



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.