



USE ON REVIEW REPORT

▶ **FILE #:** 10-D-19-UR **AGENDA ITEM #:** 26
POSTPONEMENT(S): 10/10/2019 **AGENDA DATE:** 11/14/2019
▶ **APPLICANT:** GARRETT DEVELOPMENT & CONSTRUCTION, LLC
OWNER(S): Garrett Development & Construction, LLC

TAX ID NUMBER: 47 C D 012 & 047 117 [View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 7605 Cedarcrest Rd.

▶ **LOCATION:** North side of E. Emory Rd., Southwest side of Cedarcrest Rd.

▶ **APPX. SIZE OF TRACT:** 0.42 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Cedarcrest Road, a local street with 50 ft right-of-way, 26 ft pavement & two traffic lanes, and connects to E Emory Road, a major arterial with approximately 100 ft right-of-way (per the Major Road Plan), 60 ft pavement, & four lanes with a two-way left-turn lane.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **ZONING:** RA (Low Density Residential) & CA (General Business)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Additional Parking in a more restrictive zone

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Residential - RA (Low Density Residential)

South: Commercial - CA (General Business)

East: Residential - RA (Low Density Residential) & CA (General Business)

West: Vacant land /Commercial - CA (General Business)

NEIGHBORHOOD CONTEXT: This property is located in the Powell community that includes a mix of commercial, office, and residential land uses, and is a buffer between the residential neighborhood and commercial along E Emory Road.

STAFF RECOMMENDATION:

▶ **APPROVE** the request for additional parking in a more restrictive zone as shown on the development plan subject to the 5 conditions

1. Meeting all applicable requirements of the Knox County Zoning Ordinance
2. Prior to obtaining a grading permit, combine this site (47 C D 012) with the adjoining commercial property (047 117) by approval and recording of a final plat.

3. Meeting all applicable requirements of the Knox County Department of Engineering.
4. Installation of landscaping as shown on the development plan within six months of the approval date or posting a bond with Knox County Department of Engineering and Public Works to guarantee such installation. Landscaping shall be installed as to not interfere with the sight triangles and visibility along public streets.
5. Installation of the parking lot pervious pavement as shown on the development plan.

With the conditions noted, this request meets the requirements for approval in the RA & CA zones and the criteria for approval of a use on review.

COMMENTS:

The Knox County Zoning Ordinance (Appendix A, Article 3.51.10) states that the "Planning Commission may approve required off-street parking as a use on review in any zone which is more restrictive than that required for the major land use that it is intended to serve." In this case, the RA zoned parcel is more restrictive than the adjoining CA property on which a coffee shop is operating. Access to the proposed parking lot will be through the commercial site as required by the Zoning Ordinance. Landscaping will be put in place to buffer the lot from the adjoining residential uses.

There are 17 existing parking spaces (including one ADA van space), and the applicant would like to add 12 more parking spaces for a total of 29 parking spaces (including 2 ADA spaces) to meet the current demand.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND THE COMMUNITY AS A WHOLE

1. Public utilities are available to serve the property.
2. With the addition of a landscape buffer and access restriction, the parking lot will be compatible with 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 proposal meets all relevant requirements of the RA zoning district as well as the general criteria for approval of a use on review.
2. The proposed development with the recommended conditions 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. With the recommended landscape screening, 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 no additional access driveways will be created for this proposed parking addition. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

