



USE ON REVIEW REPORT

► **FILE #:** 9-H-19-UR

AGENDA ITEM #: 37

AGENDA DATE: 9/12/2019

► **APPLICANT:** DAVE BAUMGARTNER / BLUEMONT GROUP

OWNER(S): Parker Properties Inc.

TAX ID NUMBER: 119 01828

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 401 N. Cedar Bluff Rd.

► **LOCATION:** West side of North Cedar Bluff Road, south of Sherrill Boulevard

► **APPX. SIZE OF TRACT:** 0.913 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via N. Cedar Bluff Rd., a major arterial street with a five lane street section within a 100' required right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Ten Mile Creek

► **ZONING:** PC (Planned Commercial)

► **EXISTING LAND USE:** Commercial

► **PROPOSED USE:** Coffee and donut shop in PC zone

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Restaurants - PC (Planned Commercial)

South: Restaurants - CH (Highway Commercial)

East: Bank and restaurant - PC (Planned Commercial)

West: Lincoln Memorial University - C-6 (General Commercial Park)

NEIGHBORHOOD CONTEXT: This site is located near the intersection of N. Cedar Bluff Rd. and Sherrill Blvd. in an area that is composed of mixed commercial and office uses developed in the PC, PC-1, CH and C-3 zoning districts.

STAFF RECOMMENDATION:

► **APPROVE the development plan for a coffee and donut shop with approximately 3,276 square feet, subject to 5 conditions.**

1. Connection to sanitary sewer and meeting any other relevant requirements of the utility provider.
2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
3. Meeting all applicable requirements of the Knoxville Department of Engineering as may be required for access to the site from N. Cedar Bluff Road..
4. Meeting all applicable requirements of the Knox County Zoning Ordinance.

5. Meeting all applicable requirements of Knox County sign regulations subject to approval by Knox County and Planning staff.

With the conditions noted, the request meets all requirements for approval of a use on review in the PC (Planned Commercial) zoning district.

COMMENTS:

The applicant is proposing to develop a coffee and donut shop (Dunkin Donuts) with approximately 3,276 square feet on a 0.913 acre site located on the west side of N. Cedar Bluff Rd., south of Sherrill Blvd. This site was the former location of a Burger King restaurant. This site presently has four access driveways with one driveway onto N. Cedar Bluff Rd. and three driveway connections to the driveway that provides access to Lincoln Memorial University (LMU).

The proposed development plan for the site will reduce the number of access driveways to the site from 4 to 2. In the revised plan, they will keep the direct access out to N. Cedar Bluff Rd. and the rear driveway access out to the driveway that serves LMU. The two driveway connections closer to N. Cedar Bluff Rd. will be eliminated. The building footprint on the site will also be reduced. Revisions to the parking lot include the reduction of the total number of parking spaces on the site by five, removal of two spaces that require backing out into the external access driveway, and moving the parking at the front of the site out of the right-of-way for N. Cedar Bluff Rd.

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

1. All public utilities are available to serve the site.
2. The use as proposed will have little or no impact on the surrounding commercial uses.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. With the recommended conditions, the proposal meets all requirements of the PC 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. 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 the development has direct access to an arterial street. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

