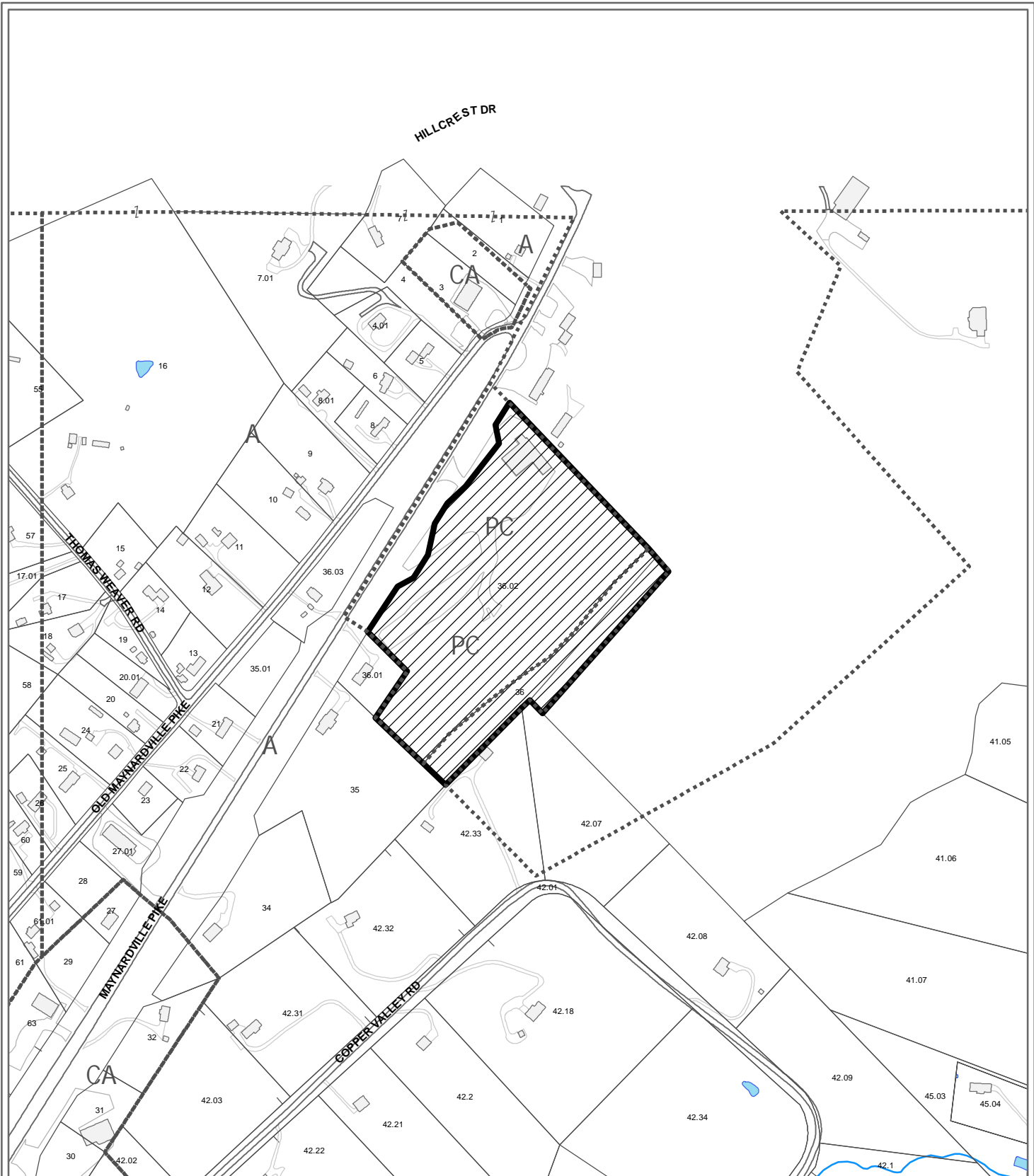
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The North County Sector Plan designates this property for commercial use. The proposed plans for the business are consistent with the Sector Plan.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: Not required.

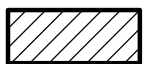
ESTIMATED STUDENT YIELD: Not applicable.

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.



**9-A-16-UR
USE ON REVIEW**

Petitioner: Hibben, Gary



Highway marking business in PC (Planned Commercial) & A (Agricultural)

Map No: 4

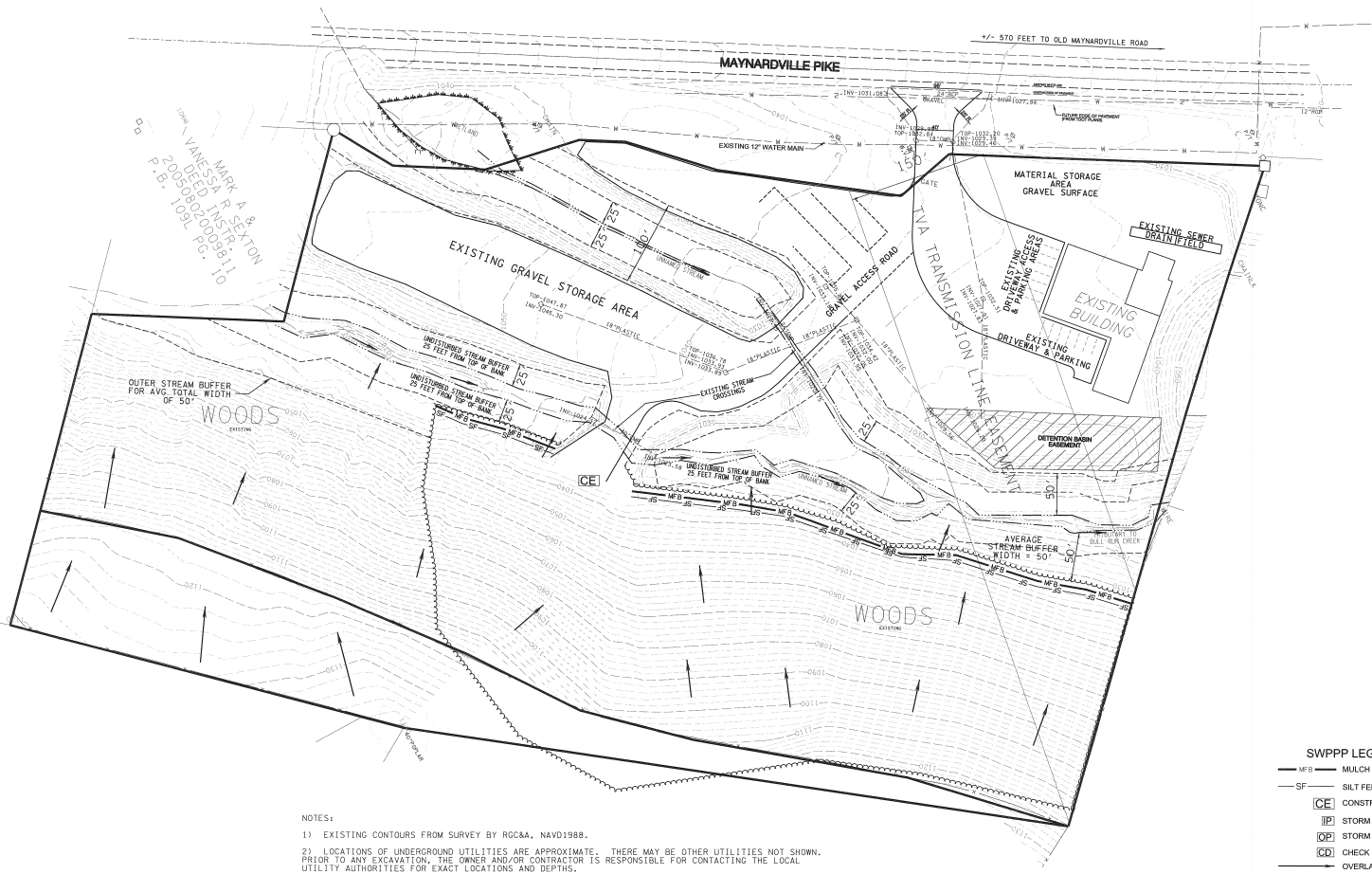
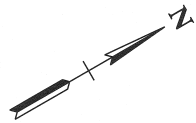
Jurisdiction: County



Original Print Date: 8/12/2016

Revised:

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



- LEGEND**
- DEP EXISTING IRON PIN
 - DEP IRON PIN SET
 - GAS VALVE
 - WATER METER
 - MANHOLE
 - LIGHT POLE
 - STON
 - WATER VALVE
 - FIRE HYDRANT
 - CATCH BASIN
 - POWER/TELEPHONE
 - GUY WIRE
 - BEACH MARK

- SWPPP LEGEND**
- MFB MULCH FILTER BERM
 - SF SILT FENCE
 - CE CONSTRUCTION EXIT
 - IP STORM DRAIN INLET PROTECTION
 - OP STORM DRAIN OUTLET PROTECTION
 - CD CHECK DAM
 - OVERLAND DRAINAGE PATTERN
 - MA EROSION CONTROL MATTING
 - LIMITS OF DISTURBANCE
 - DI DIVERSION
 - EXISTING CONTOURS
 - ST TEMPORARY SEDIMENT TRAP
 - PROPOSED CONTOURS

- CONSTRUCTION SEQUENCE:**
- 1) INSTALL CONSTRUCTION EXIT.
 - 2) INSTALL SILT FENCE AS SHOWN.
 - 3) INSTALL MULCH FILTER BERM AS CLEARING PROGRESSES AND MULCH BECOMES AVAILABLE FROM TREE GRINDING.

- NOTES:**
- 1) ADEQUATE DRAINAGE, EROSION AND SEDIMENT CONTROL MEASURES, BEST MANAGEMENT PRACTICES AND/OR OTHER STORMWATER MANAGEMENT FACILITIES SHALL BE PROVIDED AND MAINTAINED AT ALL TIMES DURING CONSTRUCTION. DAMAGES TO ADJACENT PROPERTY AND/OR THE CONSTRUCTION SITE CAUSED BY THE CONTRACTOR'S OR PROPERTY OWNER'S FAILURE TO PROVIDE AND MAINTAIN ADEQUATE DRAINAGE AND EROSION/SEDIMENT CONTROL FOR THE CONSTRUCTION AREA SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER AND/OR CONTRACTOR.
 - 2) QUALITY ASSURANCE OF EROSION PREVENTION AND SEDIMENT CONTROLS SHALL BE CONDUCTED BY QUALIFIED PERSONNEL PERFORMING SITE ASSESSMENT AT EACH OUTFALL INVOLVING DRAINAGE TOTALING 10 OR MORE ACRES, OR FIVE OR MORE ACRES IF DRAINING TO IMPAIRED OR EXCEPTIONAL WATERS. THIS ASSESSMENT WILL BE CONDUCTED AT EACH QUALIFYING OUTFALL WITHIN A MONTH OF CONSTRUCTION COMMENCEMENT. (SEE CDP SEC 3.1.2 FOR ASSESSMENT LANGUAGE).
 - 3) FUGITIVE SEDIMENT THAT HAS ESCAPED THE CONSTRUCTION SITE MUST BE REMOVED SO THAT IT IS NOT SUBSEQUENTLY WASHED INTO STORM SEWERS AND/OR STREAMS BY THE NEXT RAIN AND/OR SO THAT IT DOES NOTPose A SAFETY HAZARD TO USERS OF PUBLIC STREETS. ARRANGEMENTS CONCERNING REMOVAL OF SEDIMENT ON ADJOINING PROPERTY MUST BE SETTLED BY THE PERMITTEE WITH THE ADJOINING LAND OWNER.
 - 4) SEDIMENT SHALL BE REMOVED FROM SEDIMENT TRAPS, SILT FENCES, SEDIMENTATION PONDS, AND OTHER SEDIMENT CONTROLS WHEN DESIGN CAPACITY HAS BEEN REDUCED BY 50%.
 - 5) LITTER, CONSTRUCTION DEBRIS, AND CONSTRUCTION CHEMICALS EXPOSED TO STORMWATER SHALL BE PICKED UP PRIOR TO ANTICIPATED STORM EVENTS OR BEFORE BEING CARRIED OFF THE SITE BY WIND, OR OTHERWISE PREVENTED FROM BECOMING A POLLUTION SOURCE FOR STORMWATER DISCHARGES.
 - 6) PRECONSTRUCTION VEGETATIVE GROUND COVER SHALL NOT BE DESTROYED, REMOVED, OR DISTURBED MORE THAN 15 DAYS PRIOR TO GRADING OR EARTH MOVING UNLESS THE AREA IS SEEDED AND/OR MULCHED OR OTHER TEMPORARY COVER IS INSTALLED.
 - 7) EXISTING VEGETATION SHOULD BE PRESERVED TO THE MAXIMUM EXTENT PRACTICABLE.
 - 8) TEMPORARY OR PERMANENT SOIL STABILIZATION MUST BE COMPLETED NO LATER THAN 15 DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS PERMANENTLY OR TEMPORARILY CEASED. STEEP SLOPES (>35%) MUST BE PERMANENTLY OR TEMPORARILY STABILIZED WITHIN 7 DAYS.
 - 9) SITE INSPECTIONS SHALL BE PERFORMED AT LEAST TWICE WEEKLY AT A MINIMUM OF 72 HOURS APART ON ALL UNSTABILIZED SITES.

- NOTES:**
- 1) EXISTING CONTOURS FROM SURVEY BY RGC&A, NAVD1988.
 - 2) LOCATIONS OF UNDERGROUND UTILITIES ARE APPROXIMATE. THERE MAY BE OTHER UTILITIES NOT SHOWN. PRIOR TO ANY EXCAVATION, THE OWNER AND/OR CONTRACTOR IS RESPONSIBLE FOR CONTACTING THE LOCAL UTILITY AUTHORITIES FOR EXACT LOCATIONS AND DEPTHS.
 - 3) CONTRACTOR IS RESPONSIBLE FOR ALL TRENCH SAFETY PRACTICES.
 - 4) EROSION CONTROL MEASURES SHOWN ARE A MINIMUM. THE CONTRACTOR IS RESPONSIBLE FOR CONTROL OF EROSION FROM THE PROJECT SITE. ADDITIONAL ITEMS MAY BE REQUIRED.
 - 5) a. APPLY TEMPORARY SEEDING WHENEVER GRADING OPERATIONS ARE TEMPORARILY HALTED FOR OVER 14 DAYS AND FINAL GRADING OF EXPOSED SURFACES IS TO BE COMPLETED WITHIN ONE YEAR. APPLY TEMPORARY SEEDING TO SOIL STOCKPILES.
b. APPLY PERMANENT SEEDING WHENEVER GRADING OPERATIONS ARE COMPLETED AND ALL CONSTRUCTION OPERATIONS WILL IMPACT THE DISTURBED AREA. APPLY PERMANENT SEEDING TO ALL NON-CONSTRUCTION AREAS WHICH SHOW SIGNS OF EXCESSIVE EROSION.
 - 6) ALL CUT AND FILL SLOPES ARE 2H:1V OR LESS UNLESS OTHERWISE NOTED.
 - 7) PLACEMENT OF PORT-A-POTTIES WILL NOT BE LOCATED CLOSE TO STREAMS, WETLANDS, OR STORM DRAINS.
 - 8) THE CONTRACTOR SHALL HAVE A STAMPED AND SIGNED COPY OF THIS PLAN ON SITE AT ALL TIMES DURING CONSTRUCTION.
 - 9) EXISTING STREAM CROSSINGS TO BE USED.

NOTE:
THE OWNER IS RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF CONSTRUCTION SITE POLLUTION PREVENTION MEASURES THROUGHOUT THE LIFE OF THE PROJECT.



9-A-16-UR

ENGINEER:
ROBERT G CAMPBELL AND ASSOCIATES, L.P.
7523 TAGGART LANE
KNOXVILLE, TN 37938
PHONE: (865) 947-5996
FAX: (865) 947-7556