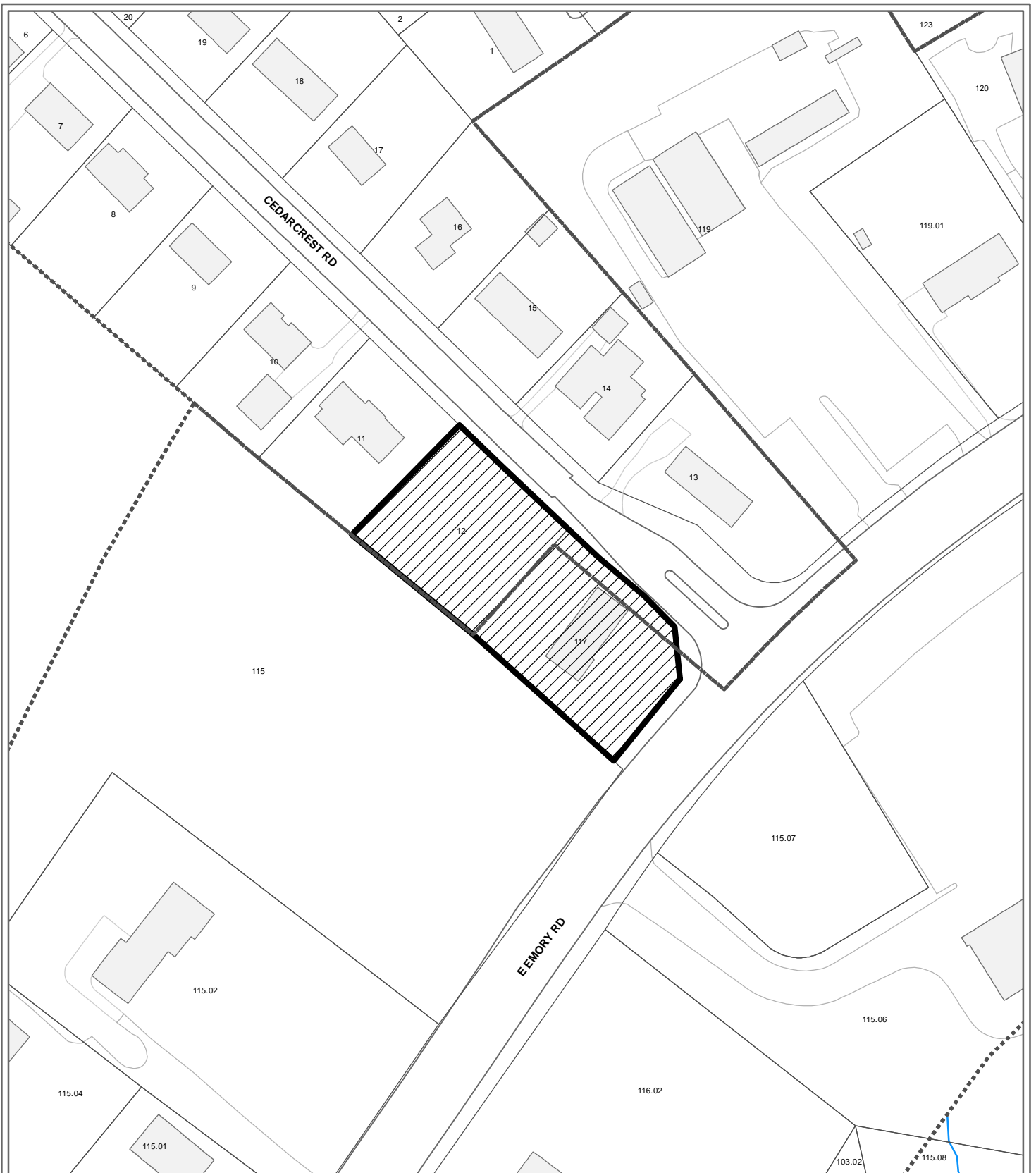
CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The North County Sector Plan proposes LDR (Low-Density Residential) for this site. The proposed additional parking, which is allowed by the zoning ordinance, is in conformity with the Sector Plan with the recommended conditions.
2. The property is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**10-D-19-UR
USE ON REVIEW**



Additional Parking for Commercial Business in RA (Low Density Residential)

Petitioner: Garrett Development & Construction, LLC

Map No: 47

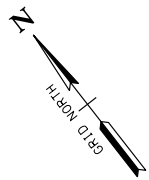
Jurisdiction: County



Original Print Date: 9/17/2019

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



PARKING SUMMARY

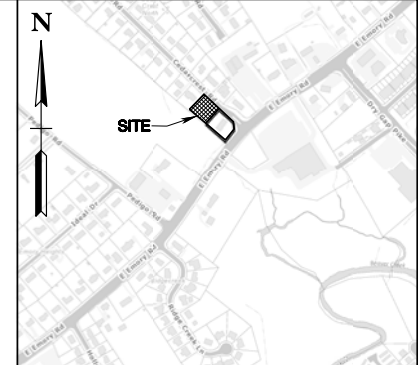
MINIMUM SPACES REQUIRED:
 (a) ONE (1) PER THREE (3) EMPLOYEES PLUS
 ONE (1) PER 100 SQ FT OF USABLE FLOOR SPACE
 OR
 (b) ONE (1) PER THREE (3) FIXED SEATS