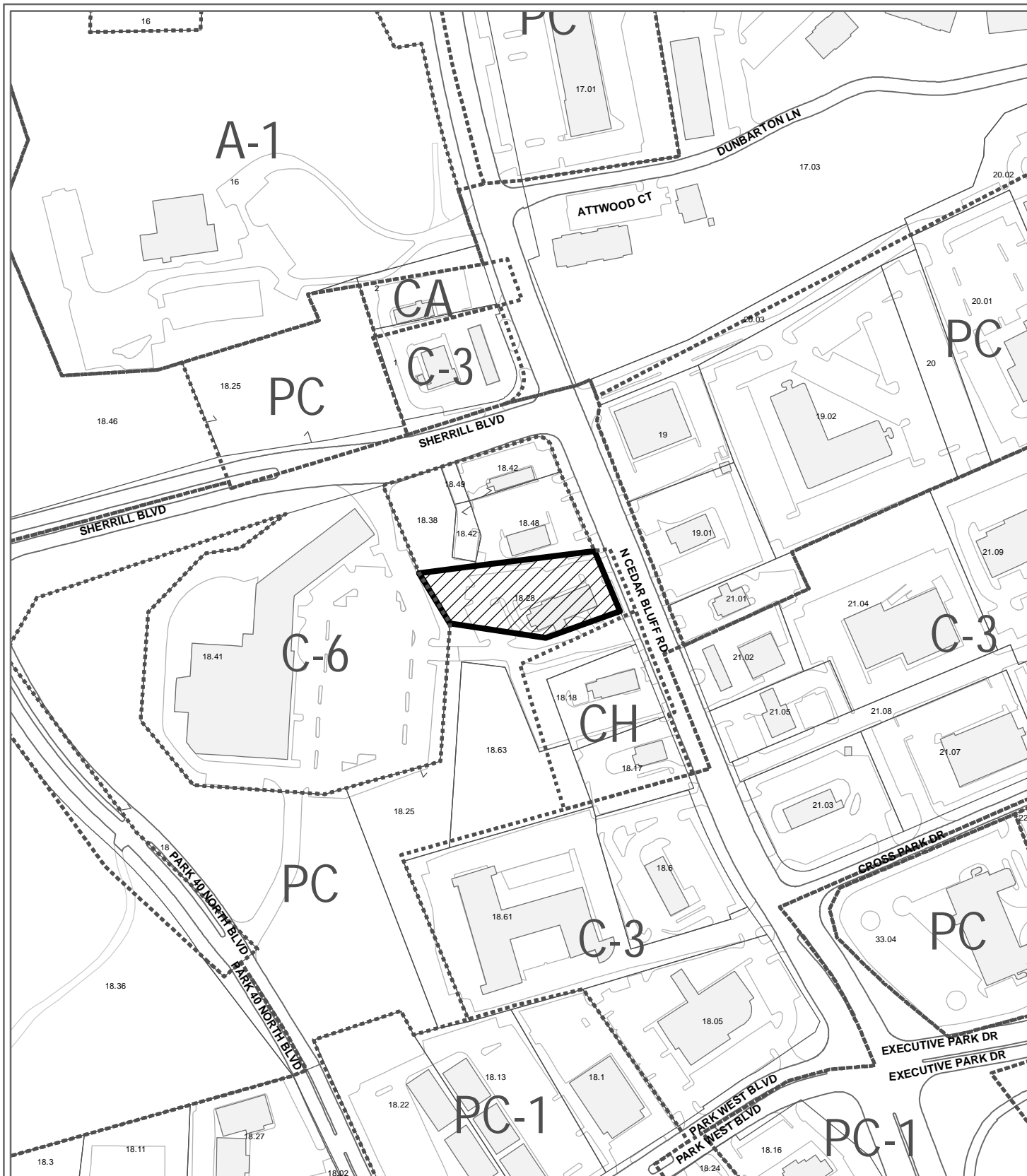
CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Northwest County Sector Plan designate the site for general commercial use. The development complies with the Sector Plan.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

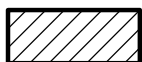
ESTIMATED TRAFFIC IMPACT: Not required.

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.



**9-H-19-UR
USE ON REVIEW**



Coffee and donut shop in PC (Planned Commercial) zone

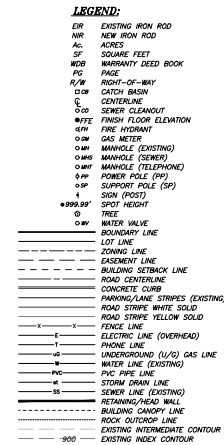
Original Print Date: 8/19/2019 Revised: 9/5/2019
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Baumgartner / Bluemont Group, Dave

Map No: 119
Jurisdiction: County



A graphic scale bar with alternating black and white segments. The top is labeled with 20', 10', 0, 20', and 40'. Below the bar, it says 1" = 20'.

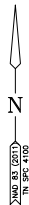


PROJECT NO:
SEI#6731

DUNKIN' DONUTS
BLUEMONT GROUP, LLC

SURVEYOR'S NOTES:

1. This property is in Zone PC (Planned Commercial) of Knox County, TN, requiring a 50 foot perimeter building setback and a public road setback of 50 feet for any road that existed prior to the PC zone.
2. Topographic Survey taken on a random basis using RTK GPS (Topcon Hiper 8 base and rover). 1 foot Contour interval shown. Elevations shown herein are based on City of Knoxville Control Monument 94 (NAVD 88).
3. Basis of Bearings is the State Plane Coordinate System for Tennessee, and is referenced to the North American Datum of 1983 (NAD 83).
4. No instruments of Record reflecting easements, rights of way, and/or ownership were furnished to the Surveyor, except as shown herein. The Surveyor has made no attempt to access the public records for any easements. Subject to any easements, regulations or restrictions in effect at the time of this survey. No title opinion is expressed or implied.
5. The Surveyor has made no attempt to locate underground utilities, underground foundations, underground encroachments or underground improvements, except as shown herein. Actual location of all underground utilities should be verified through Tennessee 1 Call (1-800-351-1111) or the utility provider prior to any excavation or construction.
6. Tree symbols and/or lines shown herein do not reflect actual tree canopies.
7. Located in Flood Zone "X" (area of minimal flood hazard), according to Flood Insurance Rate Map 42083C02007, Community Number 475433, dated 05/02/2007.
8. As stated in paragraph 11(c) of WDB 1911 PG 1007, no improvements shall exceed the elevation of 989 feet above sea level.



LOCATION MAP
NOT TO SCALE

PARKER PROPERTIES INC
WDB 1773 PG 450
PLAT CABINET J SLIDE 2300

0.913 Ac.
39773 SF

LOT 1
PLAT CABINET K SLIDE 1710
CEAR BLUFF CROSSING LLC
INSTRUMENT #20040015 0114791

PARKER PROPERTIES INC
INSTRUMENT #10900729 0008215

LEGEND:

- EXISTING IRON ROD
- NEW IRON ROD
- SQUARE FEET
- WARRANTY DEED BOOK
- PAGE
- RIGHT-OF-WAY
- CATCH BASIN
- CENTERLINE
- SEWER CLEANOUT
- FINISH FLOOR ELEVATION
- PORE HYDRAUNT
- GAS METER
- MANHOLE (EXISTING)
- MANHOLE (SEWER)
- MANHOLE (TELEPHONE)
- POWER POLE (PP)
- SUPPORT POLE (SP)
- SIGN (POST)
- SPOT HEIGHT
- TREE
- WATER VALVE
- BOUNDARY LINE
- LOT LINE
- ZONING LINE
- EASEMENT LINE
- BUILDING SETBACK LINE
- ROAD CENTERLINE
- CONCRETE CURB
- PARKING/LANE STRIPES (EXISTING)
- ROAD STRIPE WHITE SOLID
- ROAD STRIPE YELLOW SOLID
- FENCE LINE
- ELECTRIC LINE (OVERHEAD)
- PHONE LINE
- UNDERGROUND (U/G) GAS LINE
- PVC PIPE LINE
- STORM DRAIN LINE
- SEWER LINE (EXISTING)
- RETAINING/HEAD WALL
- BUILDING CANOPY LINE
- ROCK OUTCROP LINE
- EXISTING INTERMEDIATE CONTOUR
- EXISTING INDEX CONTOUR
- DESIGN INTERMEDIATE CONTOUR
- DESIGN SUPPLEMENTAL CONTOUR
- DESIGN INDEX CONTOUR

