



USE ON REVIEW REPORT

▶ **FILE #:** 1-B-20-UR

AGENDA ITEM #: 25

AGENDA DATE: 1/9/2020

▶ **APPLICANT:** EVAN FOSTER / CHICK-FIL-A, INC.

OWNER(S): Lisa Teah Reusche

TAX ID NUMBER: 132 02107

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 9646 Kingston Pk.

▶ **LOCATION:** South side of Kingston Pk., east of Triplett Ln.

▶ **APPX. SIZE OF TRACT:** 1.31 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Kingston Pike, a major arterial street with 70' of pavement width within 84' of right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Sinking Creek

▶ **ZONING:** SC-2 (Community Shopping Center)

▶ **EXISTING LAND USE:** Restaurant with drive-thru

▶ **PROPOSED USE:** Fast food restaurant with drive-thru

HISTORY OF ZONING: Property was rezoned to SC in 1995 and annexed into the City and zoned SC-2 in 1997.

SURROUNDING LAND USE AND ZONING: North: Commercial uses / C-3 (General Commercial)

South: Shopping Center / SC-2 (Community Shopping Center)

East: Office / SC-2 (Community Shopping Center)

West: Shopping Center / C-3 (General Commercial)

NEIGHBORHOOD CONTEXT: This area is predominantly developed with commercial uses in the SC-2, C-3, C-4, and CB zones. There are attached and detached residential uses to the east developed in the RB and RA zones.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a restaurant with drive thru containing approximately 4,860 square feet of floor area and 375 square feet of patio, subject to 9 conditions.**

1. Connection to sanitary sewer and meeting any other relevant requirements of the utility provider.
2. Installation of all landscaping shown on the development plan within six months of the issuance of occupancy permits for this project.
3. Meeting all applicable requirements of the City of Knoxville Tree Protection Ordinance.

4. Retaining the existing monument sign, or if replaced, the size of the monument sign shall be in accordance with the "All other roadway classifications" standards for detached signs in Article 8, Section 11.6.C. (Max height: 10 feet; Max sign area: 100 sqft).
5. All signs shall meet the requirements of Article 8 (Signs, billboards, and other advertising structures), with exception to the size of the monument sign per condition #4.
6. Installing all sidewalks and crosswalks shown on the development plan in accordance with the requirements of the Americans with Disabilities Act (ADA), Tennessee Department of Transportation, and the City of Knoxville Department of Engineering.
7. Meeting all applicable requirements of the Tennessee Department of Transportation.
8. Meeting all applicable requirements of the City of Knoxville Department of Engineering.
9. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the SC-2 District, and the other criteria for approval of a use on review.

COMMENTS:

REVISION (1/8/2020): Chick-fil-A has requested the new monument sign be removed from consideration and will retain the existing monument sign. Condition #4 has been updated to reflect this request, stating the existing monument sign can be retained, or if replaced, it must be a maximum height of 10' and 100 sqft in area. The condition does allow for replacement of the monument sign but ensures the new sign will be compatible with the existing signage in the shopping center and the general area.

 This proposal is to replace the existing 3,500 sqft Chick-fil-A restaurant in the Kingston Overlook Shopping Center with a new Chick-fil-A that is 4,860 sqft. The restaurant will also include patio that is approximately 375 sqft and a dual lane drive-thru. A sidewalk will be installed along the Kingston Pike frontage of the property and along the two internal shopping center driveway frontages, and a crosswalk will be installed across shopping center driveway at the Kingston Pike intersection.

Chick-fil-A intends to keep their existing monument sign, however, if the sign does need to be replaced, staff is recommending that the new monument sign be a maximum of 10' tall and 100 sqft in area so it is consistent with the existing signage within the shopping center and the general area. The two outparcel lots, including the subject lot, have monument signs that are significantly smaller than what is allowed by the sign ordinance (20 feet tall, 165 sqft). The shopping center has a development directory sign to the east of Chick-fil-A that will be mostly blocked from view from the west if a taller sign is installed. See Exhibit A to view the existing Chick-fil-A sign in relation to the development directory sign. In other planned commercial developments in the area, similar size and height restrictions have been placed on monument signs for businesses with Kingston Pike frontage so the signs are compatible with the overall development. The Chick-fil-A will also have walls signs that advertise the location. The walls signs shown on the building elevations have not been reviewed as part of this application because the dimensional information has not been provided, however, if the wall signs meet the zoning ordinance requirements then they can be approved by Planning staff.

This proposal is being reviewed under the SC-2 (Community Shopping Center) zone because the application was submitted before the new zoning ordinance became effective January 1, 2020. The new zoning for the property will be C-H-1 (Highway Commercial) which does permit the proposed use without Special Use approval, however, the drive-thru lanes would not be permitted between the building and Kingston Pike.

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

1. All public utilities are available to serve the site.
2. The traffic impact study does not recommend any improvements to Kingston Pike or the shopping center driveway as a result of the proposal to replace the existing Chick-fil-A restaurant with a new one that is approximately 1,300 sqft larger.
3. The proposed development will be compatible with the scale and intensity of the surrounding development and zoning pattern.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. With the recommended conditions, the proposal meets all requirements of the SC-2 zoning district, as well as all other criteria for approval of a use on review.

2. The proposed restaurant is consistent with the general standards for uses permitted on review: The proposed development 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.

