

CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



File Number: 5-B-21-SU **Related File Number:**
Application Filed: 3/23/2021 **Date of Revision:**
Applicant: ERICK GARCIA SALAS

PROPERTY INFORMATION

General Location: East side of N. Broadway, north of Adair Dr.
Other Parcel Info.:
Tax ID Number: 58 N D 042 & 04502 (PART OF) **Jurisdiction:** City
Size of Tract: 13069 square feet
Accessibility: Access is via N. Broadway, a major arterial with 65-ft pavement width within 73-87-ft of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Vehicle repair/service facility **Density:**
Sector Plan: North City **Sector Plan Designation:** GC (kgis shows F on portion of the lot)
Growth Policy Plan: N/A
Neighborhood Context: N. Broadway is a major commercial corridor. This area is a commercial node near the intersection of N. Broadway and Adair Drive (a major collector). Tazewell Pike is nearby to the south, Sterchi Cemetery is nearby to the west, and the Adair Gardens Historic Neighborhood is to the east along Sanders and Adair Drives.

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

Street: 4821 N. Broadway & 2613 Adair Dr.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-G-1 (General Commercial) & C-G-2 (General Commercial)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: The property was rezoned from C-G-2 to C-G-1 in May 2021 (2-E-21-RZ).

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 vehicle repair/service business with three service bays, subject to 8 conditions.

Staff Recomm. (Full):

1. Meeting the requirements of principal use standards for vehicle repair/service businesses (Article 9.3.DD) of the City of Knoxville Zoning Ordinance.
2. Meeting the requirements of Article 13 (Signs) of the City of Knoxville Zoning Ordinance.
3. Installation of landscaping per the requirements of Article 12 (Landscaping) of the City of Knoxville Zoning Ordinance and the Tree Protection Ordinance (Chapter 14, Article II) of the City of Knoxville Code of Ordinances.
4. Removing or modifying the access to N. Broadway as required by the City of Knoxville Department of Engineering and Tennessee Department of Transportation during permitting.
5. If there is access to N. Broadway, the site plan shall be revised to eliminate conflict between vehicles circulating on-site and vehicles entering and/or exiting the site, with review and approval by Planning Commission staff, City of Knoxville Department of Engineering, and Tennessee Department of Transportation during permitting.
6. Meeting all applicable requirements of the Knoxville Department of Engineering.
7. Meeting all applicable requirements of the Tennessee Department of Transportation.
8. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.

With conditions noted above, this request meets the requirements of the C-G-1 zone, the principal use standards for vehicle repair/service businesses, and the criteria for approval of a special use.

Comments:

SUMMARY OF PROPOSAL

This proposal is for a Vehicle Repair/Service business that requires Special Use approval in the C-G-1 (General Commercial) zone. This specific business, Take 5 Oil Change, specializes in oil changes and does not perform general vehicle repair or tire sales. The property was zoned from C-G-2 to C-G-1 on May 4, 2021 (2-E-21-RZ). The property had a small commercial strip building that was recently removed. The rezoning is for the front part of the site only. The rear portion of the site, where the access is shown to the shopping center entrance driveway, is currently a portion of a separate parcel and is zoned C-G-2. This portion of the site is not required to be rezoned because the building is located in the C-G-1 portion of the property.

PRINCIPAL USE STANDARDS

The Take 5 Oil Change business is considered a vehicle repair/service use and must meet the principal use standards of Article 9.3.DD. Because of the quick service nature of this business and not being located next to residential uses, the principal use standards should not impact the daily operations of the business. For example, all vehicle repair and storage of all merchandise must be within the structure, the sale of new or used vehicles is prohibited, and there are limitations on how long a car under repair can be stored on the lot and that they can't be stored on public right-of-way.

SITE PLAN

The applicant is proposing a full access driveway to N. Broadway but the City of Knoxville Department and Engineering and the Tennessee Department of Transportation (TDOT) stated that they will not approve full access at this location because it will have conflicting left turns with vehicles on Sanders Drive turning left (south) on N. Broadway. In addition, if vehicles are allowed to enter the site from N. Broadway, there would be a conflict with vehicles exiting the service bays. Because of the narrowness of the site and the width of the building, vehicles that leave the northern (right) service bay have to make a three-point 180 degree turn to access the driveway to the rear of the lot, and in backing up to make this turn, they could back into vehicles entering the site if the N. Broadway entrance is approved. Alternative access to N. Broadway could be considered, such as right-out only, but this will need to be evaluated further during permitting.

LANDSCAPING

The current paved driving service on the site is very close to 10,000 sqft and if it goes over this amount, the parking lot perimeter landscape yard will be required along the N. Broadway frontage (Section 12.5). The site landscaping standards will apply to this building (Section 12.7) and the City's Tree Protection Ordinance which will require 8 trees per acre. The site landscaping standards will require landscaping along 60% of the linear façade area for the three sides of the building that face a parking lot/vehicular use area. Because of the nature of this business and the design of the building, they will be required to obtain alternative landscape design approval for the east (front) and west (rear) sides of the building.

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

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

- A. The One Year Plan and North City Sector Plan designation for this site are GC (General Commercial) which recommends a wide range of retail and service-oriented uses.
- B. A portion of the property is also located in the SP (Stream Protection) area that aligns with the FEMA 500-year floodplain for First Creek. Approximately half of the proposed building is within the 500-year floodplain but it is located entirely out of the 100-year floodplain which is located over the rear half of the site.
- C. The proposed oil change business is consistent with the adopted plans.

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 vehicle repair/service business is typically not considered a pedestrian-oriented use. This property is located in an area that does not have a continuous pedestrian network but as part of this development, a sidewalk will be required along the Broadway frontage and the current open vehicular access along the entire N. Broadway frontage will either be eliminated entirely or greatly reduced.

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 buildings that front along N. Broadway in this area are one-story structures on small lots that are setback from the street. The proposed structures compatible with the size and location of buildings in the vicinity.
- B. There is no consistent architectural character in the vicinity of the subject site.
- C. There are several auto-oriented businesses in this block of N. Broadway, including vehicle repair, gas stations, and drive-through restaurants.

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 use is in a standalone building and is not adjacent to sensitive uses, such as residential.

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 building is located within the FEMA 500-year floodplain and can meet all associated building standards.

Action: Approved

Meeting Date: 5/13/2021

Details of Action:

Summary of Action: APPROVE the request for a vehicle repair/service business with three service bays, subject to 8 conditions.

Date of Approval: 5/13/2021

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: