

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 4-F-19-UR
Application Filed: 2/25/2019
Applicant: WILL ROBINSON

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: North side of Kingston Pike, East side of North Cedar Bluff Road, South of North Peters Road
Other Parcel Info.:
Tax ID Number: 132 02817 **Jurisdiction:** City
Size of Tract: 2.85 acres
Accessibility: The primary access to the site will be via the internal access driveway system serving the Kingston Corner Subdivision with access out to N. Cedar Bluff Rd. and Kingston Pike, both of which are 6 lane median divided arterial streets at this location.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: Retail business and restaurant with drive-thru. **Density:**
Sector Plan: Southwest County **Sector Plan Designation:** CC (Community Commercial)
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This site is located in an area that is dominated by shopping centers and general commercial uses. The zoning in the area is O-1, C-3, C-6, SC, SC-3, PC-1 and PC-2 commercial zones.

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

Street: 9063 Kingston Pike
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PC-1 (Retail and Office Park)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Property was rezoned to PC-1 (Retail and Office Park) on November 17, 2009.

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:

Tom Brechko

Staff Recomm. (Abbr.):

APPROVE the request for the retail business with approximately 15,000 square feet and restaurant with drive-thru with approximately 1,750 square feet as shown on the development plan, subject to 10 conditions.

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Installation of all sidewalks as identified on the development plan. Sidewalks shall meet all applicable requirements of the Americans with Disabilities Act (ADA) and the Knoxville Department of Engineering.
3. Meeting all applicable requirements of the Knoxville Department of Engineering.
4. Provide a landscape terminal island at the eastern end of the row of parking along the northern side of the Duluth Trading building.
5. Installation of the landscaping as identified on the landscape plan within six months of the issuance of an occupancy permit for this project.
6. Meeting all applicable requirements of the Knoxville Urban Forester.
7. Relocation of the existing fire hydrant that is at the eastern end of the proposed drive thru lane for the restaurant.
8. Any proposed subdivision of this lot will require approval from the Planning Commission or Planning staff as required by the Knoxville-Knox County Subdivision Regulations. Each lot will be required to meet the parking standards of the Knoxville Zoning Ordinance.
9. Approval of the business sign panels on the two development directory signs and that the attached building signs be modified in order to come into compliance with the sign regulations, as amended that the sign package is dictated by the Facility Solutions Group that was submitted to the Commission at the meeting.
10. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval of a use on review in the PC-1 District.

Comments:

The applicant is proposing to develop this 2.85 acre lot within the Kingston Corner Commercial Subdivision with a 15,000 square foot retail building for Duluth Trading Company and a 1,750 square foot restaurant with drive-thru. The lot which is located on the south side of the Main Event entertainment center is served by the internal driveway system for the commercial subdivision with access out to both Kingston Pike and N. Cedar Bluff Rd. The proposed development includes a total of 103 parking spaces which is below the maximum limit of 111 parking spaces allowed for the proposed uses. Stormwater management for this site will be tied into the overall stormwater system for the subdivision.

Proposed signs for Duluth Trading Co. include the business sign panels on the two development directory signs (detached signs) located on N. Cedar Bluff Road and Kingston Pike at the two signalized intersections providing access to the Kingston Corners Commercial Subdivision, and the attached building signs. The proposed building signs at approximately 400 square feet, exceed the maximum of 203 square feet allowed for the building based on the proposed building elevations.

Knoxville Zoning Ordinance Article VIII, Section 11.6.e.5. (see attachment) allows the Planning Commission to approve additional signs in the PC-1 zoning district under certain conditions. It is staff's position that this provision applies to detached signs which are restricted in number and not attached building signs which are not restricted in number, only in sign area. When the master sign plan was approved for Kingston Corner Commercial Subdivision, two development directory signs (detached signs) were approved that are located on N. Cedar Bluff Road and Kingston Pike at the two signalized intersections providing access to the development. These two signs which will include panels for

Duluth Trading Company were approved to allow identification on the two main streets of businesses that did not have frontage on those streets. It is Staff's position that these signs meet the intent of Section 11.6.e.5.

Staff is recommending approval of the business sign panels on the two development directory signs and that the attached building signs be modified in order to come into compliance with the sign regulations. Because the Kingston Corner development was approved with a Master Sign Plan, pursuant to Zoning Ordinance Article VIII, Section 9.3, variances from the sign regulations are not permitted.

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 traffic impact study that had been prepared for the Kingston Corner Commercial Subdivision required improvements to address the traffic impacts of the entire development.
3. The proposed commercial uses are 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 proposed commercial development meets all requirements of the PC-1 zoning as well as the general criteria for approval of a use on review.
2. The proposed commercial development 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 two arterial streets. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Knoxville One Year Plan and the Southwest County Sector Plan propose commercial use for this site.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved as Modified **Meeting Date:** 4/11/2019

Details of Action:

Summary of Action: APPROVE the request for the retail business with approximately 15,000 square feet and restaurant with drive-thru with approximately 1,750 square feet as shown on the development plan, subject to 10 conditions.

Date of Approval: 4/11/2019 **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:**