# **CASE SUMMARY**

APPLICATION TYPE: USE ON REVIEW

File Number: 10-C-10-UR Related File Number:

**Application Filed:** 8/30/2010 Date of Revision:

Applicant: JOHN S. DRUMMER



Knoxville, Tennessee 37902 8 6 5 • 2 1 5 • 2 5 0 0 F A X • 2 1 5 • 2 0 6 8 www•knoxmpc•org

#### PROPERTY INFORMATION

General Location: North side of Western Avenue, west of Palmetto Road

Other Parcel Info.:

Tax ID Number: 79 M A 034.02 & 034.04 Jurisdiction: Citv

Size of Tract: 4.05 acres

Accessibility: Access is via Western Av., an arterial street with a pavement width of 22' within a 110' wide right-of-way

#### GENERAL LAND USE INFORMATION

**Existing Land Use:** Shopping center

**Surrounding Land Use:** 

**Proposed Use: Fueling Center** Density:

Sector Plan: **Sector Plan Designation:** C (Sector Plan), GC (One Year Plan) Northwest City

Urban Growth Area (Inside City Limits) **Growth Policy Plan:** 

**Neighborhood Context:** This site is located in the Cumberland Estates Shopping Center. Other development in the area

consists of general commercial uses along Western Av.. The commercial area is generally bounded by low density residential development. Zoning in the area consists of SC-1, C-3, C-4 & C-6 commercial.

Residential zoning in the area consists of R-1and RP-1 residential with some A-1 agricultural.

#### ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

5753 Western Ave Street:

Location:

**Proposed Street Name:** 

**Department-Utility Report:** 

Reason:

# ZONING INFORMATION (where applicable)

**Current Zoning:** SC-1 (Neighborhood Shopping Center)

Former Zoning:

Requested Zoning:

**Previous Requests:** 

**Extension of Zone:** 

None noted **History of Zoning:** 

#### PLAN INFORMATION (where applicable)

**Current Plan Category:** 

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### SUBDIVISION INFORMATION (where applicable)

**Subdivision Name:** 

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

## OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

#### MPC ACTION AND DISPOSITION

Planner In Charge: Dan Kelly

Staff Recomm. (Abbr.): APPROVE the request for a fueling station as shown on the site plan subject to 4 conditions

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Dept.

- 2. Installing all internal traffic control measures as shown on the site plan prior to issuance of an occupancy permit for the fueling center
- 3. Meeting all applicable requirements of the City of Knoxville Dept. of Engineering
- 4. A revised site plan reflecting the conditions of approval must be submitted to MPC staff for certification prior to issuance of a building permit

Comments:

The applicant is proposing to construct a gas fueling station as a part of the existing Cumberland Estates shopping center development that includes the Food City store. The fueling station will include a kiosk to house the station attendant. Access to the fueling center will be from the driveway access points for the shopping center. The project as designed will not be impacted by the improvements designed for Western Av. The proposed development includes improvements to the existing internal circulation of the shopping center around this proposed use. The Traffic Impact Study that was prepared for the fuel center concluded that there should be adequate capacity on Western Av. to handle the traffic generated by the fuel center. The proposed sign package is consistent with the approved signage for the shopping center, and signage on the fueling center canopy and kiosk.

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

- 1. The proposed fueling center will have minimal impact on local services since all utilities are available to serve this site.
- 2. The Traffic Impact Study concludes that there is adequate capacity on Western Av. to handle the traffic generated by the fuel center.
- 3. Proposed improvements to the existing internal traffic control system will improve circulation throughout the center.

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

- 1. With the recommended conditions, the proposed fueling center meets the standards for development within the SC-1 zoning district and all other requirements of the Zoning Ordinance..
- 2. The proposed fueling center 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 area 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.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Northwest City Sector Plan and Knoxville One Year Plan identifies this property for commercial use.

Action: Approved Meeting Date: 10/14/2010

**Details of Action:**1. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Dept.

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- 2. Installing all internal traffic control measures as shown on the site plan prior to issuance of an occupancy permit for the fueling center
- 3. Meeting all applicable requirements of the City of Knoxville Dept. of Engineering
- 4. A revised site plan reflecting the conditions of approval must be submitted to MPC staff for certification prior to issuance of a building permit

Summary of Action: APPROVE the request for a fueling station as shown on the site plan subject to 4 conditions

Date of Approval: 10/14/2010 Date of Denial: Postponements:

Date of Withdrawal: Withdrawn prior to publication?: ☐ Action Appealed?:

# LEGISLATIVE ACTION AND DISPOSITION

LEGISLATIVE ACTION AND DIST CONTON	
Legislative Body:	
Date of Legislative Action:	Date of Legislative Action, Second Reading:
Ordinance Number:	Other Ordinance Number References:
Disposition of Case:	Disposition of Case, Second Reading:
If "Other":	If "Other":
Amendments:	Amendments:
Date of Legislative Appeal:	Effective Date of Ordinance:

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