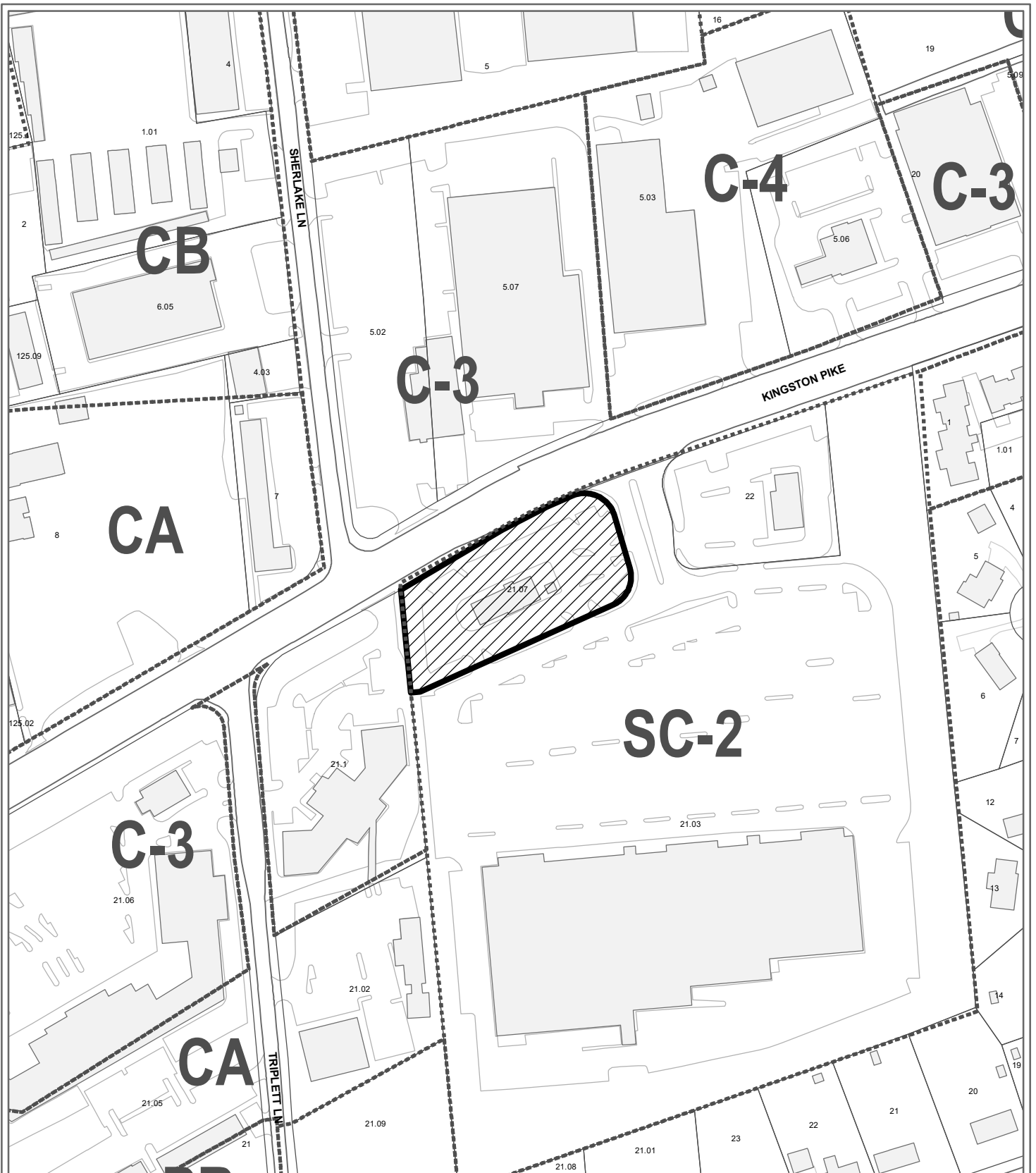
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Southwest County Sector Plan and the City of Knoxville One Year Plan propose GC (General Commercial) uses for the site. The proposed facility is consistent with both plans.

ESTIMATED TRAFFIC IMPACT: A traffic impact study was prepared by the applicant. The findings of that study were used in formulating the recommendations of this staff report.

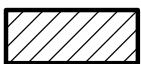
ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



**1-B-20-UR
USE ON REVIEW**

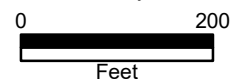
Petitioner: Foster / Chick-fil-A, Inc., Evan



Fast food restaurant with drive-thru in SC-2 (Community Shopping Center)

Map No: 132

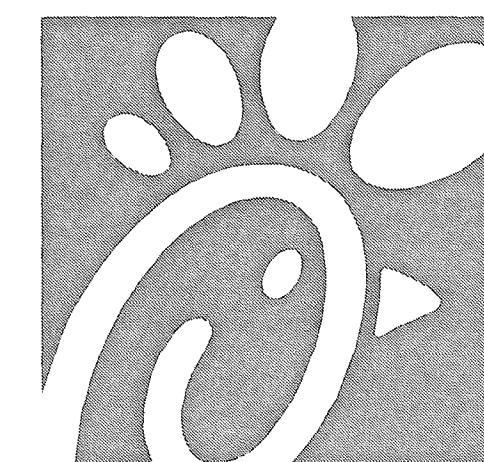
Jurisdiction: City



Original Print Date: 12/18/2019

Revised:

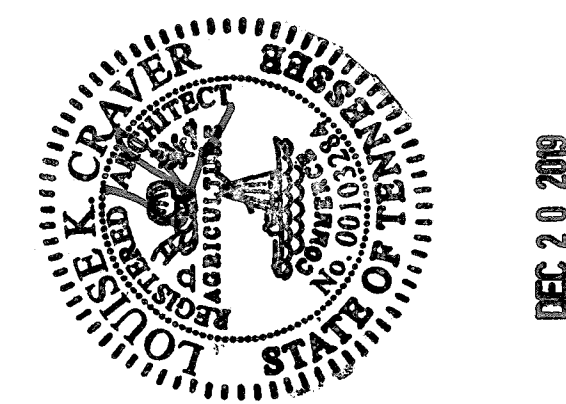
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



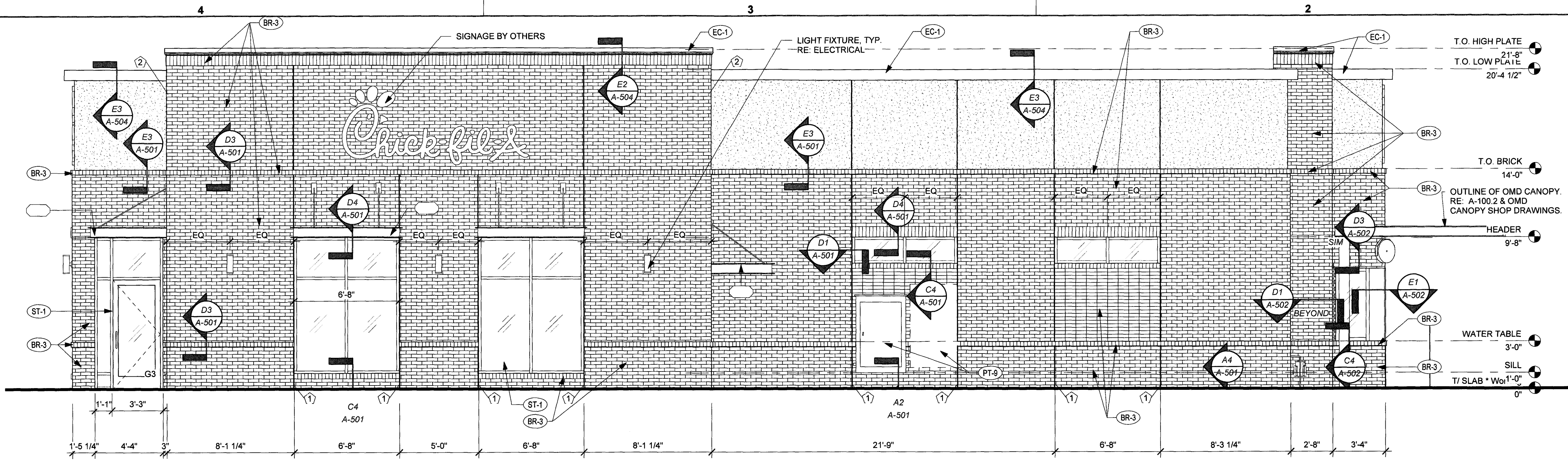
Chick-fil-A
 5200 Buffington Road
 Atlanta, Georgia
 30349-2998

