

CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



File Number: 3-A-21-SU **Related File Number:**
Application Filed: 1/21/2021 **Date of Revision:**
Applicant: KNOX NUTRITION, LLC

PROPERTY INFORMATION

General Location: Southwest side of N. Broadway & Cedar Ln. intersection, northwest of Gibbs Dr.
Other Parcel Info.:
Tax ID Number: 58 K C 00301 **Jurisdiction:** City
Size of Tract: 0.5 acres
Accessibility: Access is via N. Broadway, a five lane arterial street with a pavement width of 80' within a 95' wide right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: OF (Office)
Surrounding Land Use:
Proposed Use: Drive-through facility for restaurant **Density:**
Sector Plan: North City **Sector Plan Designation:** MU-SD (Mixed Use Special District) NC-6
Growth Policy Plan: N/A
Neighborhood Context: This site is centrally located in the Fountain City / N. Broadway commercial corridor and is a former bank. The area is developed with commercial, office, park, and residential uses in the C-G-2, C-N, O, OS and RN-1 zones.

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

Street: 5221 N. Broadway
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-G-2 (General Commercial)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: The property was zoned C-3 (General Commercial) before the new zoning ordinance was adopted.

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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Mike Reynolds

Staff Recomm. (Abbr.):

APPROVE the request for a drive-through restaurant with approximately 1,175 square feet of floor area, subject to 9 conditions.

Staff Recomm. (Full):

1. Meeting the requirements of principal use standards for drive-through facilities (Article 9.3.F) of the City of Knoxville Zoning Ordinance.
2. Meeting the requirements of Article 13 (Signs) of the City of Knoxville Zoning Ordinance, including but not limited to the business signs and the menu boards for the vehicle drive-through facility.
3. Meeting the design standards for the C-G-2 (General Commercial) zone (Article 5.4).
4. Installation of landscaping in accordance with the requirements of Article 12 (Landscaping) of the City of Knoxville Zoning Ordinance and as otherwise required by the City of Knoxville Urban Forester.
5. Verifying that the provided parking meets both the minimum and maximum requirements for the combined uses on the site and provide the required bicycle parking in accordance with Article 11 (Off-street parking) of the City of Knoxville Zoning Ordinance.
6. When the use in the vacant retail/commercial space is determined, if the combined daily vehicle trips for the site are more than 750, a transportation impact study may be required by the City of Knoxville Department of Engineering for review and approval. Any recommended improvements from the study may be required to be implemented by the City of Knoxville Department of Engineering and/or the Tennessee Department of Transportation if the improvements are within the N. Broadway right-of-way.
7. Meeting all applicable requirements of the Knoxville Department of Engineering.
8. Meeting all applicable requirements of the Tennessee Department of Transportation.
9. Meeting all other applicable requirements of the City of Knoxville Zoning Ordinance.

With conditions noted above, this request meets the requirements of C-G-2 zone, the principal use standards for drive-through facilities, and the other criteria for approval of a special use.

Comments:

This proposal is to convert an existing bank building into a restaurant (Smoothie King) with a drive-through. The restaurant will occupy approximately half of the building, 1,175 sqft, and the remaining will be available for an office or commercial use. If the combined uses located in the building generation more than 750 trips per day, a transportation impact study may be required by City Engineering at the time those uses are identified.

The drive-through facility is located in the same place as the bank drive-through lanes and window. The bank canopy over the drive-through window will be removed and the exterior of the building will be modified to look similar to the attached image of a Smoothie King. The restaurant menu board and ordering box will be located on the rear of the building.

STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2.)

1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.

- A. The One Year Plan and North City Sector Plan designation for this site are MU-NC6 which recommends stream protection area, medium density residential, office, and/or commercial uses.
- B. The property is located entirely within the SP (Stream Protection) area on the One Year Plan and sector plan. If improvements to the building exceed 50% of the existing building value then the building must be elevated or floodproofed. If the improvements exceed 50% of building and property value then riparian buffer zone mitigation, new sidewalk along N. Broadway, and the parking lot must come into compliance with the parking lot design standards.
- C. The proposed restaurant and drive-through facility are consistent with the adopted plans but the building and property may require additional modifications if the building improvements exceed 50% of

the current value. This will be determined during permitting.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.

A. The C-G (General Commercial Zoning District) is intended to provide for a heterogeneous mix of retail, personal service, office, and residential uses within and along Knoxville's commercial nodes and corridors. The C-G District is intended to promote mixed-use development in a pedestrian-oriented environment that recalls the City's traditional business districts, and offers flexibility in the creation of integrated commercial, office and residential spaces. The C-G District is divided into three levels of intensity related to the overall form and design of the development; however, uses are the same across all levels. This zone is intended primarily for indoor commercial uses with limited exceptions per special use approval.

B. A drive-through facility is typically not considered a pedestrian-oriented use. This property is located in an area surrounded by heavily traveled roads and the existing building has a drive-through facility. If the property is redeveloped and a new building constructed, the building will be required to be located within 20 feet of the front property line and will promote a pedestrian-oriented environment.

C. The existing drive-through facility and the proposed modifications meet the principal use standards for drive-through facilities (Article 9.3.F).

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. The massing of the structure will not change but it is already smaller in scale than the structures to the south and north.

B. There is no consistent architectural character on the west side of N. Broadway, other than most of the buildings in this block do have a full or partial brick exterior. The building does have a brick exterior but the design of the structure with its faux mansard roof is not characteristic of this area or the region.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.

A. The proposed is adjacent to other office and commercial uses that have drive-through facilities and/or heavy traffic generators.

5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

A. Additional traffic will not be drawn through residential streets because the property has direct access to a major arterial street.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed uses within the development.

B. The property is within the 100-year floodplain so there is an increased risk of property damage due to flooding.

Action: Approved

Meeting Date: 3/11/2021

Details of Action:

Summary of Action: APPROVE the request for a drive-through restaurant with approximately 1,175 square feet of floor area, subject to 9 conditions.

Date of Approval: 3/11/2021

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: