



# USE ON REVIEW REPORT

▶ **FILE #:** 3-A-19-UR

**AGENDA ITEM #:** 35

**AGENDA DATE:** 3/14/2019

▶ **APPLICANT:** MARK BIALIK / GBS ENGINEERING

OWNER(S): Tom Glenn / Elder's Hardware

TAX ID NUMBER: 104 C B 049 104-082.06

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 10009 Hardin Valley Rd

▶ **LOCATION:** North side of Hardin Valley Rd., East of Westcott Blvd.

▶ **APPX. SIZE OF TRACT:** 3.48 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Hardin Valley Rd., a minor arterial street with 4 lanes and a center median/turn-lane within 200' of right of way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **ZONING:** PC (Planned Commercial)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Parking lot and garden center expansion for previously approved home improvement store (12-H-17-UR)

HISTORY OF ZONING: Property was rezoned from PR to PC in February 2019 (1-H-19-RZ)

SURROUNDING LAND USE AND ZONING: North: Beaver Creek & detached housing / F (Floodway) & PR (Planned Residential)

South: Hardin Valley Rd. & attached residential / PR (Planned Residential)

East: Vacant land & Beaver Creek / PR (Planned Residential) & F (Floodway)

West: Veterinary clinic, Beaver Creek & Westbridge Business Park / F (Floodway) & I (Industrial)

NEIGHBORHOOD CONTEXT: This area is developed primarily with residential uses under A and PR zoning. The subject property is zoned PC (Planned Commercial) and has an existing veterinary clinic. There is I (Industrial) zoning to the northwest. Beaver Creek forms the northern boundary of the site.

## STAFF RECOMMENDATION:

▶ **APPROVE the Development Plan for a retail hardware store of approximately 18,834 square feet and outdoor garden center of approximately 15,500 square feet, subject to 8 conditions.**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.

2. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
3. Installation of the internal and external sidewalks as shown on the development plan, or as otherwise approved by the Knox County Department of Engineering and Public Works.
4. Installation of the driveway accesses as shown on the development plan, or as otherwise approved by the Knox County Department of Engineering and Public Works.
5. Installation of landscaping as shown on the development plan within six months of the issuance of an occupancy permit for this project.
6. Establishing a 30' the greenway easement as shown on the development plan on parcel 104-082.06 and extended across parcel 104CB049, with the location of the easement to be coordinated with the Knox County Parks and Recreation Department and Planning Commission staff. The greenway easement is to be established when a Final Plat is submitted to the Planning Commission for approval for this site.
7. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
8. Meeting all applicable requirements of Knox County sign regulations (Article 3, Section 3.90) subject to approval by Knox County Codes Administration and Planning Commission staff.

With the conditions noted above, this request meets the requirements for approval in the PC (Planned Commercial) zoning districts, as well as other criteria for approval of a use on review.

**COMMENTS:**

This proposal expands the previously approved hardware store, garden center and parking lot. The building is being expanded 1,834 square feet (sqft), from 17,000 sqft to 18,834 sqft. The garden center is being expanded approximately 5,500 sqft, from 10,000 sqft to 15,500 sqft. The parking lot is being expanded by 33 spaces, from 78 to 111 parking spaces. The garden center and parking lot expansion is on the east side of the building and is possible because of the purchase and rezoning of the parcel 104CB049. The building expansion is to the rear and west sides proposed building.

The access to the hardware store will remain unchanged from the previous approval (12-H-17-UR), with two driveways accessing Hardin Valley Rd. The western driveway is located at an existing median cut and has full access. The eastern driveway is right-in/right-out only. On the western end of the parking lot there is a driveway stubout that will allow the neighboring veterinary clinic to connect. A 7' wide sidewalk will be installed along the Hardin Valley Rd. frontage and a sidewalk will come into the site along the eastern driveway. The eastern end of the new sidewalk will connect to the existing sidewalk that extends from the Ball Camp Byington Rd. intersection, which is continuous all the way to the Cedar Bluff Rd. intersection. On the north side of the property a greenway easement is provided along the creek to allow for future construction of the proposed greenway by Knox County.

**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 proposed shopping center is compatible with the scale and intensity of the surrounding development and zoning pattern.

**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 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 additional traffic through residential areas since the development is located off of 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 PLANNING COMMISSION PLANS**