INTERPLAN
 ARCHITECTURE
 ENGINEERING
 INTERIOR DESIGN
 PROJECT MANAGER

604 COURTLAND STREET SUITE 100
 ORLANDO, FLORIDA 32804
 PH 407.645.5208
 FX 407.629.9124



DEC 20 2018

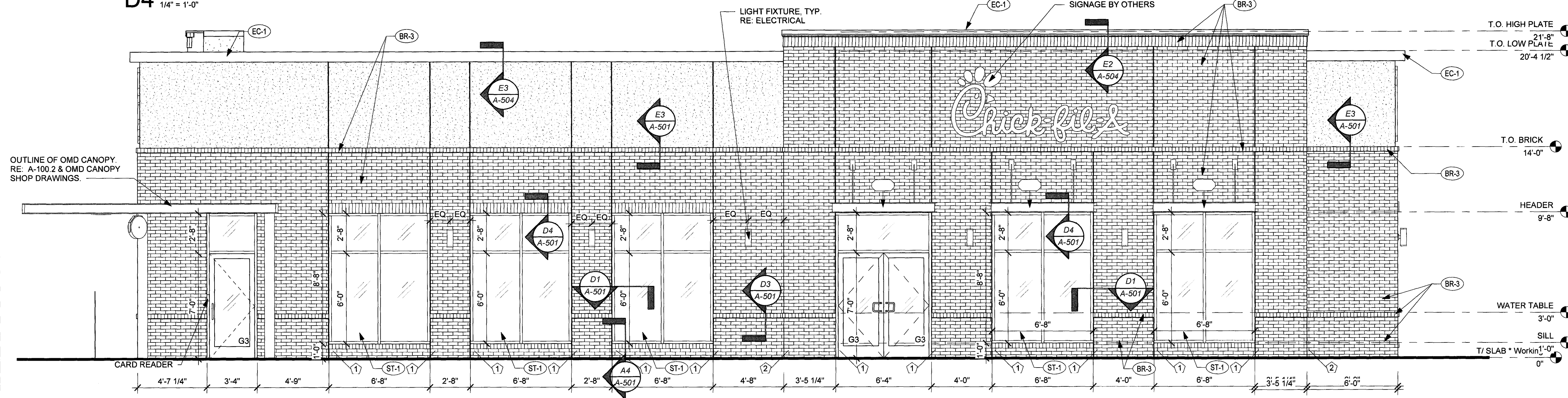


D4 DRIVE-THRU ELEVATION - LRG
 1/4" = 1'-0"

1-B-20-UR
 Revised: 12/23/2019

APPROVED BRICK ALTERNATIVES
 (SEE NATIONAL ACCOUNTS LIST FOR CONTACT INFORMATION)

FINISH	MANUFACTURER	MODEL	MORTAR	PLANT LOCATION
BR-3	BORAL BRICK	CITADEL	ARGOS, SAN TAN	BESSEMER, AL
BR-3	RELAND BRICK	KHAKI MATT	ARGOS, SAN TAN	HARMAR, PA
BR-3	MUTUAL MATERIALS	IMPERIAL GRAY	ARGOS, SAN TAN	SPOKANE, WA
BR-3	ACME BRICK	PALOMA GRAY	ARGOS, SAN TAN	ELGIN, TX
BR-3	ACME BRICK	DRIFTWOOD VELOUR	ARGOS, SAN TAN	DENVER, CO
BR-3	HC MUDDOX	SPANISH MOSS	ARGOS, SAN TAN	SACRAMENTO, CA



C4 FRONT ELEVATION - LRG
 1/4" = 1'-0"

WALL TYPES SCHEDULE - EXTERIOR

MARK	DESCRIPTION (DOES NOT INCLUDE FINISHES)
K-M6-BR	BRICK ON AIR SPACE ON 30# FELT ON EXTERIOR SHEATHING ON 6 INCH METAL STUD FRAMING ON INTERIOR SHEATHING

EXTERIOR CANOPY SCHEDULE - SE LRG

Mark	Description	Count	Overall Width	Overall Depth	Tie Back Mounting (Offset from Top)	Light Fixture(s)
C4-A	Exterior Canopy	1	55'-0"	11'-0"	3'-0"	No
C4-E	Exterior Canopy	1	5'-0"	4'-0"	2'-6"	Yes
C4-F	Exterior Canopy	1	7'-1"	4'-0"	2'-6"	Yes
C4-G	Exterior Canopy	4	7'-1"	4'-0"	2'-6"	No
C5-A	Exterior Canopy	1	10'-8"	5'-0"	2'-6"	Yes
Grand total		8				

CANOPY NOTES:
 ALL BUILDING-MOUNTED CANOPIES 8" THICK
 C1/C4/C5 CANOPIES - KYNAR FINISH OF STRUCTURE, FASCIA, & DECKING TO MATCH (P-9)
 C3 CANOPIES - KYNAR FINISH OF STRUCTURE & FASCIA TO MATCH (P-9). DECKING TO BE SMOOTH WHITE. SEE RCP FOR NOTCH DIMENSIONS

FINISH SCHEDULE - EXTERIOR

MARK	DESCRIPTION	MANUFACTURER	MODEL NAME	MODEL NUMBER	COLOR	NOTE
BR-3	BRICK VENEER	BORAL BRICK	MODULAR			
EC-1	PARAPET WALL COPING	DUROLAST / EXCEPTIONAL METALS	STANDARD FRP		CITADEL DARK BRONZE (MATTE)	MORTAR: ARGOS SAN TAN
PT-7	EXTERIOR PAINT	SHERWIN WILLIAMS	SHER-CRYL HIGH PERFORMANCE ACRYLIC	SW2807	ROOKWOOD	REFUSE ENCLOSURE FINISH: SEMI-GLOSS ON DOOR FRAMES, SATIN ON WALLS
PT-9	EXTERIOR PAINT	SHERWIN WILLIAMS	SHER-CRYL HIGH PERFORMANCE ACRYLIC		DARK BRONZE	
ST-1	STOREFRONT	KAWNEER	TRIFAB 451™		DARK BRONZE (MATTE)	

BRICK EXPANSION JOINT LEGEND

- ALIGN EJ WITH JAMB
- ALIGN EJ WITH CORNER OF WALL
- ALIGN WITH EXTENT OF BRICK ABOVE
- AS DIMENSIONED

NOTE: EJ SEALANT COLOR TO MATCH MORTAR COLOR.

GLAZING SCHEDULE

MARK	THICKNESS	TYPE	TINT	REMARKS
G1	1/4"	TEMPERED	CLEAR	
G3	1/4"	LAMINATED	CLEAR	
G11	1/2"	TEMPERED	CLEAR	BUTT GLAZE
G21	1"	TEMPERED	CLEAR - LOW-E	PROVIDE THERMALLY BROKEN AT EXTERIOR LOCATIONS
G31	1"	TEMPERED	ACID ETCHED - LOW-E	PROVIDE THERMALLY BROKEN AT EXTERIOR LOCATIONS

Notes:
 1. All glass to be G21 U.N.O.
 2. Prototypical Storefront System (Mullions & Glazing combined) U-values: 0.46 SHGC: 0.28 (Clear Glass - Tinted glass will not be accepted)
 3. Site Adapt Architect of Record responsible for updating glazing values per local Code Requirements. RE: Specifications, Section 08800.