CLIENT:
DAVE BAUMGARTNER
BLUEMONT GROUP, LLC
685-405-7729

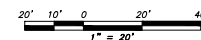
PROPERTY ADDRESS:
401 N. CEDAR BLUFF RD
KNOXVILLE, TN 37923

DISTRICT W6, KNOX COUNTY
TAX MAP 119 PARCEL 18.28

OWNER:
PARKER PROPERTIES, INC.
WDB 1773 PG 450
INSTR. 109007290008215

F&S RESTAURANTS INC. LEASE:WDB 1806 PG 371

9-H-19-UR
Revised: 8/27/2019



STERLING
ENGINEERING, INC.
LAND SURVEYING
CIVIL ENGINEERING
CONSULTING
LAND PLANNING

1020 WILLIAM BLOUNT DRIVE
MARYVILLE, TENNESSEE
37603-8401
P.O. BOX 4878
MARYVILLE, TENNESSEE
37602-4878
PHONE: 865-984-3905
FAX: 865-981-2815
WWW.SRSTERLING.COM

MPC USE ON REVIEW

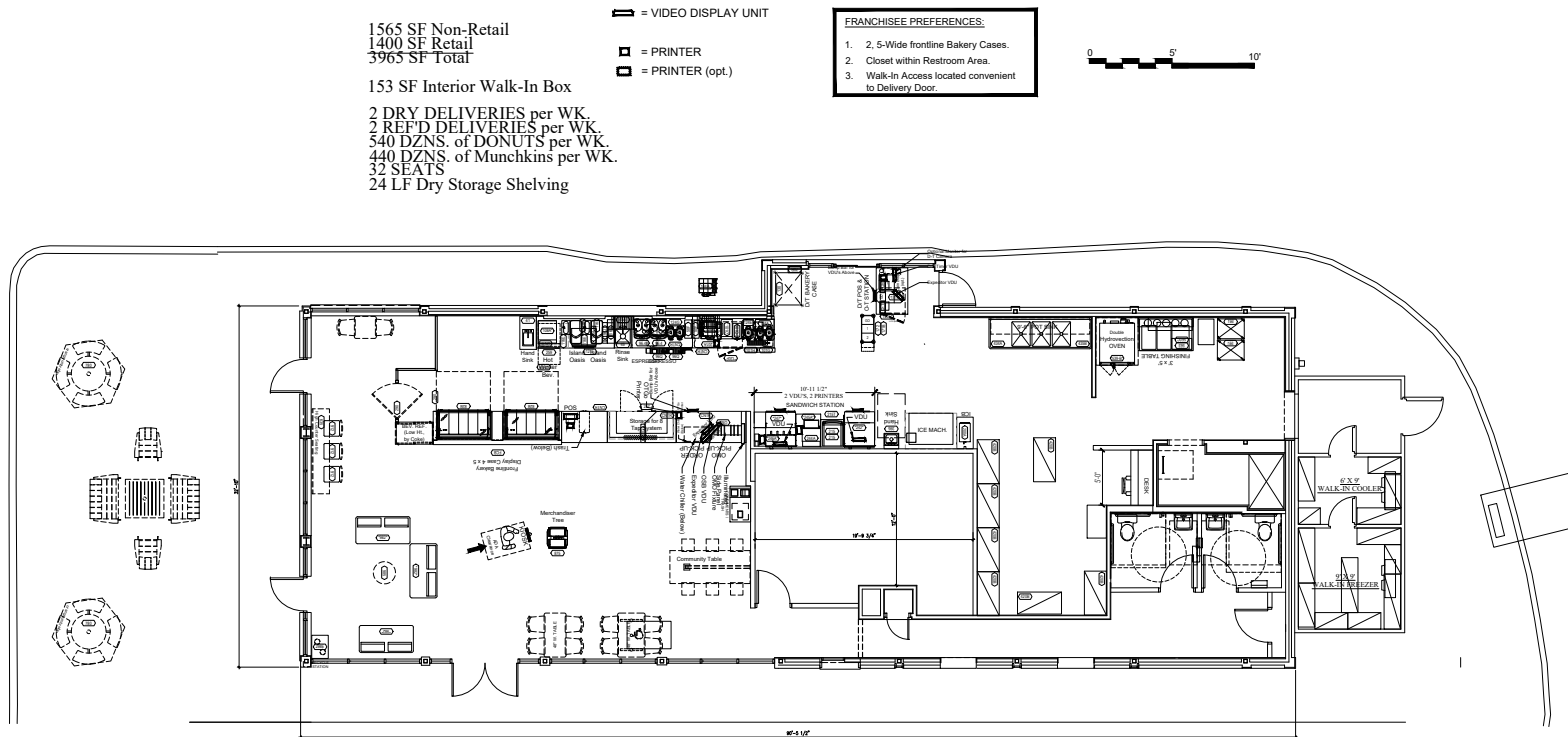
SITE GRADING PLAN
PROPOSED
DUNKIN' DONUTS
BLUEMONT GROUP, LLC

DATE	BY	REVISIONS
8/27/19	SDJ	Revised per MPC Use on Review Comments



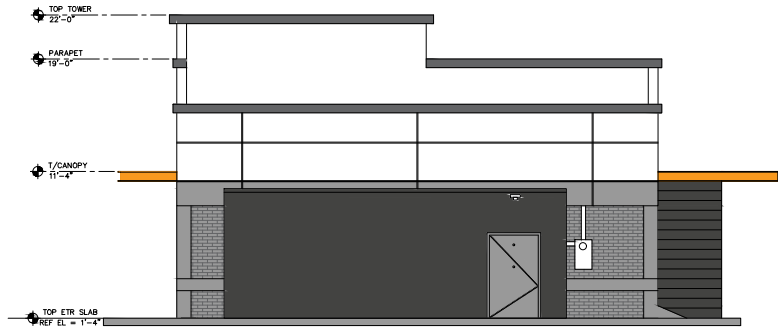
SHEET
CP.4

DESIGNED: SDJ
DRAWN: SDJ
CHECKED:
DATE: 7/18/19
SCALE: 1" = 20'
DRAWING: 6731-CP4
PROJECT NO: SEI#6731

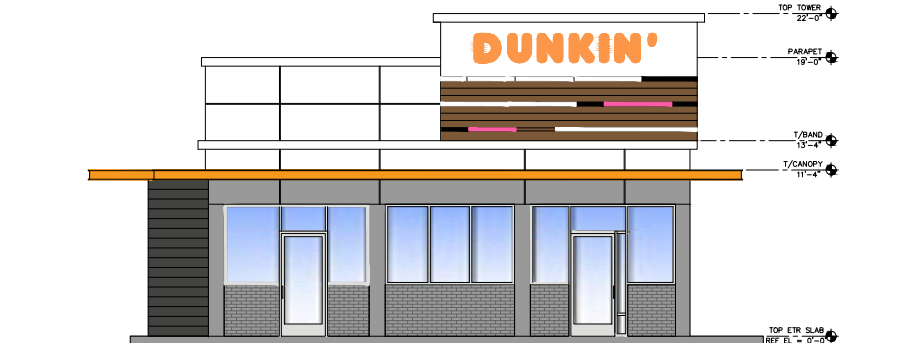


9-H-19-UR
Revised: 8/27/2019

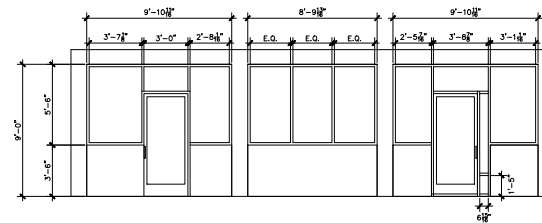
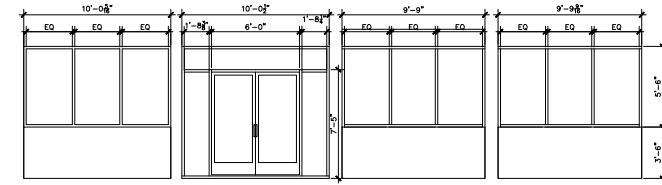
ISSUED / REVISED
DATE



REAR ELEVATION
SCALE: 1/4"=1'-0"