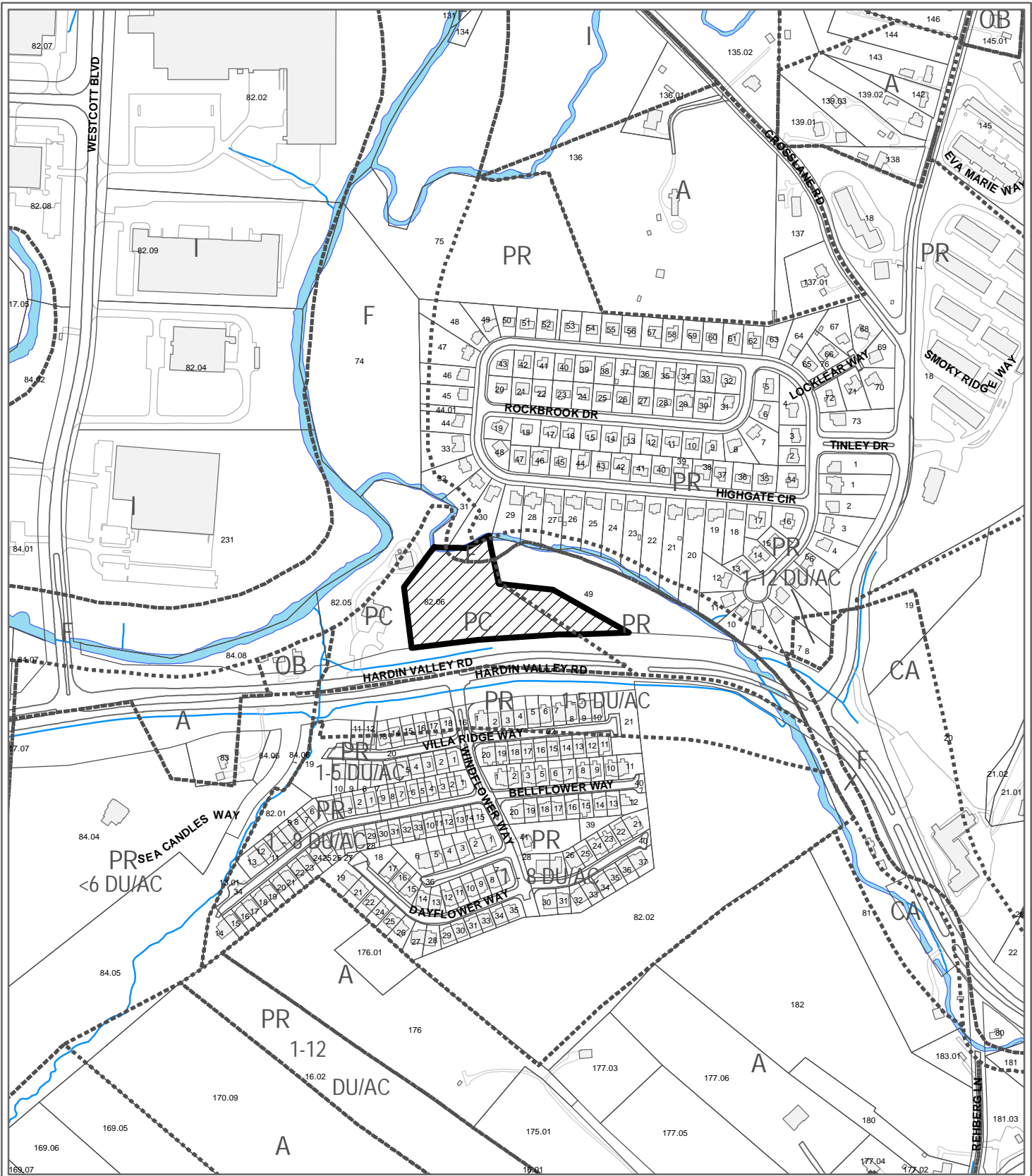
1. The Northwest County Sector Plan proposes commercial uses for this site. The proposed retail store is in conformity with the Sector Plan designation.

2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: A traffic impact study was prepared by the applicant. The findings of that study were used in formulating the recommendations of this staff report.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission'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 a Planning Commission decision in the County.



**3-A-19-UR  
USE ON REVIEW**



Parking lot expansion in PC (Planned Commercial) - pending

Original Print Date: 2/19/2019  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Revised:

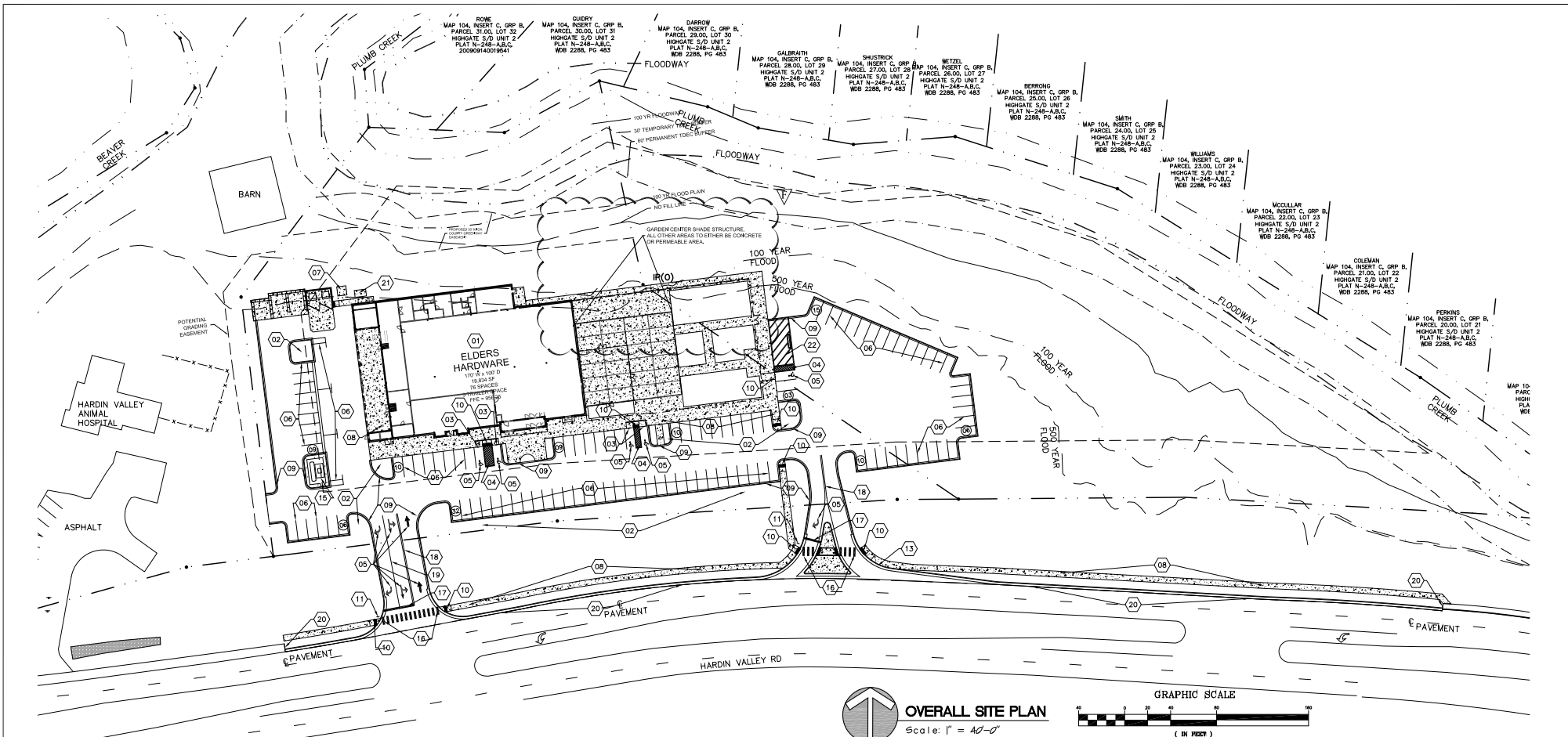
Petitioner: Bialik / GBS Engineering, Mark

Map No: 104

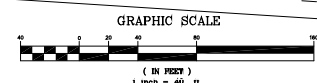
Jurisdiction: County







**OVERALL SITE PLAN**  
Scale: 1" = 40'-0"



3-A-19-UR  
Revised: 2/25/2019

**CONSTRUCTION NOTES**

- 01 NEW BUILDING (SEE ARCHITECTURAL DRAWINGS), INSTALLED BY CONTRACTOR.
- 02 LANDSCAPE AREA INSTALLED BY CONTRACTOR.
- 03 "HANDICAP PARKING" SIGNS, MOUNTED ON A POLE, FURNISHED AND INSTALLED BY CONTRACTOR.
- 04 TRAFFIC STRIPING 4" WIDE PAINTED (WHITE) PARALLEL STRIPES AT 16" O.C., FURNISHED AND INSTALLED BY CONTRACTOR.
- 05 PAVEMENT SYMBOL AND LETTERING PER D.O.T. SPECIFICATIONS (TYP), FURNISHED AND INSTALLED BY CONTRACTOR.
- 06 TRAFFIC STRIPING 4" WIDE PAINTED (WHITE) PER PARKING SPACE, FURNISHED AND INSTALLED BY CONTRACTOR.
- 07 7'-0" X 7'-4" X 6" REINFORCED CONCRETE PAD FOR ELECTRICAL TRANSFORMER INSTALLED BY CONTRACTOR.
- 08 4" REINFORCED CONCRETE SIDEWALK. REFER TO TDOT STANDARD DRAWINGS RP-5-F FOR MORE DETAIL, INSTALLED BY CONTRACTOR.
- 09 CONCRETE CURB AND GUTTER, SEE SECTIONS AND DETAILS FOR SPECIFICATIONS, INSTALLED BY CONTRACTOR.
- 10 HANDICAP RAMP, PER DETAILS, FURNISHED AND INSTALLED BY CONTRACTOR.
- 11 NEW STOP SIGN, PER KNOX COUNTY REQUIREMENTS, FURNISHED AND INSTALLED BY CONTRACTOR.
- 12 CONTRACTOR TO PROVIDE AND INSTALL LIGHT POLE BASE, LIGHT POLE AND ASSOCIATED CONDUIT AND CONDUCTORS, SEE DRAWINGS C10 AND C11 FOR DETAILS.
- 13 TDOT CONCRETE 6-30 CURBS & GUTTER, SEE SECTIONS AND DETAILS FOR SPECIFICATIONS, INSTALLED BY CONTRACTOR.
- 14 NEW 6" CHAINLINK FENCE, SEE SECTIONS AND DETAILS FOR SPECIFICATIONS, INSTALLED BY CONTRACTOR.
- 15 PROPANE TANK AND DISTRIBUTION FACILITY, INSTALLED BY CONTRACTOR.
- 16 2" WIDE THERMAL PLASTIC STRIPES 4" ON CENTER, CONTRACTOR TO PROVIDE AND INSTALL.
- 17 2" WIDE WHITE THERMAL PLASTIC STRIPE FOR STOP BAR, CONTRACTOR TO PROVIDE AND INSTALL.
- 18 DOUBLE SOLID 4" YELLOW PAINTED STRIPE, CONTRACTOR TO PROVIDE AND INSTALL.
- 19 4" SOLID PAINTED WHITE STRIPE, CONTRACTOR TO PROVIDE AND INSTALL.
- 20 CONTRACTOR SHALL SAWCUT EXISTING PAVEMENT ALONG THE WHITE LINE FOR THE INSTALLATION OF NEW PAVEMENT, GUTTER PAN AND CURB.
- 21 GENERATOR PAD, SEE ELECTRICAL DRAWINGS AND DETAILS FOR SPECIFICATIONS, INSTALLED BY CONTRACTOR.
- 22 12" WIDE WHITE PAINTED STRIPES 4" ON CENTER, CONTRACTOR TO PROVIDE AND INSTALL.

**SITE INFORMATION**

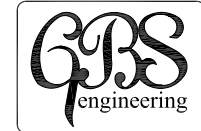
PARKINGS	REQUIRED	PROVIDED
AUTO PARKING	08	111
HANDICAP PARKING	04	05

SITE AND BUILDING ACCESSIBILITY PER ANSI A117.1  
SITE ACREAGE IS 7.00 ACRES  
ZONING  
EXISTING ZONING IS PC  
FACILITY SIZE  
BUILDING SQUARE FOOTAGE 18,834 S.F.  
NUMBER OF STORES 1  
BUILDING HEIGHT (TO TOP OF PARAPET) XXX"

**PARKING CALCULATIONS:**  
KNOX COUNTY REQUIRES 1 SPACE PER 250 SF OF RETAIL FLOOR SPACE  
18,834 SF/250SF = 75 SPACES REQUIRED  
111 SPACES PROVIDED

HANDICAP SPACES REQUIRED FOR 111 SPACES = 5 REQUIRED  
HANDICAP SPACES PROVIDED = 5 SPACES

IMPERVIOUS AREA RATIO  
100,186.11 / 307,633.52 = 0.3257 OR 32.57 PERCENT



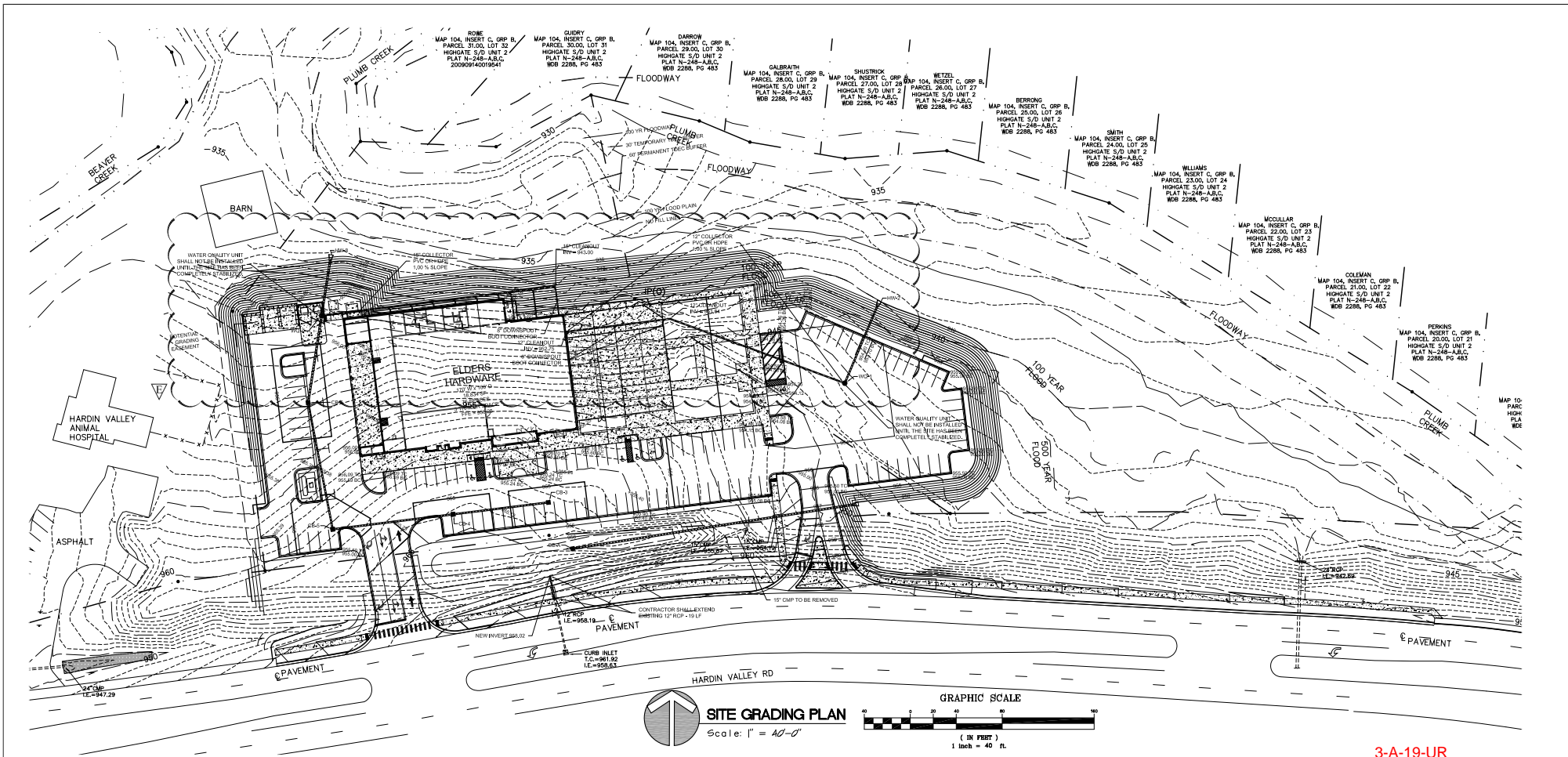
1313 Kalmia Road  
Knoxville, TN 37909  
Phn: 865.566.0185  
Fax: 888.485.7005



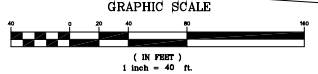
REV	DESCRIPTION	BY	DATE
A	Revised per Knox County Comments	THF	01/22/2018
B	Revised per Knox County Comments	THF	01/31/2018
C	Revised per Owners Request	THF	01/02/2019
E	Revised per Knox County Comments	THF	01/17/2019
F	Revised per Knox County Comments	THF	02/21/2019

TITLE: OVERALL SITE PLAN	DRAWN BY: -	SHEET NO:
LOCATION: 10009 Hardin Valley Road Knoxville, TN CLT Map 104, Parcel No. 82	CHECKED BY: -	C3.0
Owner: Elders Hardware	FILE NAME: 2144-C3.0	
	JOB NUMBER 2144 ISSUE DATE: 12/18/2017	





**SITE GRADING PLAN**  
Scale: 1" = 40'-0"



**STRIPPING AND COMPACTION SCHEDULE**  
Topsoil stripping depth 2"-3" average. Deeper if required locally.

