

# CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



**File Number:** 7-D-21-UR                      **Related File Number:**  
**Application Filed:** 5/24/2021              **Date of Revision:**  
**Applicant:** KARLA GOINS

## PROPERTY INFORMATION

**General Location:** South side of Ball Camp Pike, west side of Hitching Post Drive  
**Other Parcel Info.:**  
**Tax ID Number:** 104 054                      **Jurisdiction:** County  
**Size of Tract:** 0.98 acres  
**Accessibility:** Access is via the Schaad Road extension which is under construction as a 3-lane median divided right-of-way of 112' with sidewalks.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** AgForVac (Agriculture/Forestry/Vacant Land)  
**Surrounding Land Use:**  
**Proposed Use:** Food Truck Court                      **Density:**  
**Sector Plan:** Northwest County              **Sector Plan Designation:** NC (Neighborhood Commercial) pending  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This area consists of a mix of single family residential with rural residential and agricultural/forestry/vacant lots transitioning to single family residential in areas adjacent to the Schaad Road improvements.

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

**Street:** 8700 Ball Camp Pk.  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** CN (Neighborhood Commercial) pending  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** A rezoning request from PR (Planned Residential) to CN (Neighborhood Commercial) is pending and will be heard at the July 26, 2021 County Commission meeting.

## 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 restaurant use consisting of up to four (4) food trucks at 8700 Ball Camp Pike, subject to 4 conditions.

Staff Recomm. (Full):                      1. Meeting all appropriate requests of the Knox County Zoning Ordinance, including but not limited to the landscape standards of the CN (Neighborhood Commercial) zone district (Section 5.38) and the parking lot dimensional standards (Section 3.51). A landscape plan with the species of the vegetation to be installed and revised parking lot layout shall be reviewed and approved by Planning Commission staff before any permits are approved for the site.  
2. Meeting any applicable requirements of the Knox County Health Department.  
3. Meeting all applicable requirements of Knox County Engineering and Public Works.  
4. Obtaining approval of the CN (Neighborhood Commercial) zoning for the subject property.

With the conditions noted above, this request meets all requirements for approval in the CN (Neighborhood Commercial) zoning district, as well as the criteria for approval of a use on review.

Comments:                                      This proposal requires rezoning the property from PR (Planned Residential) to CN (Neighborhood Commercial) to allow consideration of this request. The rezoning application is also on the July Planning Commission agenda and must be recommended for approval for this Use on Review (UOR) request to be considered. If the Planning Commission does not recommend approval of the CN zoning, then this UOR request must be postponed until after County Commission makes a final determination on the rezoning.

At the June Planning Commission meeting, Knox County Engineering and Public Works (County Engineering) expressed concerns regarding commercial access to the site, so the Planning Commission postponed consideration of the rezoning to the July meeting, however, requested that the UOR application also be on the July agenda so as to not further holdup the applicant from opening the food truck park if the rezoning is successful. County Engineering determined that left and right turn movements into the site from Schaad Road is acceptable, however, only right out turn movements will be allowed onto Schaad Road. The potential connection to Hatmaker Drive has been determined to not be feasible at this time.

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 – SECTION 2)  
The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

1) THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.

A. If the associated sector plan amendment is approved (6-A-21-SP), the Northwest County Sector Plan will recommend NC (Neighborhood Commercial) uses for this site. This classification includes retail and service-oriented commercial uses intended to provide goods and services that serve the day-to-day needs of households within a walking or short driving distance.

B. The proposed food truck use is compatible with this description. There will be sidewalks linking the subject site to nearby neighborhoods once the Schaad Road improvements are completed.

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

A. The CN (Neighborhood Commercial) zone is intended to provide the opportunity to locate limited retail and service uses in a manner convenient to and yet not disruptive to established residential neighborhoods. It is intended to provide for the recurring shopping and personal service needs of nearby residential areas. Development performance standards are provided to maximize compatibility between commercial uses and adjacent residential uses.

B. Since the Knox County Zoning Ordinance does not specifically address food truck parks, they are

considered a restaurant use, which is a use permitted on review in the CN (Neighborhood Commercial) zone.

C. The proposed parking lot will need to be revised during permitting to meet the minimum parking stall dimensions and drive aisle width. Of the 23 parking stall shown, staff estimates that only 11 of those meet the dimension standards. If the parking area is redesigned, more spaces than 11 may be feasible.

D. If the associated rezoning application is approved (6-A-21-RZ) and with the recommended conditions of approval, the proposed use will be compatible with the CN zone district.

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 proposal for up to four (4) food trucks to be parked on the subject property is compatible with the surrounding uses along Schaad Road (under construction) and will not disrupt the overall character of the area.

B. The adjacent property to the west has a house. The CN zone district requires a 20-FT landscaped buffer to this property and the applicant is proposing a 40-FT buffer. Unless the Planning Commission specifically requires a landscape buffer larger than 20-FT, the applicant could revise their plan to provide a 20-FT buffer.

C. Because of the dimensional constraints of the lot and the access restrictions to Schaad Road, it is not anticipated that the property will be suitable for many other permitted uses within the CN zone.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

A. There is no indication that a food truck park with up to four (4) food trucks will significantly injure the value of adjacent properties.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. The property has direct access to Ball Camp Pike (future Schaad Road). It is not anticipated that the use would generate additional traffic that would affect residential areas.

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 food truck park.

**Action:** Approved **Meeting Date:** 7/8/2021

**Details of Action:**

**Summary of Action:** Approve the request for a restaurant use consisting of up to four (4) food trucks at 8700 Ball Camp Pike, subject to 4 conditions.

**Date of Approval:** 7/8/2021 **Date of Denial:** **Postponements:**

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

## LEGISLATIVE ACTION AND DISPOSITION

**Legislative Body:** Knox County Board of Zoning Appeals

**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:**