CHICK-FIL-A
KINGSTON OVERLOOK
 FSR
 9646 KINGSTON PIKE
 KNOXVILLE, TN 37922

FSR#00994
 BUILDING TYPE / SIZE: SE / LRG
 RELEASE: v2.18.04

REVISION SCHEDULE
 NO. DATE DESCRIPTION
 09/27/19 DESIGNNOTESUPDATE

ARCHITECT'S PROJECT # 2017.0425
 PRINTED FOR: PERMIT
 DATE: 07/03/2018
 DRAWN BY: AD

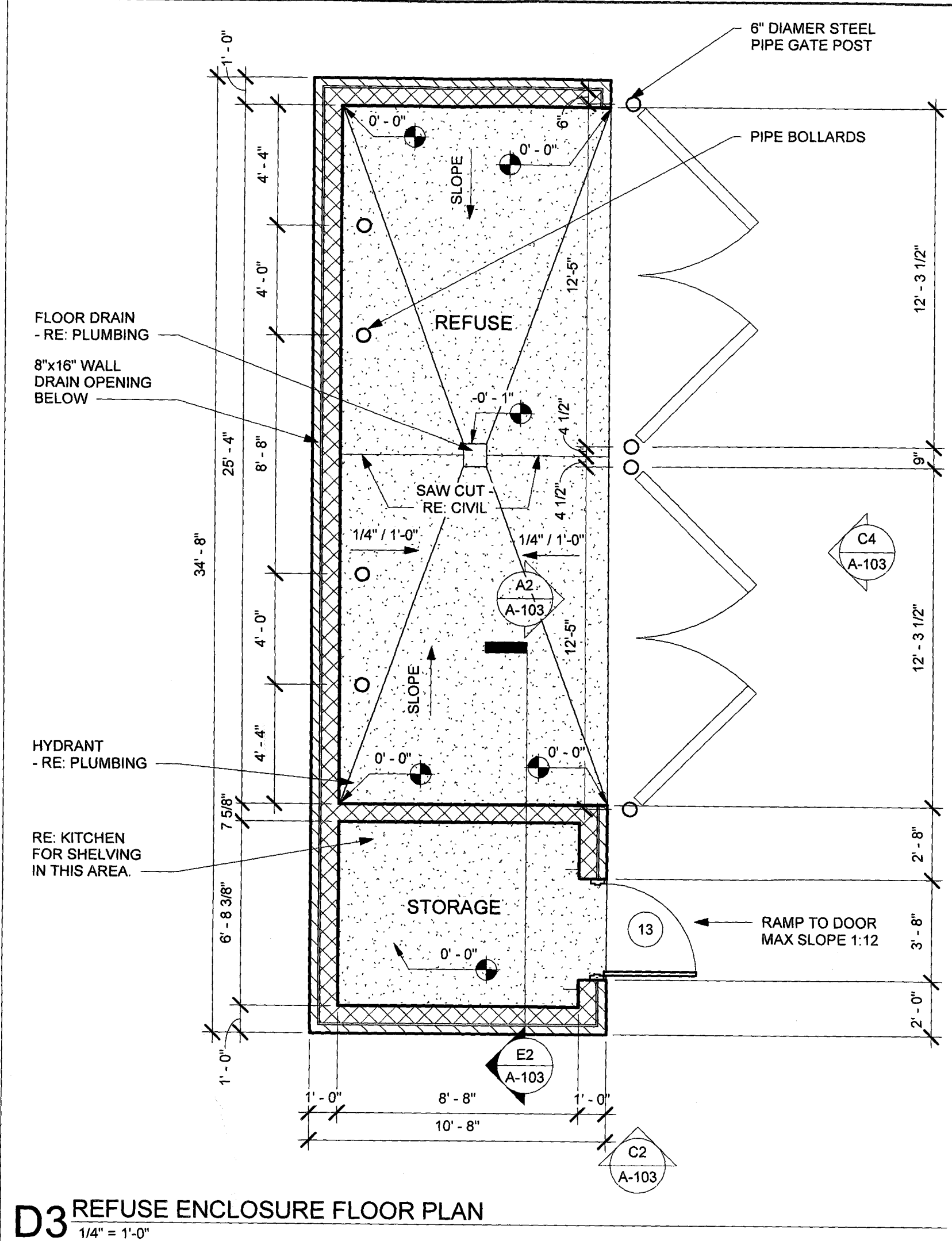
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SHEET EXTERIOR ELEVATIONS

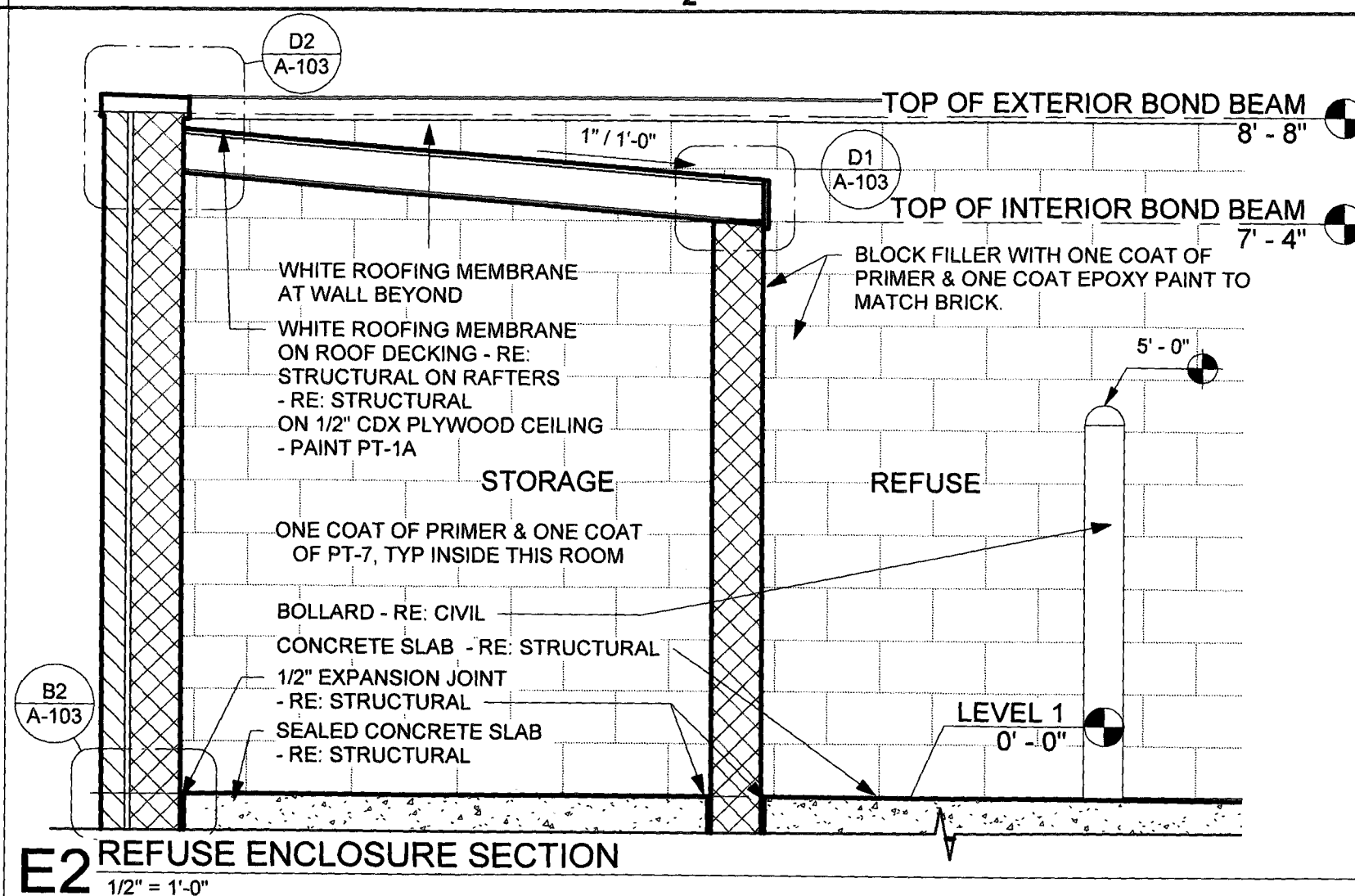
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A-301L

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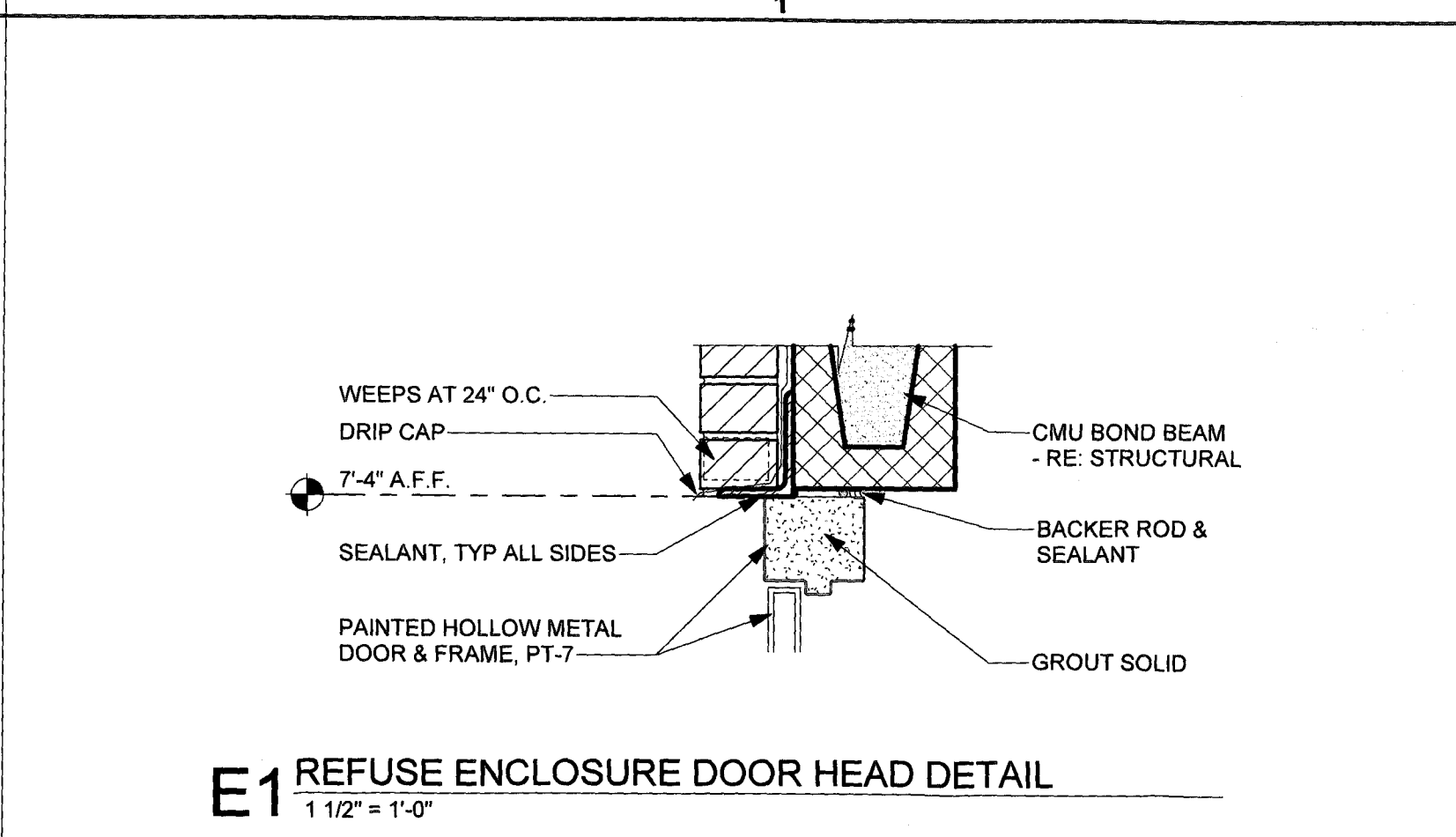
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 102-REFUSE ENCLOSURE



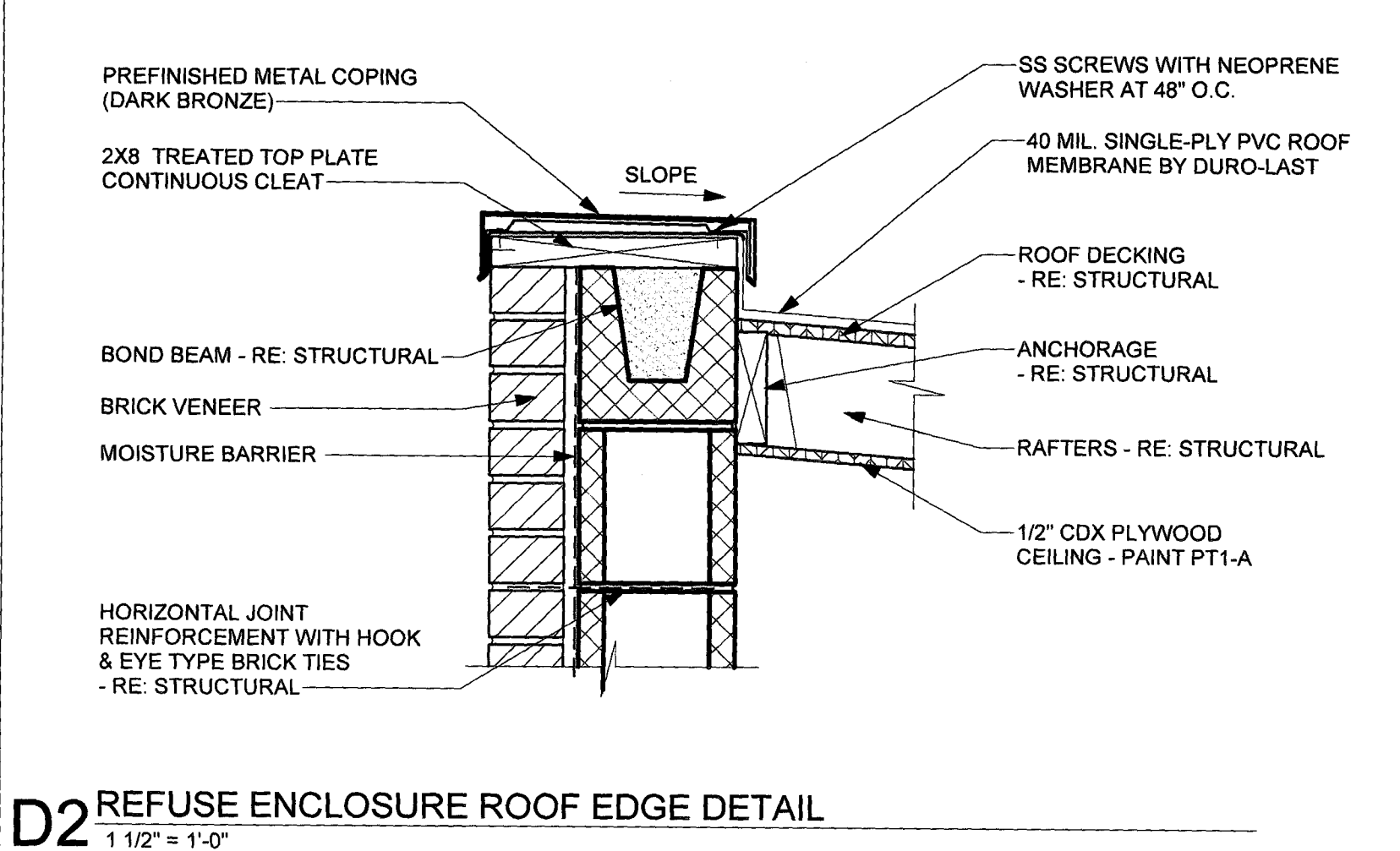
D3 REFUSE ENCLOSURE FLOOR PLAN
1/4" = 1'-0"



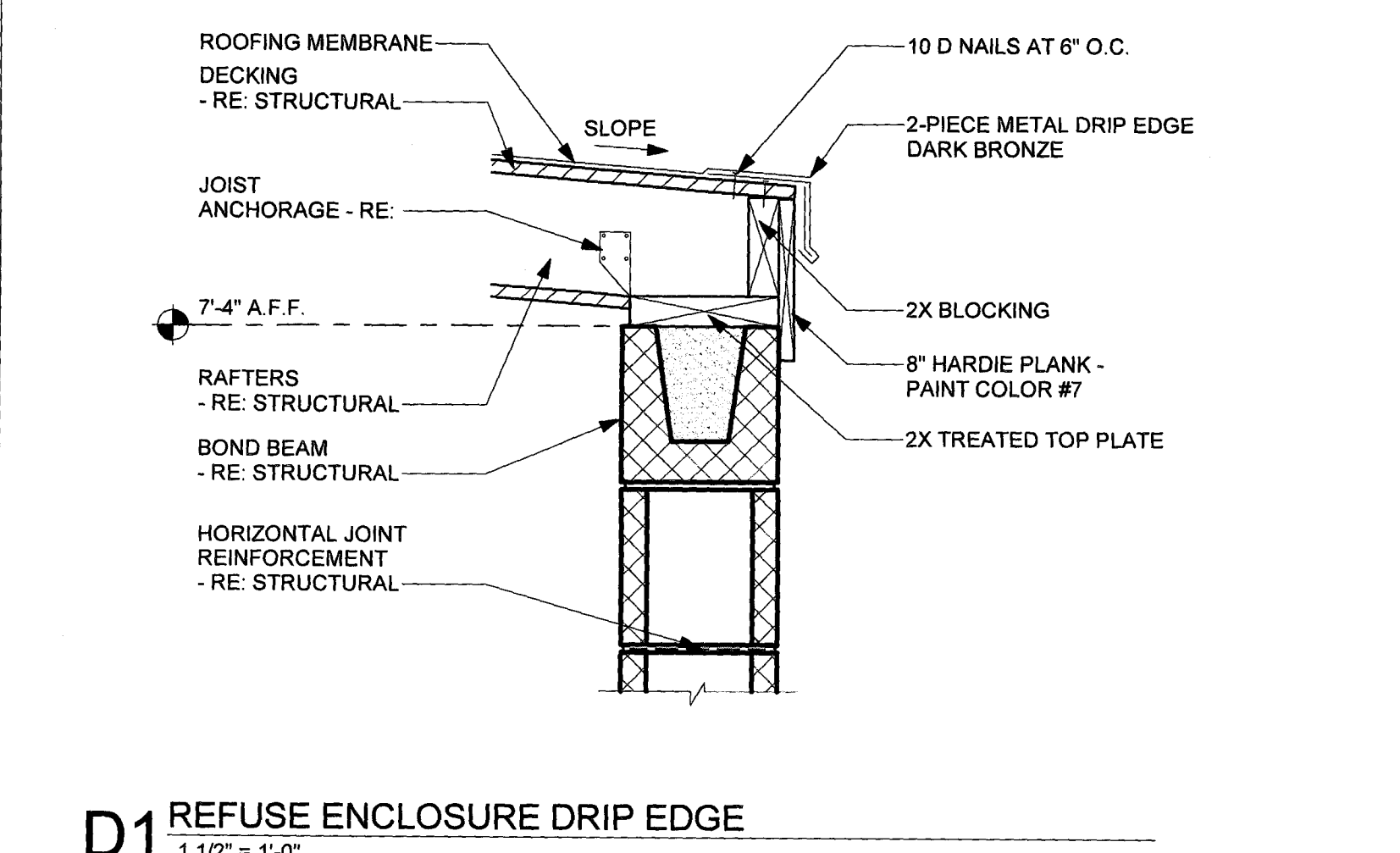
E2 REFUSE ENCLOSURE SECTION
1/2" = 1'-0"



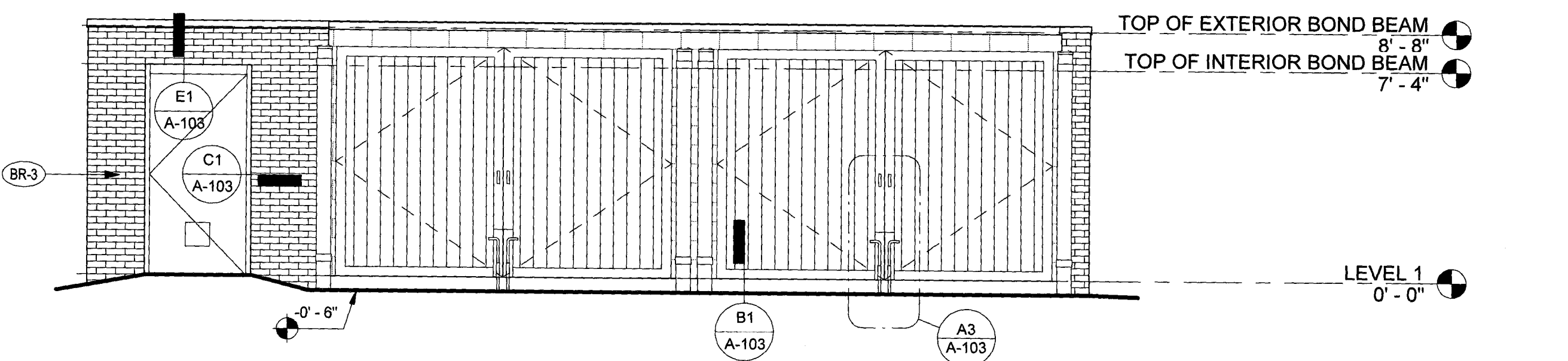
E1 REFUSE ENCLOSURE DOOR HEAD DETAIL
1 1/2" = 1'-0"



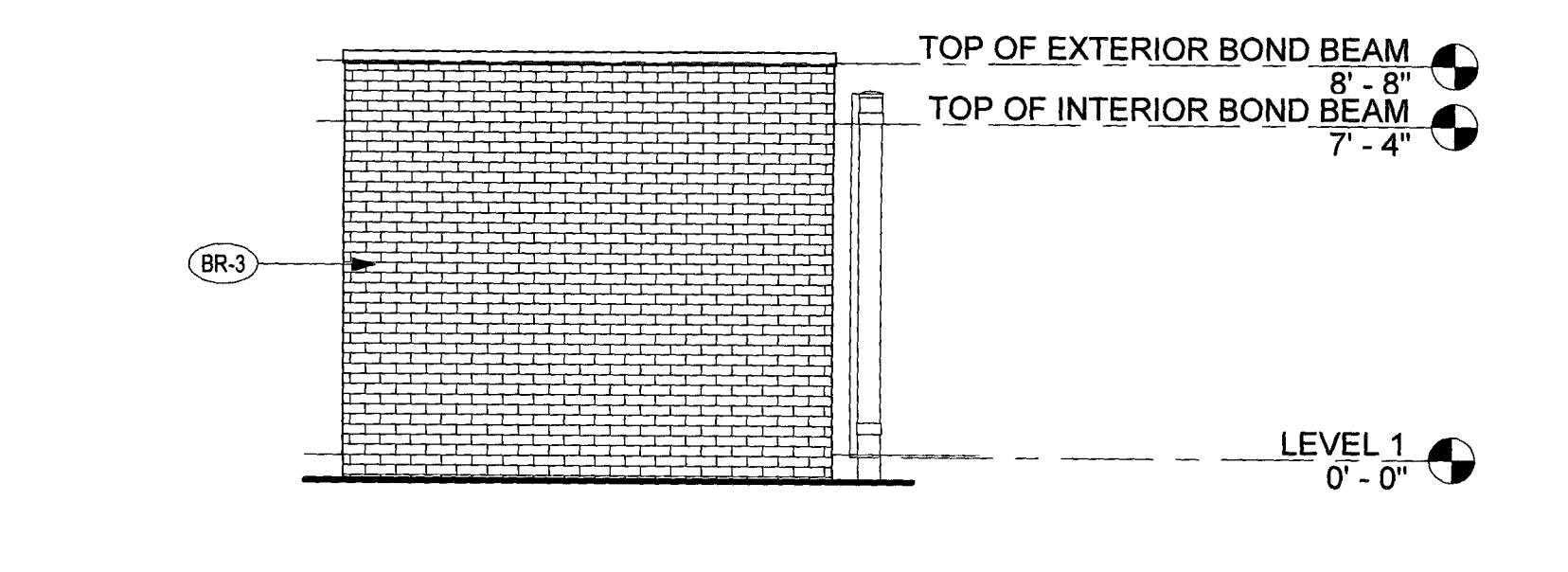
D2 REFUSE ENCLOSURE ROOF EDGE DETAIL
1 1/2" = 1'-0"



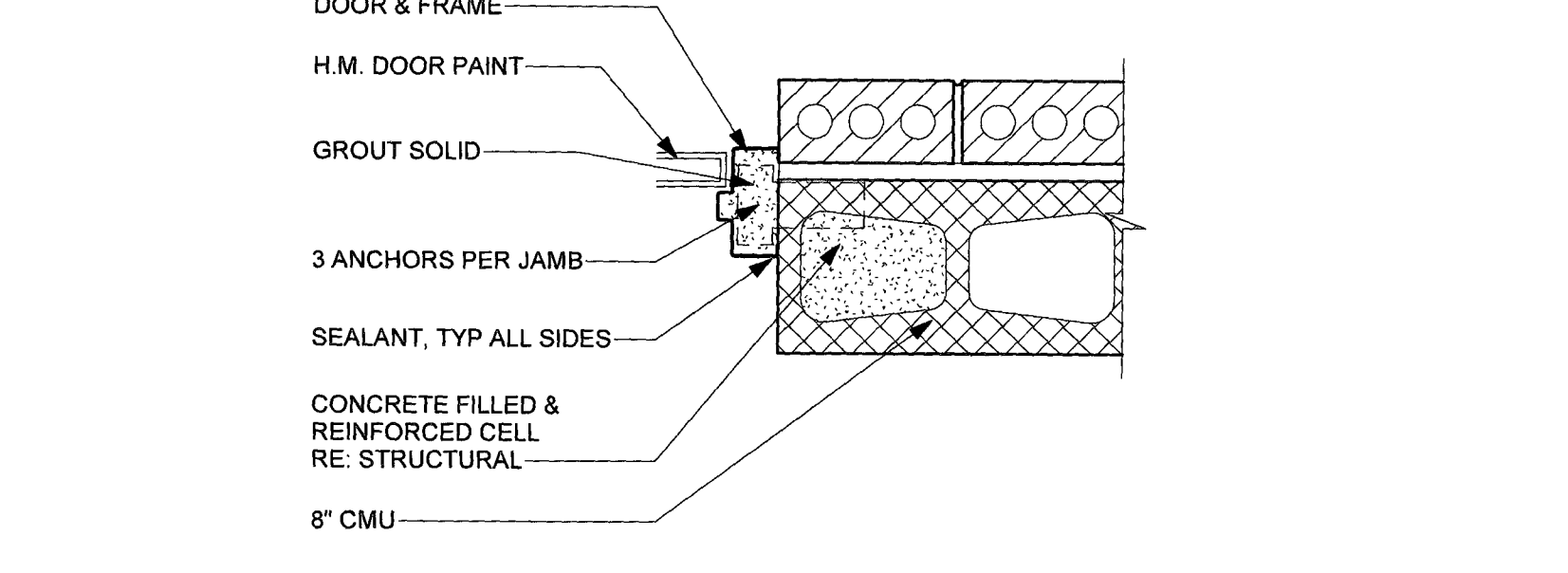
D1 REFUSE ENCLOSURE DRIP EDGE
1 1/2" = 1'-0"