Required compaction percentages (% max dry density)  
Standard Proctor Method - ASTM Test # D-498  
Building Area: 98 % Parking Area: 85 %

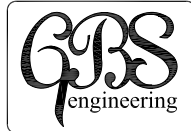
**TESTING:**  
Allow 1 compaction test per ea. 2500 S.F. (Max 50' x 50' area) per lift at building areas.  
Allow 1 compaction test per each 10,000 S.F. of cut or natural grade at building area.  
Allow 1 compaction test per ea. 5500 S.F. (Max 75' x 75' area) per lift at parking area.  
Allow 1 compaction test per each 40,000 S.F. of cut or natural grade at parking area.

Maximum loose lift thickness shall be 8", unless noted otherwise.

- SITE GRADING, DRAINAGE & EROSION CONTROL DETAIL REFERENCE LEGEND**
- HW HEADWALL
  - BO BASIN OULET STRUCTURE
  - CI CURB INLET
  - CB CATCH BASIN
  - RCF REINFORCED CONCRETE PIPE CLASS III
  - SRMP SPECIAL RIBBED METAL PIPE ALUMINIZED
  - TC TOP OF CURB
  - BC BOTTOM OF CURB
  - BW BOTTOM OF WALL
  - TW TOP OF WALL
  - EP ELEVATION OF PAVEMENT
  - TP TOP OF PAVEMENT

NOTE:  
SEE SHEET C4.1 FOR STORM SCHEDULE AND GRADING NOTES

**3-A-19-UR**  
Revised: 2/25/2019



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Phn: 865.566.0185  
Fax: 888.485.7005



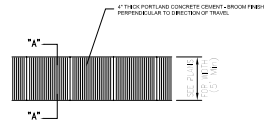
REV	DESCRIPTION	BY	DATE
A	Revised per Knox County Comments	MAB	01/22/2018
B	Revised per Knox County Comments	MAB	01/31/2018
C	Revised per Owner's Request	MAB	01/02/2019
E	Revised per Knox County Comments	MAB	01/17/2019
-			

TITLE: SITE GRADING PLAN	DRAWN BY: -	SHEET NO:
LOCATION: 10009 Hardin Valley Road Knoxville, TN CLT Map 104, Parcel No. 82	CHECKED BY: -	C4.0
Owner: Elders Hardware	FILE NAME: 2144 - C4.0	
	JOB NUMBER: 2144 ISSUE DATE: 12/18/2017	

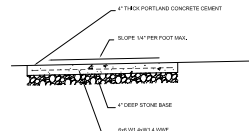






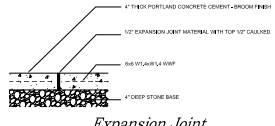
REFER TO CONCRETE SIDEWALK JOINT DETAIL FOR EXPANSION AND CONTRACTION JOINTS

**Sidewalk Plan**

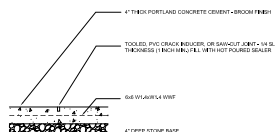


**Sidewalk Section A-A**

**01** CONCRETE SIDEWALK DETAILS  
NTS



**Expansion Joint**

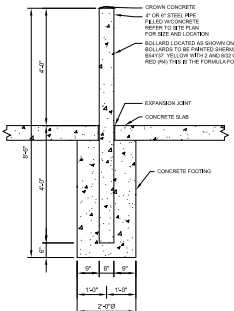


**Contraction Joint**

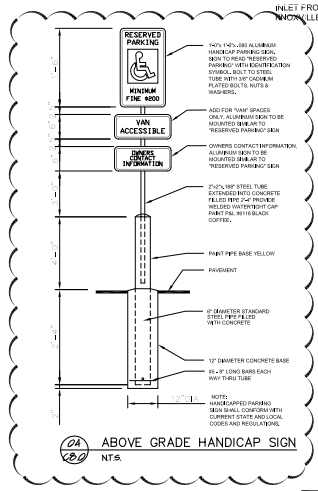
\* PROVIDE CONTRACTION JOINTS IN SUBGRADE AT 8' ON CENTER SPACED AT 4' ON CENTER AND IN PAVEMENT TO BE AN EXPANSION JOINT.

\* JOINTS SHALL BE LOCATED AT THE MIDSPAN OF FORMWORK. CONTRACTOR ELECTS TO SAWCUT JOINT.

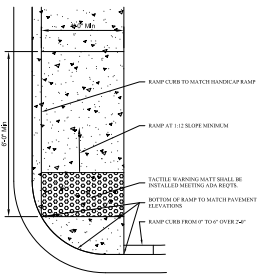
**01** CONCRETE SIDEWALK JOINT DETAILS  
NTS



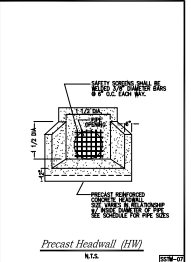
**02** PIPE BOLLARD DETAIL  
NTS



**04** ABOVE GRADE HANDICAP SIGN  
NTS



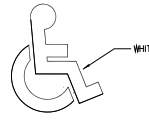
**05** HANDICAP RAMP DETAIL  
NTS



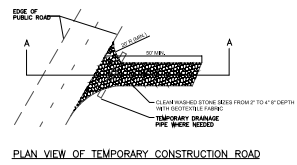
**Precast Headwall (HW)**  
N.T.S.



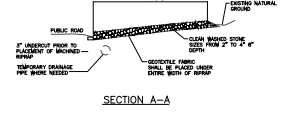
**06** STOP SIGN DETAIL  
NTS



**07** HANDICAP SYMBOL  
NTS

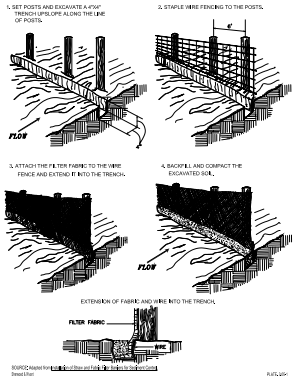


**PLAN VIEW OF TEMPORARY CONSTRUCTION ROAD**

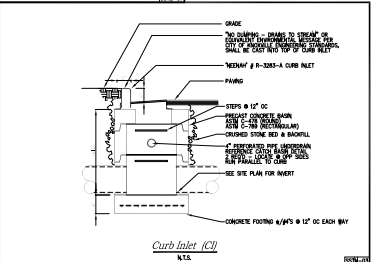


**08** CONSTRUCTION EXIT  
NTS

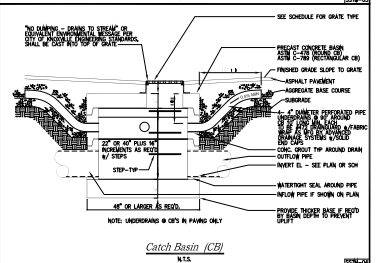
**CONSTRUCTION OF A SILT FENCE (WITH WIRE SUPPORT)**



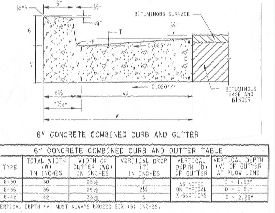
**09** SILT FENCE WITH WIRE SUPPORT  
NTS



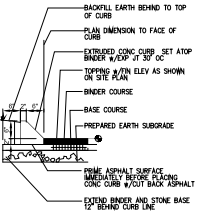
**Curb Inlet (CI)**  
N.T.S.



