

CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



File Number: 6-B-23-SU **Related File Number:**
Application Filed: 4/24/2023 **Date of Revision:**
Applicant: COMMERCIAL SITE DESIGN, SAMBATEK PC NC

PROPERTY INFORMATION

General Location: East side of N. Broadway, north side of Edgewood Ave
Other Parcel Info.:
Tax ID Number: 81 D C 004 **Jurisdiction:** City
Size of Tract: 0.78 acres
Accessibility: Access is via N Broadway, a major arterial street with a 54-ft pavement width within a 70-ft right-of-way. Access is also via Edgewood Avenue, a minor collector street with a 27-ft pavement width within a 47-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Office
Surrounding Land Use:
Proposed Use: Drive-through facility for a restaurant **Density:**
Sector Plan: East City **Sector Plan Designation:** MU-SD (Mixed Use Special District), TDR (Traditio
Growth Policy Plan: N/A (Within City Limits)
Neighborhood Context: This property is part of a service-oriented commercial corridor on the western border of the Edgewood Park Neighborhood. There is a church and a historically significant mansion located on the opposite side of N Broadway.

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

Street: 2900 N BROADWAY
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-G-2 (General Commercial), IH (Infill Housing Overlay)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Property was included in a 2007 governmental rezoning to apply the Infill Housing Overlay Zoning District (10-V-07-RZ)

PLAN INFORMATION (where applicable)

improved sidewalk and will address safe walkability, thereby supporting sector plan recommendations. The sector plan's residential buffering and parking reduction guidance is supported by Condition #2 to remove 6 parking spaces along the east border of the parcel in order to accommodate a 20-ft Class B landscaping buffer, in addition to the 6-ft wooden fence provided. The removal of 6 parking spaces still leaves 6 spaces in excess of the off-street parking minimum requirement. Further reducing parking to the minimum in order to accommodate better pedestrian circulation within the parking lot and/or additional landscaping is strongly encouraged.

The sector plan is also supported by Condition #3 to add a 6 to 8 ft screening fence along the alley to protect the neighboring residences on Clarieborne Place from the headlights of incoming drive-through traffic.

2. The General Plan's development policy 7.11 and 7.12 promote alternatives to automobile travel and land use patterns and infrastructure that encourage traffic trip reduction. The subject property is located at the border of the Edgewood Park Neighborhood, and is adjacent to the Upper First Creek Greenway Trail leading to Edgewood Park and the North Knoxville Branch Library.

Conditions #4 and #5 to make the Cook Out restaurant entrance on Edgewood Avenue publicly accessible with patio seating will make the restaurant more engaging to foot traffic and cyclists, thereby promoting alternatives to automobile traffic. At least four bicycle parking spaces will be installed, per the Off-Street Parking requirements in Article 11.9 of the zoning ordinance.

3. The locations of Conditions #1-5 are shown in Exhibit B. The image is for general clarification purposes only, and dimensions are not precise.

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

1. The C-G (General Commercial) zoning district is intended to provide 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. Indoor commercial operations should be the primary use, with limited exceptions per special use approval.

2. The subject property's location is along a commercial corridor where there are several established fast-food restaurant drive-throughs. The noted conditions promote the pedestrian experience as well as the interior use of the business as a sit-down or drop-in restaurant. With these conditions, the Cook Out drive-through complies with the intent of the zoning district.

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.

1. The size, location and orientation of the proposed restaurant and drive-through is consistent with the character of neighboring businesses along the N Broadway corridor. The subject property is in the middle of an agglomeration of fast-food drive-throughs with a KFC, Wendy's, McDonald's, and Burger King in close proximity.

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

1. With the noted conditions on landscape buffering, fencing and improved accessibility, the neighboring Edgewood Park residents should not see inordinate negative impacts from the proposed drive-through.

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

1. The ingress and egress for the proposed Cook Out restaurant is on Edgewood Avenue, which is a minor collector street that serves the Edgewood Park neighborhood. This is generally the safest access option, given the property's close proximity to a bus stop on N Broadway, as well as the multiple lanes of traffic that would need to be crossed on N Broadway near a signalized intersection in order to enter or exit while heading south.

2. The driveway location is approximately 200 ft from the Edgewood Avenue intersection with N Broadway. The driveway should not impact the approved Edgewood Avenue Neighborhood Traffic Safety Project to add a Gateway Island east of Bill Williams Avenue for traffic calming purposes, as shown in Exhibit C.

3. A traffic analysis was conducted and it concluded that the queue from the signalized intersection on Edgewood Avenue would block the proposed Cook Out driveway less than 50% of the time during peak PM traffic times. The analysis suggested a "Do Not Block Driveway" sign to address this potential conflict. It is unlikely that a queue stemming from the drive-through would impact traffic on Edgewood, based on the ample number of vehicle spaces provided in the drive-through design.

THE NATURE OF THE 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

1. The property is partially within the FEMA 500-year floodplain along Edgewood Avenue, and this is a reason the applicant cited for the restaurant building being set back 30.5 ft from Edgewood Avenue. This distance exceeds the corner side setback build-to zone maximum of 10 ft. A requested variance

from this setback requirement was not granted by the Knoxville Board of Zoning Appeals. Part of the rationale for this denial was tied to the engineered absence of pedestrian access to the building from Edgewood Avenue, which conflicts with the intent of C-G-2 zoning's pedestrian prioritization. 2. Article 2.4.C of the zoning ordinance describes the rules of measurement for build-to dimensions. It indicates how plazas and open space features can be counted towards build-to requirements. The Edgewood Avenue outdoor seating area described in Condition #5 could improve the development's compliance with the build-to zone and percentage standards, without necessitating that the building to be relocated or extended into the floodplain. This approach to meeting the C-G-2 dimensional standards would be subject to review and approval by the City of Knoxville Department of Plans Review and Inspections.

Action: Approved with Conditions **Meeting Date:** 6/8/2023

Details of Action:

Summary of Action: Approve the proposed drive-through facility for a restaurant, subject to 8 conditions.

Date of Approval: 6/8/2023 **Date of Denial:** **Postponements:**

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

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:**