NUMBER OF EMPLOYEES = 6
 NUMBER OF SEATS = 40
 USEABLE FLOOR AREA = 1203 SQ FT

(a) NUMBER OF SPACES REQUIRED = 14 (W/ 1 ADA)
 (b) NUMBER OF SPACES REQUIRED = 14 (W/ 1 ADA)

NUMBER OF SPACES SHOWN ON ORIGINAL PLAN = 17 (INCLUDING 1 ACCESSIBLE ADA
 & 1 VAN ACCESSIBLE ADA)
 NUMBER OF NEW SPACES = 12

PROPOSED TOTAL NUMBER OF SPACES = 29 (INCLUDING 1 ADA ACCESSIBLE
 & 1 VAN ACCESSIBLE ADA)



LOCATION MAP N.T.S.

NOTES:

- EXISTING MONUMENTS AS SHOWN. PROPERTY BOUNDARY BASED ON EXISTING MONUMENTS
- EXISTING CONTOURS FROM TOPOGRAPHIC SURVEY. (NAVD 1988)
- LOCATIONS OF UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE. THERE MAY BE OTHER UTILITIES NOT SHOWN. PRIOR TO ANY EXCAVATION, THE OWNER AND/OR CONTRACTOR IS RESPONSIBLE FOR CONTACTING THE LOCAL UTILITY AUTHORITIES FOR EXACT LOCATIONS AND DEPTHS.
- ESTIMATED TOTAL DISTURBED AREA = 0.40 AC. STORMWATER POLLUTION PREVENTION PLAN (SWPPP) NOT REQUIRED.
- BASED ON FEMA FIRM MAP, THIS SITE IS NOT IN A SPECIAL FLOOD HAZARD AREA.
- PERVIOUS CONCRETE WITH 20%-25% VOID SPACE TO BE INSTALLED. INFILTRATION TEST TO BE PERFORMED.
- THE CHANGE IN GRADE FROM THE TURNING SPACE AT THE BOTTOM OF THE RAMP TO GUTTER SLOPE SHALL NOT EXCEED 11%.
- SIDEWALKS SHALL MEET ALL A.D.A. REQUIREMENTS.

LEGEND

- EIP IRON PIN FOUND
- W.V. WATER VALVE
- P/T/C POWER/TELEPHONE/CABLE
- ⋯ GUY WIRE
- 1190 EXISTING TOPOGRAPHIC CONTOUR
- ⊕ FIRE HYDRANT
- CLEANOUT
- ⊙ SEWER MANHOLE
- ⊖ SIGN

CLT MAP: 047
 PARCELS: 12

PROPERTY ZONED: RA

KNOX COUNTY
 DISTRICT 7

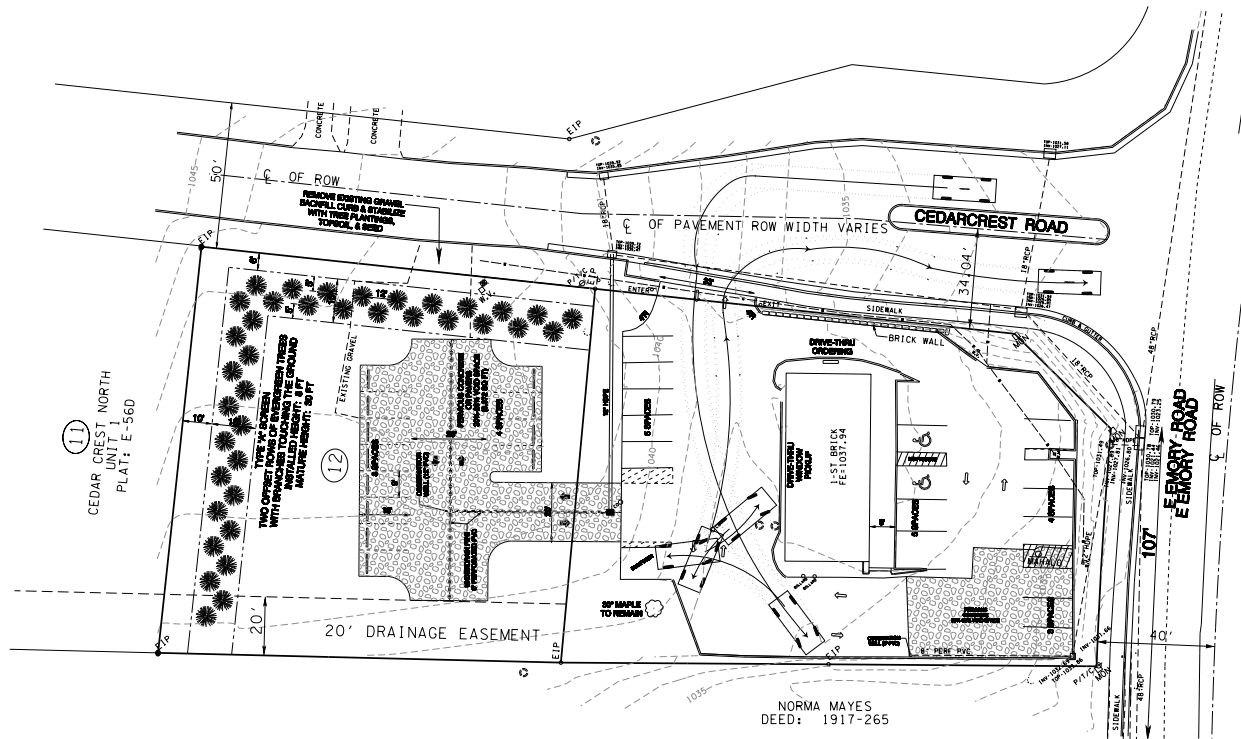
TOTAL AREA: 18,175 SQ FT (0.42 AC)
 DISTURBED AREA: 0.30 AC

DEED: 20180616-0067502
 PLAT: E-58-D

SITE ADDRESS:
 7805 CEDARCREST RD

Revised: 11/4/2019

PARKING SERVICES FILE NO.: 10-D-19-UR

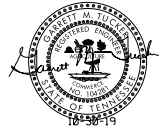
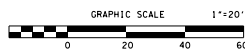


11 CEDAR CREST NORTH
 UNIT 1
 PLAT: E-56D

12 REMOVE EXISTING GRASS, BACKFILL CURB & STORMWATER WITH THREE PLANTINGS, TYPICAL & USED

TWO (2) 4" X 6" SCREENS WITH BRASS SCREENS INSTALLED TO PREVENT ANIMALS FROM ENTERING. 30" FT

NORMA MAYES
 DEED: 1917-265



ENGINEER:
 ROBERT G. CAMPBELL & ASSOC., L.P.
 1523 TAGGART LANE
 KNOXVILLE, TN, 37938
 PHONE: 865-947-5996

OWNER:
 GARRETT DEVELOPMENT AND CONSTRUCTION, LLC
 4930 W BEAVER CREEK DR
 POWELL, TN 37849
 1000 GARRETT 1 (865) 806-9806

L:\GENERAL\2019\URBAN\URB04A\SHEETS\001 10-20-2019 4:52:22 PM

NO.	DATE	DESCRIPTION	BY	CKD.

ROBERT G. CAMPBELL & ASSOC., L.P.
 CONSULTING ENGINEERS
 KNOXVILLE, TENNESSEE

MAHALO COFFEE SHOP
 CEDARCREST ROAD, KNOXVILLE, TN

PARKING ADDITION
 USE ON REVIEW

DESIGNED BY	CHECKED BY	SCALE	SHEET
GMY	RSD	1" = 20'	1
DRAWN BY	DATE	FILE NO.	NO.
GMY	10-30-19	10004	1

10-D-19-UR-PP-10-10-19

Robert G. Campbell & Associates

7523 Taggart Lane
Knoxville, TN 37938
Ph: 865-947-5996
Fax: 865-947-7556



2540 Sand Pike Blvd
Suite #3
Pigeon Forge, TN 37863
Ph: 865-366-2516
fax 865-947-7556

September 25, 2019

Tarren Barrett, EIT, Transportation Engineer
Knoxville-Knox County Planning
City/County Building
400 Main Street
Knoxville, TN 37902

RE: Use on Review – Mahalo Coffee/Garrett Development
RGC #19004
Planning Services File 10-D-19-UR

Dear Ms. Barrett:

On behalf of Garrett Construction and Development, LLC, we hereby request that the Use on Review listed above be postponed for 30 days.

Please call if you have any questions.

Sincerely,
Robert Campbell & Associates, LP

A handwritten signature in blue ink, appearing to read "Garrett M. Tucker".

Garrett M. Tucker, PE



DEVELOPMENT REQUEST



DEVELOPMENT

- Development Plan
- Use on Review / Special Use

SUBDIVISION

- Concept Plan
- Final Plat

Garrett Development & Construction, LLC

Applicant

8/23/2019

October 10, 2019

10-D-19-UR

Date Filed

Meeting Date (if applicable)

File Numbers(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

Garrett Tucker, PE

Robert G. Campbell and Associates, LP

Name

Company

7523 Taggart Lane

Knoxville

TN

37938

Address

City

State

Zip

865-947-5996

gtucker@rgc-a.com

Phone

Email

CURRENT PROPERTY INFO

GARRETT DEVELOPMENT & CONST 4930 W BEAVER CREEK DR

865-806-9806

Owner Name (if different)

Owner Address

Owner Phone

POWELL, TN 37849

~~CLT 47 PARCEL 12~~

① 047 CD 012

Property Address

N/S E Emory Rd

Parcel ID

② 047-117

① 7605 CEDARCREST RD

S/S Cedarcrest Rd

0.42 AC

② 1317 E Emory Rd

SEVENTH

RA

Jurisdiction (specify district above)

- City
- County

Zoning District

North County

LDR

Planned Growth

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

AgForVacant

N

HPUD

HPUD

Existing Land Use

Septic (Y/N)

Sewer Provider

Water Provider

REQUEST


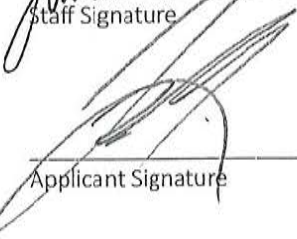
DEVELOPMENT	<input type="checkbox"/> Development Plan <input checked="" type="checkbox"/> Use on Review / Special Use
	<input type="checkbox"/> Residential <input checked="" type="checkbox"/> Non-Residential
SUBDIVISION	<input type="checkbox"/> Home Occupation (specify): _____
	<input type="checkbox"/> Other (specify): <u>additional parking for business</u>

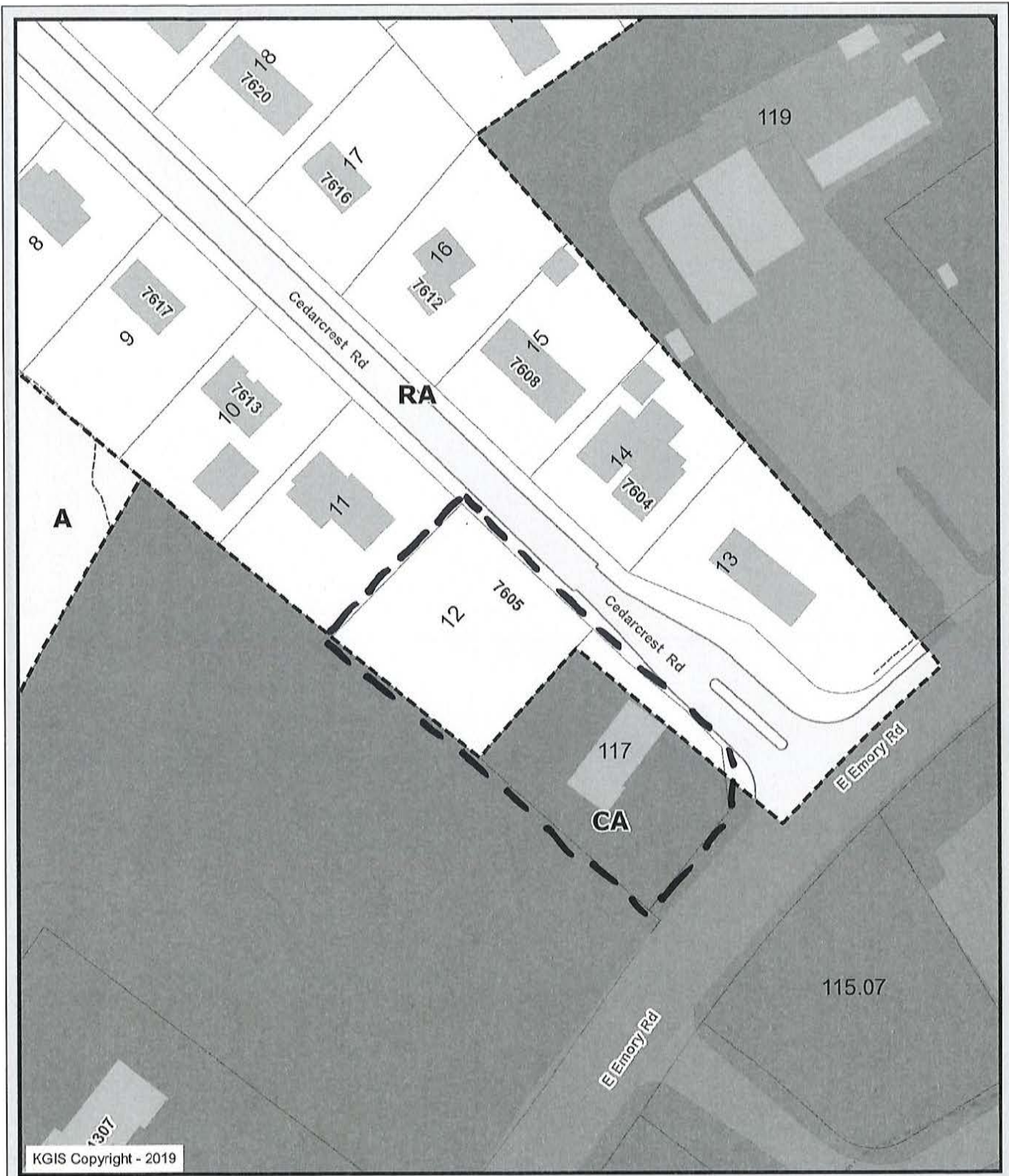
ZONING	<input type="checkbox"/> Proposed Subdivision Name _____ Unit / Phase Number _____
	<input type="checkbox"/> Parcel Change
	<input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel Total Number of Lots Created: _____
	<input type="checkbox"/> Other (specify): _____
	<input type="checkbox"/> Attachments / Additional Requirements
	<input type="checkbox"/> Zoning Change: _____ Proposed Zoning _____
	<input type="checkbox"/> Plan Amendment Change: _____ Proposed Plan Designation(s) _____

	<input type="checkbox"/> Proposed Property Use (specify) _____ Proposed Density (units/acre) _____ Previous Rezoning Requests _____
	<input type="checkbox"/> Other (specify): _____

STAFF USE ONLY	PLAT TYPE <input type="checkbox"/> Administrative <input type="checkbox"/> Meeting	FEE 1: \$ 450	TOTAL: \$ 450
	ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	FEE 2:	
	ADDITIONAL REQUIREMENTS <input type="checkbox"/> Design Plan Certification (<i>Final Plat only</i>) <input checked="" type="checkbox"/> Use on Review / Special Use (<i>Concept Plan only</i>) <input type="checkbox"/> Traffic Impact Study	FEE 3:	

AUTHORIZATION

 Staff Signature	<u>James Reed</u> Please Print	<u>8/23/19</u> Date
 Applicant Signature	<u>Garrett Development & Construction</u> Please Print	<u>8/23/19</u> Date

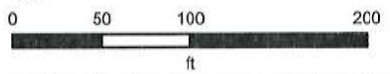


Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



Printed: 8/24/2019 at 11:41:32 AM



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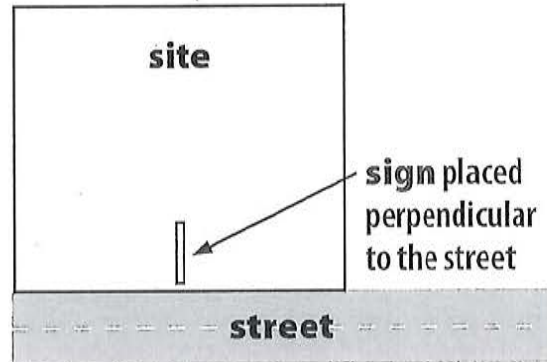
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled MPC public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

Sept 25 and Oct 11
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: Jane F. Campbell

Printed Name: Jane F. Campbell

Phone: 865-947-5996 Email: ffugate@vga-a.com

Date: 8/23/19

MPC File Number: 10-D-19-UR