

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

KNOXVILLE-KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N

T E N N E S S E E

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www.knoxmpc.org

File Number: 11-E-16-UR

Related File Number:

Application Filed: 10/4/2016

Date of Revision:

Applicant: JAMES PHILLIPS

PROPERTY INFORMATION

General Location: East side N Gallaher View Rd, east of Walker Springs Rd.

Other Parcel Info.:

Tax ID Number: 119 D D 006.01

Jurisdiction: City

Size of Tract: 0.803 acres

Accessibility: Access is via N. Gallaher View Rd., a minor arterial street with 4 lanes and a center turn lane on 60' of pavement width within 90' of right-of-way. Cavet Station Greenway runs along the eastern lot boundary and is near a KAT transfer point located at the Walmart Supercenter.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land

Surrounding Land Use:

Proposed Use: Coffee shop

Density:

Sector Plan: Northwest County **Sector Plan Designation:** General Commercial

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

Neighborhood Context: This section of N. Gallaher View Rd. is developed primarily with low to medium density residential uses under R-2, RP-1, R-1A and RB zoning. Additional commercial development is located to the south of Walker Springs Rd. and to the north at the Middlebrook Pike intersection.

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

Street: 660 N Gallaher View Rd

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-3(k) (General Commercial)

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning: In August 2016 the property was conditionally rezoned C-3, requiring use-on-review approval by the planning commission.

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

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: Mike Reynolds

Staff Recomm. (Abbr.): APPROVE the request for a drive-thru coffee shop containing approximately 1900 square feet of floor area as shown on the development plan, subject to 9 conditions.

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
3. Meeting all applicable requirements of the Knoxville Department of Engineering.
4. Installation of landscaping as shown on the site plan within six months of the issuance of an occupancy permit for this project.
5. Obtaining approval from the Knoxville Department of Engineering and Urban Forester for any clearing of vegetation within the right-of-way for necessary sight distance, including maintaining the cleared vegetation as required by Knoxville's Department of Engineering and Urban Forester.
6. Installation of a minimum of 2 bike racks located no further away from a customer building entrance than the closest vehicle parking stall, subject to approval by Knoxville's Alternative Transportation Coordinator.
7. Providing high visibility crosswalk striping and signage within the drive thru for the pedestrian crossing.
8. Proposed signage is subject to approval by the Planning Commission staff and Knoxville's Sign Enforcement Officer.
9. Providing a traffic impact study, if required by the Knoxville Department of Engineering during site development permit review, and installing improvements recommended by the traffic impact study if required by the Department of Engineering.

With the conditions noted, this plan meets the requirements for approval within an C-3 (General Commercial) district and the criteria for approval of a use on review.

Comments: The proposed coffee shop is immediately across Gallaher View Rd. from the northern intersection of Walker Springs Rd. The placement of the driveway on the non-contiguous leg of a T-intersection has been granted a variance by the Board of Zoning Appeals. The adjacent driveway to the north is for the apartment complex to the northeast and the owner of that development did not grant access to their driveway.

The proposed driveway location does present sight visibility challenges looking south. The sight visibility triangle may have existing trees and underbrush within the line of sight. This area south of the subject property where vegetation may need to be cleared is within City right-of-way and the majority of the vegetation within visibility triangle is already being cut and maintained by the City, however, the City does not want to be responsible for maintaining any additional vegetation clearing for business. If tall vegetation does need to be removed and the clearance maintained, the applicant will need to enter into an agreement with the City to allow this.

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

1. The proposal will place minimal additional demand on streets or utilities.
2. The proposed development is compatible with the scale and intensity of the surrounding development.
3. A traffic impact study may be required because coffee shops have high traffic volumes during peak travel times, especially in the mornings. City Engineering will evaluate whether a traffic study is required in this particular case during permitting.

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

1. This proposed development 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 proposal is consistent with the Knoxville One Year Plan and the Northwest County Sector Plan (2016) which proposes general commercial uses and stream protection for this site.

Action: Approved **Meeting Date:** 11/10/2016

- Details of Action:**
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Summary of Action: APPROVE the request for a drive-thru coffee shop containing approximately 1900 square feet of floor area as shown on the development plan, subject to 9 conditions.

Date of Approval: 11/10/2016 **Date of Denial:** **Postponements:**

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

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:**