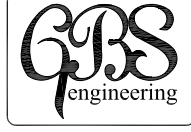
**Catch Basin (CB)**  
N.T.S.



**10** T-DOT 6-30 CURB AND GUTTER  
NTS



**11** EXTRUDED CURB  
NTS



1313 Kalmia Road  
Knoxville, TN 37909  
Phn: 865.566.0185  
Fax: 888.485.7005



REV	DESCRIPTION	BY	DATE
C	Revised per Owners Request	THF	01/02/2019
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-

TITLE: SITE DETAILS	DRAWN BY: -	SHEET NO:
LOCATION: 10017 Hardin Valley Road Knoxville, TN CLT MAP 104, Parcel No. 82	CHECKED BY: -	<b>C8.0</b>
Owner: Elders Hardware	FILE NAME: 2144-C8.0	
	JOB NUMBER 2144	
	ISSUE DATE: 12/18/2017	

NOTE:  
INLET PROTECTION TO BE SILT SACK SEDIMENT CONTROL BY ACF ENVIRONMENT AND AS DETAILED IN CITY OF KNOXVILLE BMP MANUAL "ES-24-07". CONTRACTOR TO PROVIDE AND INSTALL.



Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
865 • 215 • 2500  
FAX • 215 • 2068  
www.knoxmpc.org

**Use on Review**     **Development Plan**

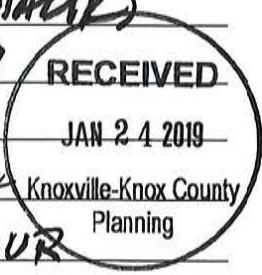
Name of Applicant: GPS ENGINEERING (MARK BIALIK)

Date Filed: 1/24/2019    Meeting Date: 3/14/2019

Application Accepted by: M. Payne

Fee Amount: 74    File Number: Development Plan 74

Fee Amount: 1500<sup>00</sup>/<sub>72</sub>    File Number: Use on Review 3-A-19-UR



**PROPERTY INFORMATION**

Address: 10009 HARDIN VALLEY RD  
General Location: N SIDE HARDIN VALLEY RD & EAST OF WENTCOTT BLVD  
Tract Size: 3.48 AC    No. of Units: 1  
Zoning District: PC (Pending)  
Existing Land Use: VACANT

Planning Sector: Northwest County  
Sector Plan Proposed Land Use Classification: GC

Growth Policy Plan Designation: Franklin Green  
Census Tract: 59.08  
Traffic Zone: 214  
Parcel ID Number(s): 10408204 & 10408209  
Jurisdiction:  City Council \_\_\_\_\_ District  
 County Commission 174 District

**PROPERTY OWNER/OPTION HOLDER**

PLEASE PRINT  
Name: Tom Glenn  
Company: ELDER'S HARDWARE  
Address: 4921 Hwy 58  
City: CANTONMENT TN State: TN Zip: 37414  
Telephone: 423-899-4306  
Fax: \_\_\_\_\_  
E-mail: tglen@eldershardware.com

**APPLICATION CORRESPONDENCE**

All correspondence relating to this application should be sent to:

PLEASE PRINT  
Name: Mark A. Bialik  
Company: GPS ENGINEERING  
Address: 1313 KALMIA ROAD  
City: KNOXVILLE State: TN Zip: 37909  
Telephone: 605-566-0185  
Fax: 605-485-7005  
E-mail: mark@gps-eng.net

**APPROVAL REQUESTED**

- Development Plan: \_\_\_ Residential \_\_\_ Non-Residential
- Home Occupation (Specify Occupation)