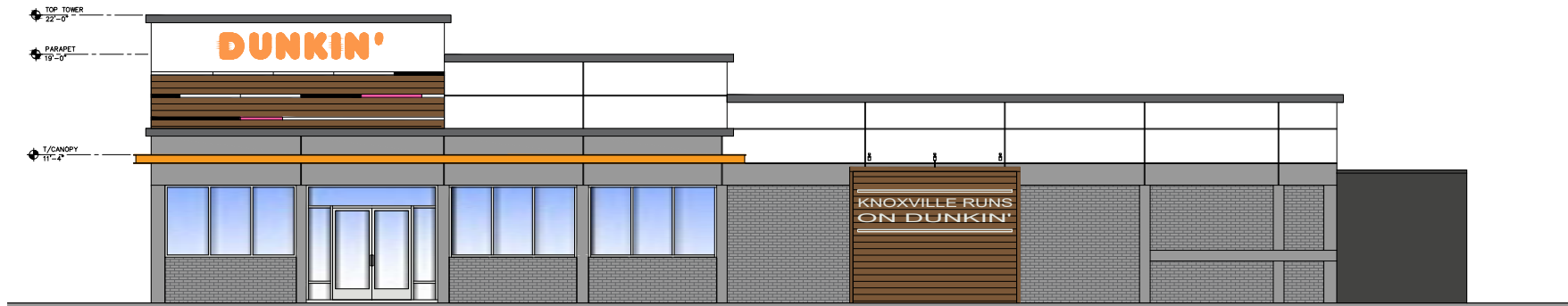
FRONT ELEVATION
SCALE: 1/4"=1'-0"



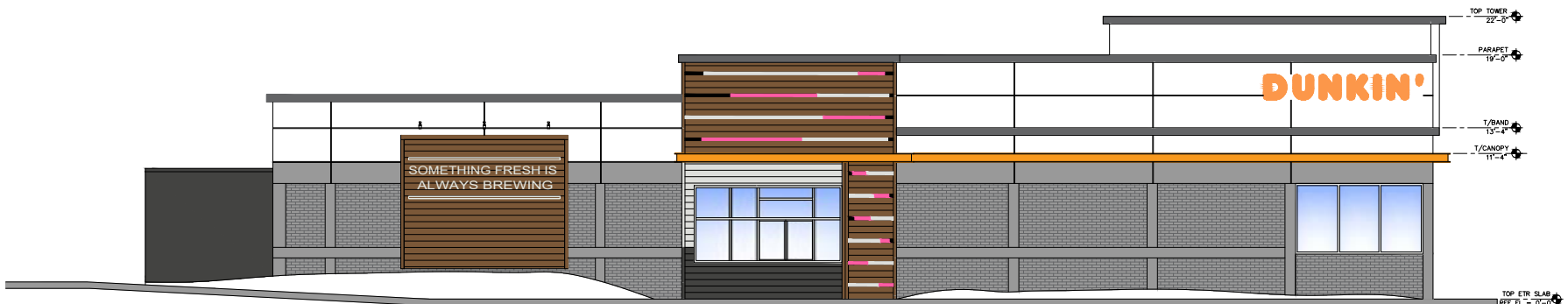
STOREFRONT GLAZING
SCALE: 1/4"=1'-0"

9-H-19-UR
Revised: 8/27/2019

Rev	Revised	By	Check	Date
01	Initial Design	JMV	JMV	8/27/2019
02	Final Design	JMV	JMV	8/27/2019
03	Final Design	JMV	JMV	8/27/2019
04	Final Design	JMV	JMV	8/27/2019
05	Final Design	JMV	JMV	8/27/2019
06	Final Design	JMV	JMV	8/27/2019
07	Final Design	JMV	JMV	8/27/2019
08	Final Design	JMV	JMV	8/27/2019
09	Final Design	JMV	JMV	8/27/2019
10	Final Design	JMV	JMV	8/27/2019



PARKING SIDE ELEVATION
SCALE: 1/4"=1'-0"



DRIVE-THRU SIDE ELEVATION
SCALE: 1/4"=1'-0"

9-H-19-UR
Revised: 8/27/2019

JOHN S VACI, Architect
1138 BERWICK ROAD
BIRMINGHAM, AL 35242
205.541.1780
john@johnsvaciarchitect.com

THIS DRAWING HAS BEEN PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A LICENSED ARCHITECT IN THE STATE OF ALABAMA.

dunkin'
brand

401 North Cedar Bluff Road
Knoxville TN 37923
Store Number: XXXX

Bluemont
GROUP

Lee McLeod
Director of Store development
(615) 260-4642

ISSUED / REVISED
DATE
ELEVATIONS

A-5.2



DEVELOPMENT REQUEST

DEVELOPMENT

- ☐ Development Plan
☒ Use on Review / Special Use

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ Rezoning



Bluemont Group, LLC c/o Dave Baumgartner

Applicant

July 29, 2019

September 12, 2019

Date Filed

Meeting Date (if applicable)

9-11-19-UR
File Number(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

Derick Jones

Sterling Engineering, Inc.

Name

Company

1020 William Blount Drive

Maryville

TN

37801

Address

City

State

Zip

865-984-3905

sdjones@sterling.us.com

Phone

Email

CURRENT PROPERTY INFO

Parker Properties, Inc.

555 Frank Garden Lane

Owner Name (if different)

Owner Address

Owner Phone

401 North Cedar Bluff Road

119 01828

Property Address

Parcel ID

North Cedar Bluff Road near Sherrill Blvd intersection

0.913 acres

General Location

Tract Size

District W6-Knox County

PC

Jurisdiction (specify district above)

☐ City ☒ County

Zoning District

Northwest County

GC

Urban Growth

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

Commercial

N

KUB

KUB

Existing Land Use

Septic (Y/N)



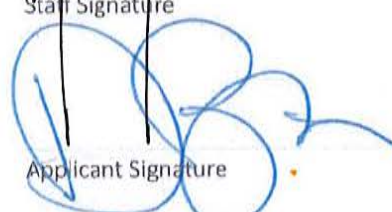

Sewer Provider

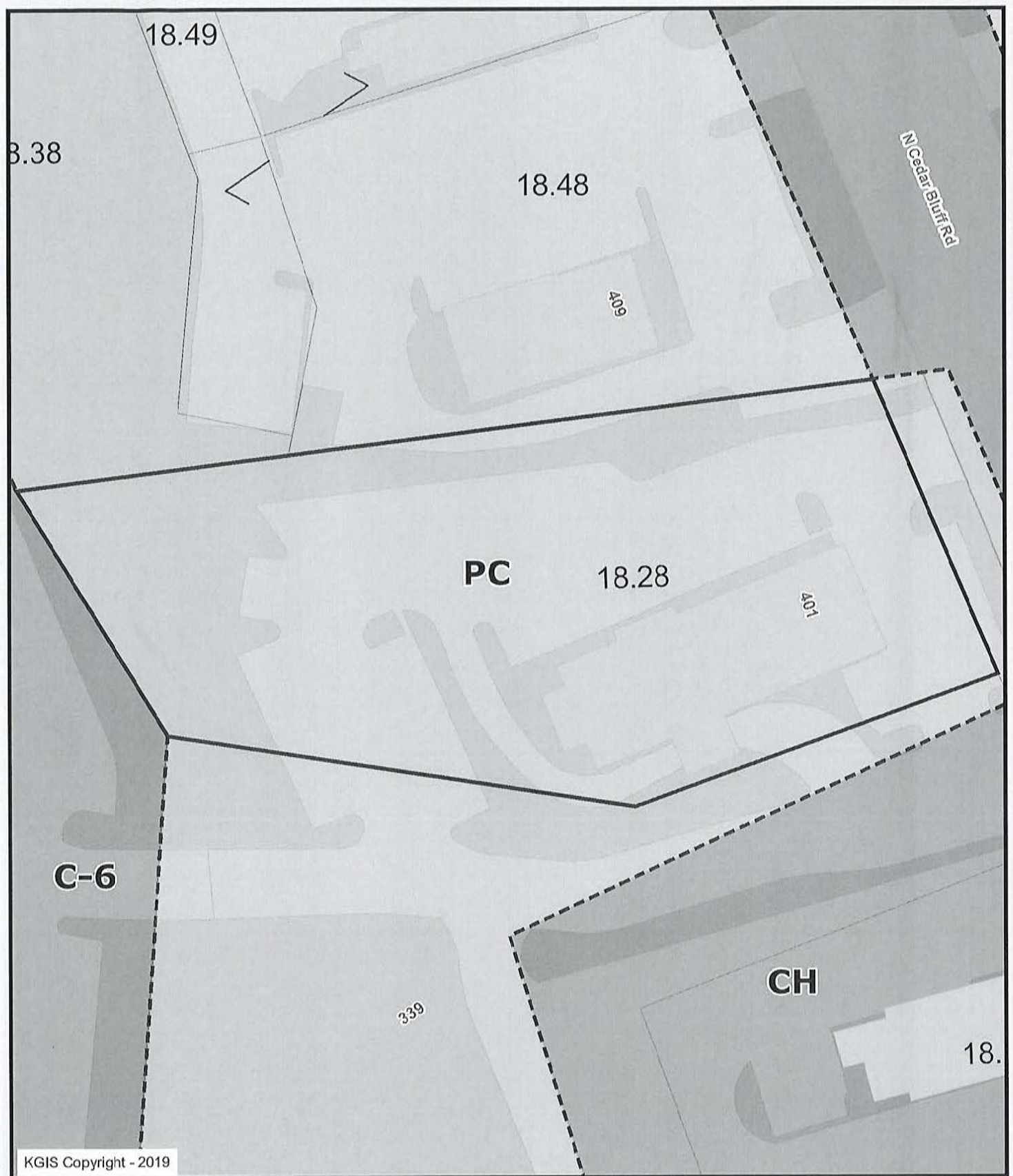
Water Provider

REQUEST

DEVELOPMENT	<input type="checkbox"/> Development Plan	<input checked="" type="checkbox"/> Use on Review / Special Use	Food establishment in PC	
	<input type="checkbox"/> Residential	<input checked="" type="checkbox"/> Non-Residential		
SUBDIVISION	<input type="checkbox"/> Home Occupation (specify):			
	<input type="checkbox"/> Other (specify):			
	<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:		
ZONING	<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:	(0401) 1500.00	TOTAL:
	ATTACHMENTS	<input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	FEE 2:	1500.00	
	ADDITIONAL REQUIREMENTS	<input type="checkbox"/> Design Plan Certification (Final Plat only)	FEE 3:	7K	1500.00 1500.00
	<input type="checkbox"/> Use on Review / Special Use (Concept Plan only)		7K		
	<input type="checkbox"/> Traffic Impact Study				

AUTHORIZATION		
 Staff Signature	 Please Print	7/29/19 Date
 Applicant Signature	 Please Print	7/25/2019 Date

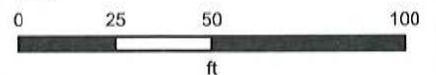


Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



Printed: 7/29/2019 at 2:28:26 PM



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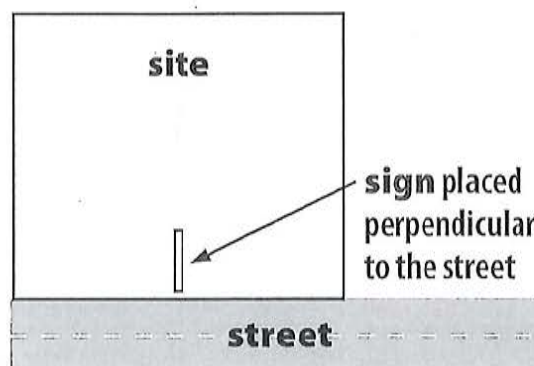
REQUIRED SIGN POSTING AGREEMENT

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:

8/29/19 and 9/13/19
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: Shawn D. Carroll

Printed Name: Shawn D. Carroll

Phone: 865-984-3905 Email: sdcarroll@sterling.us.com

Date: 07/29/19

MPC File Number: 9-H-19-0R