

CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



File Number: 5-B-23-SU **Related File Number:**
Application Filed: 3/17/2023 **Date of Revision:**
Applicant: MARY KATHERINE WORMSLEY

PROPERTY INFORMATION

General Location: South side of Kingston Pike, west of Northshore Drive
Other Parcel Info.:
Tax ID Number: 121 A C 004.01 **Jurisdiction:** City
Size of Tract: 0.75 acres
Accessibility: Access is via Kingston Pike, a major arterial with a pavement width of 83-ft within a right-of-way width of 156-ft.

GENERAL LAND USE INFORMATION

Existing Land Use: Commercial
Surrounding Land Use:
Proposed Use: Drive-thru for Freddy's Frozen Custard **Density:**
Sector Plan: West City **Sector Plan Designation:** GC (General Commercial)
Growth Policy Plan: N/A (Within City Limits)
Neighborhood Context: This property is along Kingston Pike, which includes a mix of office, commercial, and multifamily uses.

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

Street: 6502 KINGSTON PIKE
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-G-1 (General Commercial)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: None noted.

PLAN INFORMATION (where applicable)

Current Plan Category: GC (General Commercial)
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:

Whitney Warner

Staff Recomm. (Abbr.):

APPROVE the Special Use for a drive through facility in the C-G-1 zone, subject to 5 conditions.

Staff Recomm. (Full):

1. Meeting the requirements of the principal use standards for a Drive Through Facility (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.
3. Meeting all applicable requirements of the Knoxville Department of Engineering.
4. Meeting all applicable requirements of the Tennessee Department of Transportation.
5. Meeting all other applicable requirements of the City of Knoxville Zoning Ordinance.

With the conditions noted above, this request meets the requirements of C-G-1 zoning, the principal use standards for drive-through facilities and the criteria for approval of a special use.

Comments:

This request is for a drive through for Freddy’s Frozen Custard. The existing building is not currently a drive-through, though the building has had a drive-through facility in the past.

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 West City Sector Plan designation for this site is GC (General Commercial).
 - B. Drive-through facilities are permissible as a special use in the C-G-1 zone.
- 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.
 - B. With the recommended conditions, the drive-through facility meets 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 existing 1-story structure is consistent with the other 1 and 2-story structures on this block of Kingston Pike.
 - B. The use is similar in nature to other existing uses along this stretch of Kingston Pike. There is a bank with a drive-through facility across the street.
- 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 required to comply with Article 10 of the City of Knoxville Zoning Ordinance, which regulates impacts. Section 10.2 regulates lighting, while noise, dust and pollution, odors, fire hazards, and other similar concerns are regulated in Section 10.5.
- 5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.
 - A. The proposed drive-through facility only has access to Kingston Pike, a major arterial.
- 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 future uses on this site.

Action: Approved with Conditions **Meeting Date:** 5/11/2023

Details of Action:

Summary of Action: APPROVE the Special Use for a drive through facility in the C-G-1 zone, subject to 5 conditions.

Date of Approval: 5/11/2023 **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:**