OWNER:
HIGHWAY MARKINGS, INC.
GARY HIBBEN
8333 COPPOCK RD
KNOXVILLE, TN 37938
PHONE: (865) 922-1550
FAX: (865) 922-9229

ZONING: PC
PREVIOUS N.O.I.: TNR133089
NEW DISTURBANCE: 3.3 AC
ACREAGE: 16.48 AC
NUMBER OF LOTS: 1

CLT MAP PARCEL
004 036, 03602



NO.	DATE	DESCRIPTION	BY	CHKD.
01	08-17-16	ENGR. CO. ENG. COMMENTS	GMC	BGC
REVISIONS				

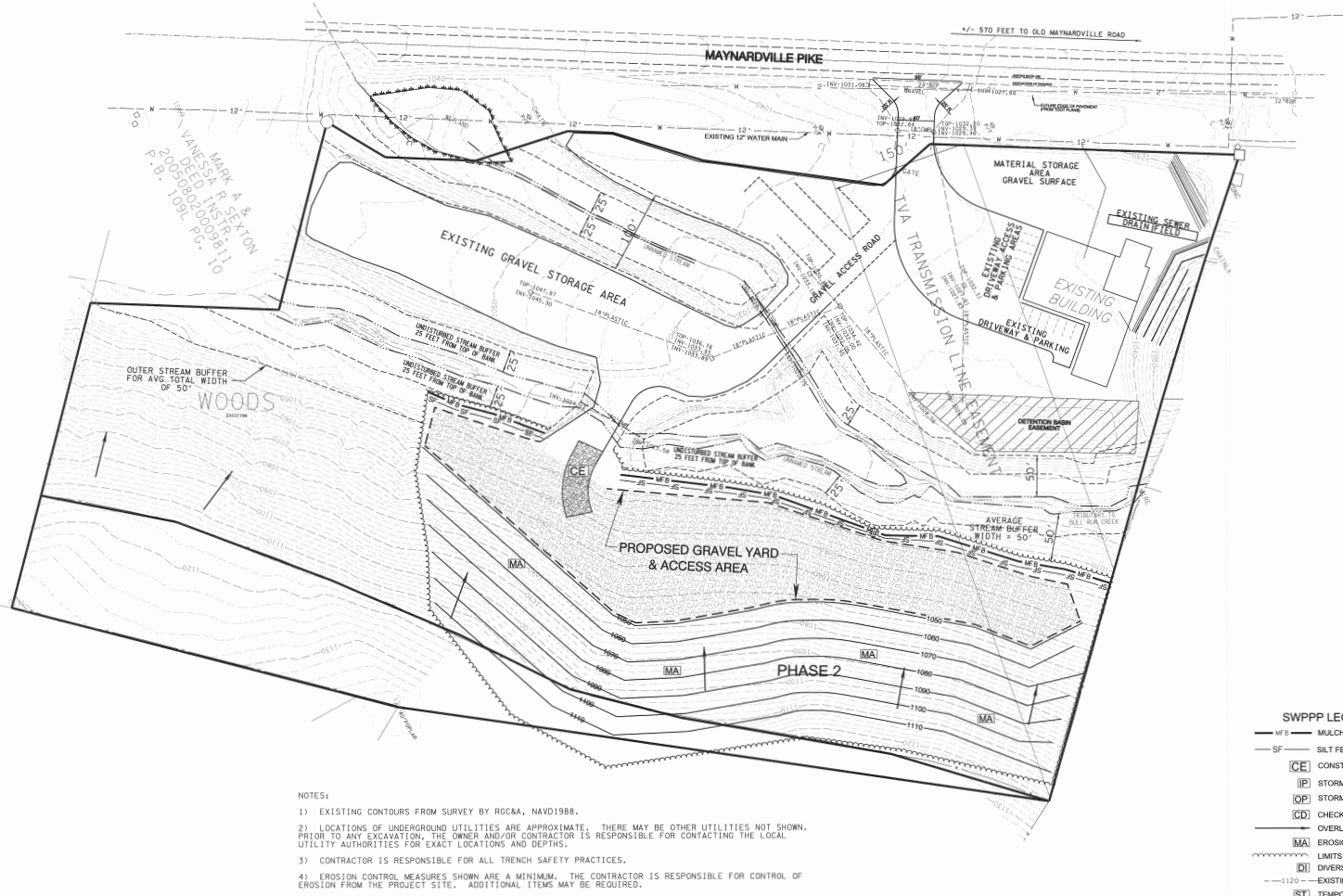
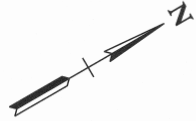