Other (Be Specific)  
To extend parking for 10009 Hardin Valley Rd

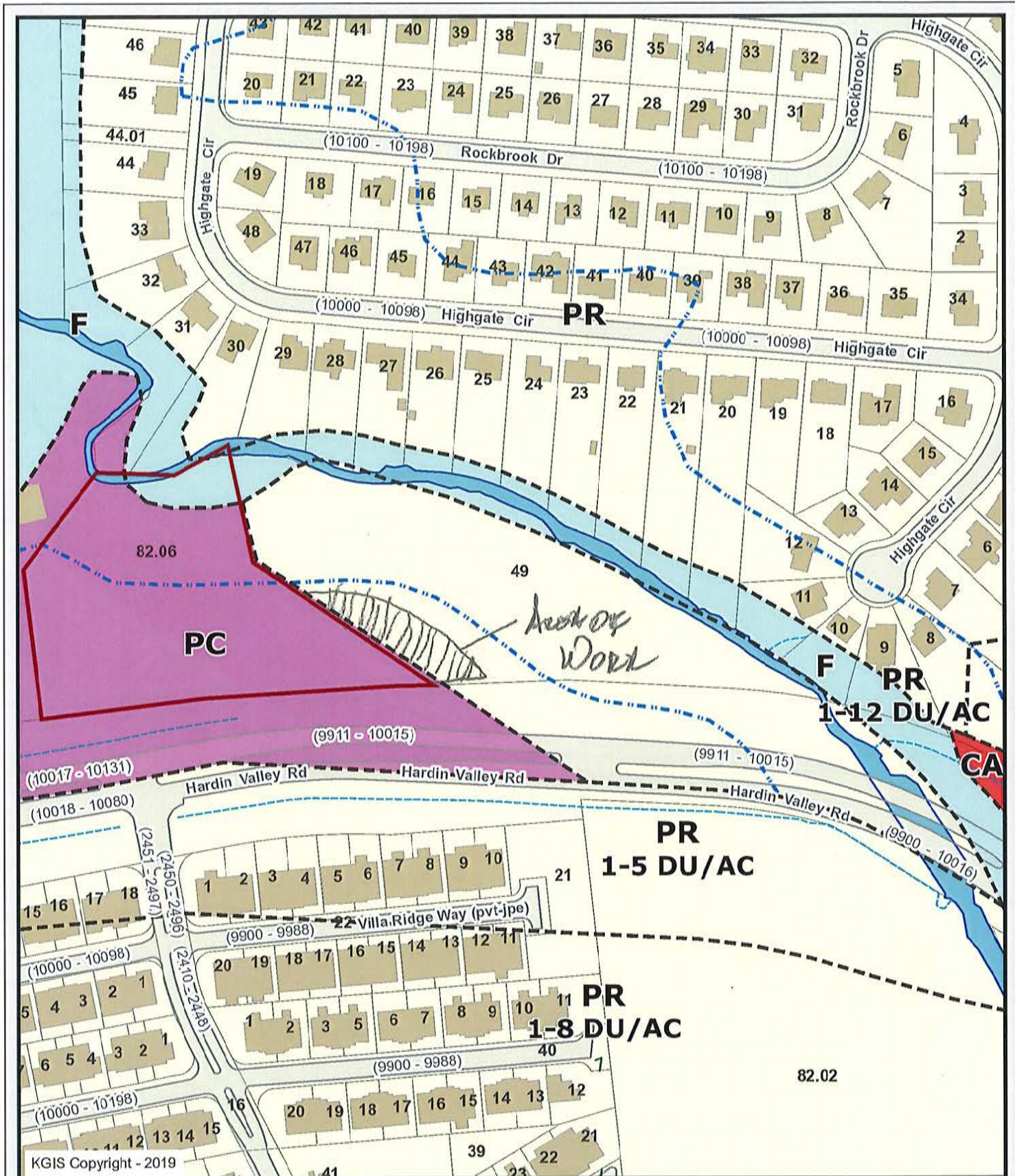
**APPLICATION AUTHORIZATION**

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: Mark A. Bialik  
PLEASE PRINT  
Name: MARK A. BIALIK  
Company: GPS ENGINEERING  
Address: 1313 KALMIA ROAD  
City: KNOXVILLE State: TN Zip: 37909  
Telephone: 566-0185  
E-mail: mark@gps-eng.net







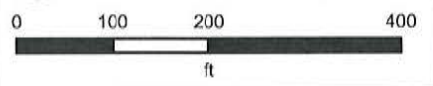
*Area of Work*

Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



Printed: 1/24/2019 at 1:54:57 PM



KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.



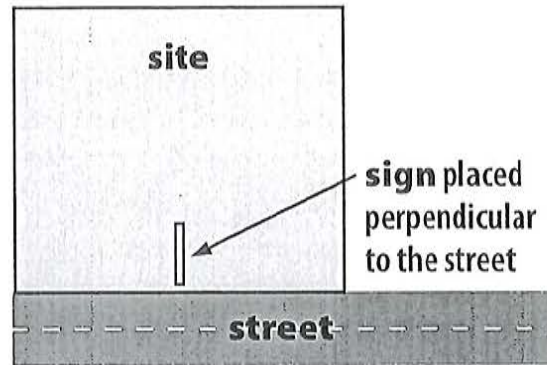
## REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

### LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



### TIMING

The sign(s) must be posted 15 days before the scheduled MPC public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

Feb 27th

and

March 15th

(15 days before the MPC meeting)

(the day after the MPC meeting)

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Date: \_\_\_\_\_

MPC File Number: \_\_\_\_\_