ROBERT G. CAMPBELL & ASSOC., L.P.
CONSULTING ENGINEERS
KNOXVILLE, TENNESSEE

HIGHWAY MARKINGS, INC.
STORMWATER POLLUTION PREVENTION PLAN

PHASE 1

DESIGNED BY GMT	CHECKED BY RGC	SCALE 1"=60'	SHEET ONE NO. 1
DRAWN BY GMT	DATE 06/17/16	FILE NO. 07027	OF THREE SHEETS



- LEGEND**
- ESP EXISTING IRON PIN
 - GPS IRON PIN SET
 - GAS VALVE
 - WM WATER METER
 - MANHOLE
 - LIGHT POLE
 - 4 SIGN
 - WATER VALVE
 - HY
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 - [OP] STORM DRAIN OUTLET PROTECTION
 - [CD] CHECK DAM
 - OVERLAND DRAINAGE PATTERN
 - [MA] EROSION CONTROL MATTING
 - LIMITS OF DISTURBANCE
 - [DI] DIVERSION
 - 1120 --- EXISTING CONTOURS
 - [ST] TEMPORARY SEDIMENT TRAP
 - 1110 --- PROPOSED CONTOURS

- CONSTRUCTION SEQUENCE:**
- 1) CLEAR PHASE 2 AREA AND CONSTRUCT GRAVEL ACCESS ROAD AND YARD.
 - 2) MAINTAIN MULCH FILTER BERM AND SILT FENCE.
 - 3) INSTALL EROSION CONTROL MATTING ON GRADED SLOPE.
 - 4) STABILIZE DISTURBED AREAS WITH PERMANENT SEED & MULCH.
 - 5) INSTALL MULCH FILTER BLANKETS AS NEEDED.

- NOTES:**
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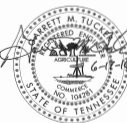
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ENGINEER: ROBERT G CAMPBELL AND ASSOCIATES, L.P.
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PHONE: (865) 922-1550
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ZONING: PC
PREVIOUS N.O.I.: TNR133089
NEW DISTURBANCE: 3.3 AC
ACREAGE: 16.48 AC
NUMBER OF LOTS: 1

CLT MAP PARCEL
004 036, 03602



ROBERT G. CAMPBELL & ASSOC., L.P. CONSULTING ENGINEERS KNOXVILLE, TENNESSEE		HIGHWAY MARKINGS, INC. STORMWATER POLLUTION PREVENTION PLAN PHASE 2		DESIGNED BY: GMT CHECKED BY: RGC DRAWN BY: GMT DATE: 06/17/16	SCALE: 1"=60' FILE NO.: 07027	SHEET TWO NO. 2 OF THREE SHEETS
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Use on Review Development Plan

Name of Applicant: GARY HIBBEN

Date Filed: 7/8/16 Meeting Date: 9/8/16

Application Accepted by: M. Payne

Fee Amount: _____ File Number: Development Plan _____

Fee Amount: \$1,500 File Number: Use on Review 9-A-16-UR

PROPERTY INFORMATION

Address: 9510 MATNARDVILLE PIKE

General Location: S/E SIDE OF MATNARDVILLE PIKE
570 3/4 W. OF OLD MATNARDVILLE PK

Tract Size: 16.48 AC. No. of Units: 1

Zoning District: PC + A

Existing Land Use: COMMERCIAL

Planning Sector: NORTH COUNTY

Sector Plan Proposed Land Use Classification:
GC, AG

Growth Policy Plan Designation: _____

Census Tract: 63.02

Traffic Zone: 187

Parcel ID Number(s): 004-036.02+036

Jurisdiction: City Council _____ District
 County Commission 8TH District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT
Name: GARY HIBBEN

Company: HIGHWAY MARKINGS INC.

Address: 8333 COPPOCK RD

City: KNOXVILLE State: TN Zip: 37938

Telephone: 865-922-1550

Fax: 865-922-9229

E-mail: _____

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
Name: GARRETT M. TUCKER

Company: ROBERT G. CAMPBELL & ASSOC.

Address: 7523 TAGGART LN

City: KNOXVILLE State: TN Zip: 37938

Telephone: 865-947-5996

Fax: 865-947-7556

E-mail: GTUCKER@RGC-A.COM

APPROVAL REQUESTED

Development Plan: Residential Non-Residential

Home Occupation (Specify Occupation)

Other (Be Specific)

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: [Signature]

PLEASE PRINT
Name: GARRETT M. TUCKER

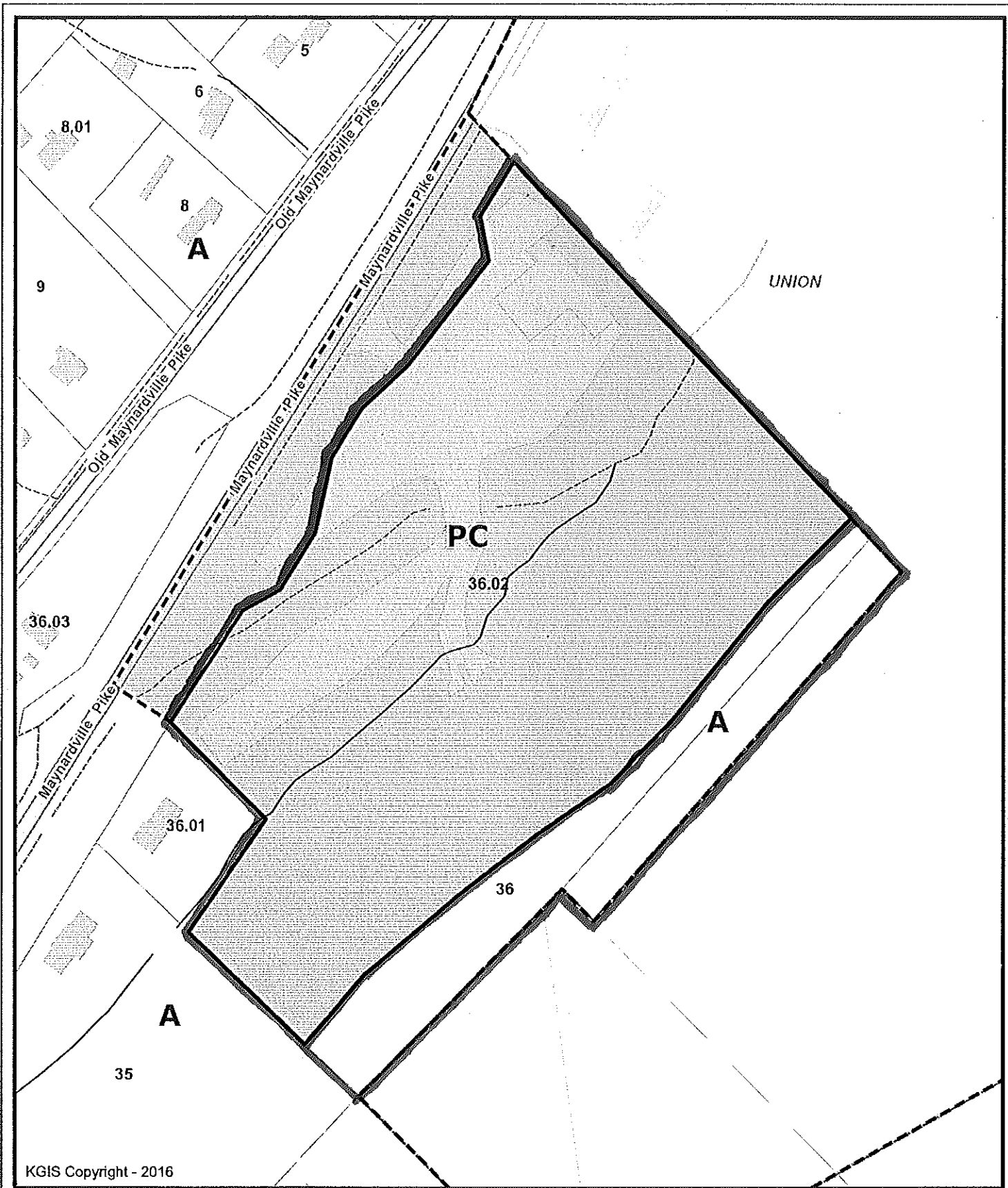
Company: ROBERT G. CAMPBELL & ASSOC.

Address: 7523 TAGGART LN

City: KNOXVILLE State: TN Zip: 37938

Telephone: 865-947-5996

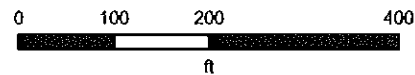
E-mail: GTUCKER@RGC-A.COM



Letter Portrait

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Knoxville - Knox County - KUB Geographic Information System



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