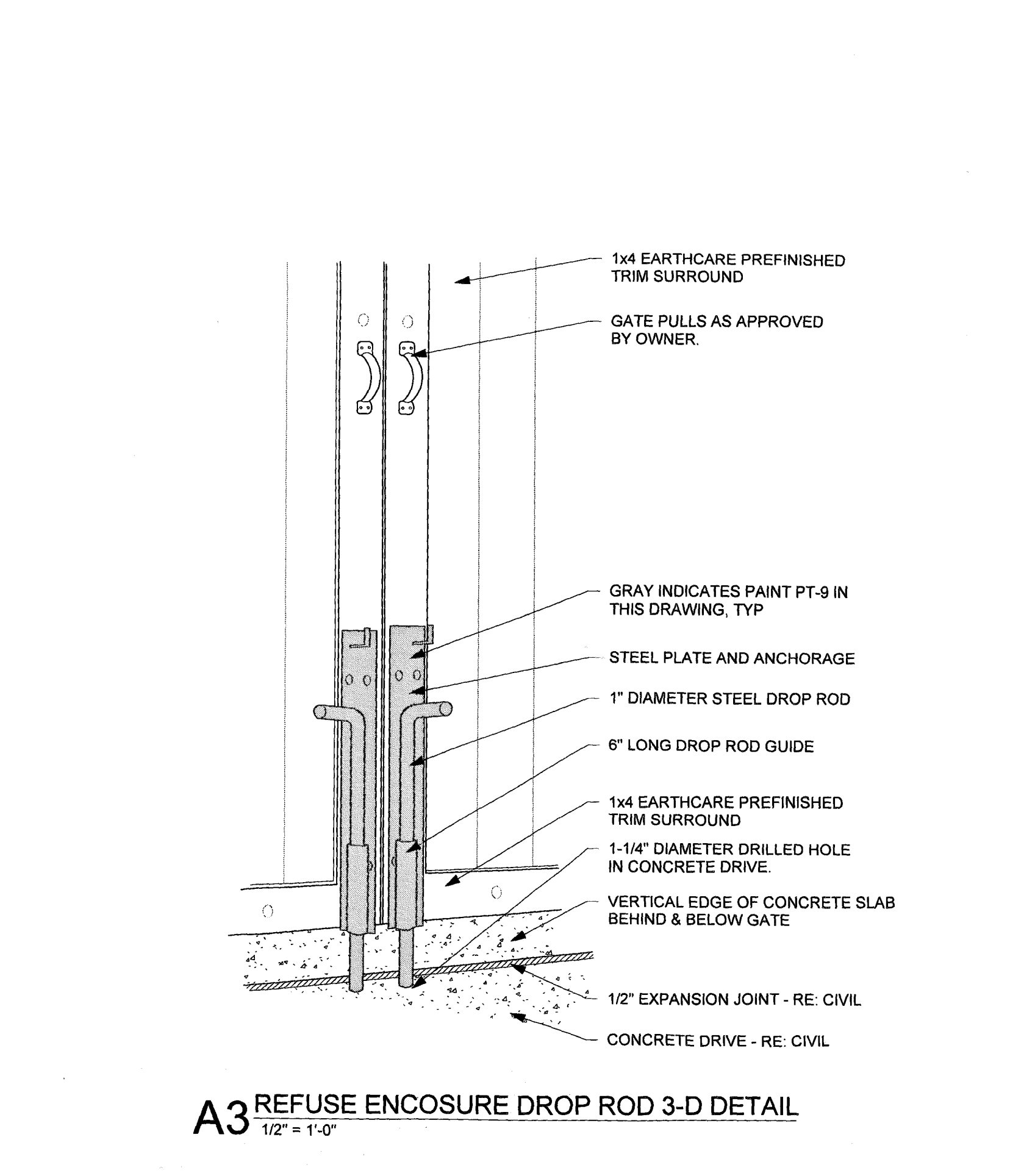
C4 REFUSE ENCLOSURE FRONT ELEVATION
1/4" = 1'-0"



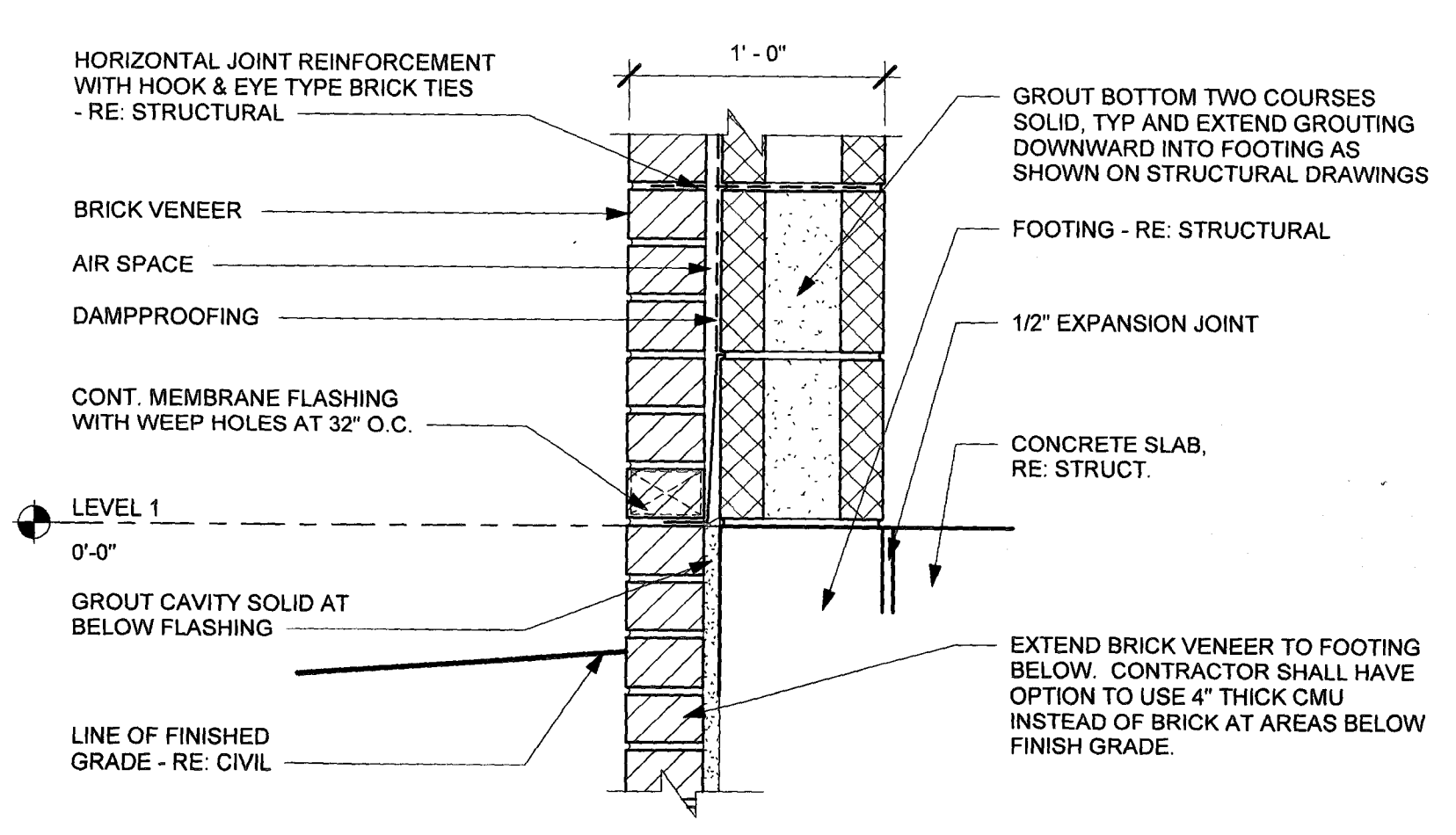
C2 REFUSE ENCLOSURE SIDE ELEVATION
1/4" = 1'-0"



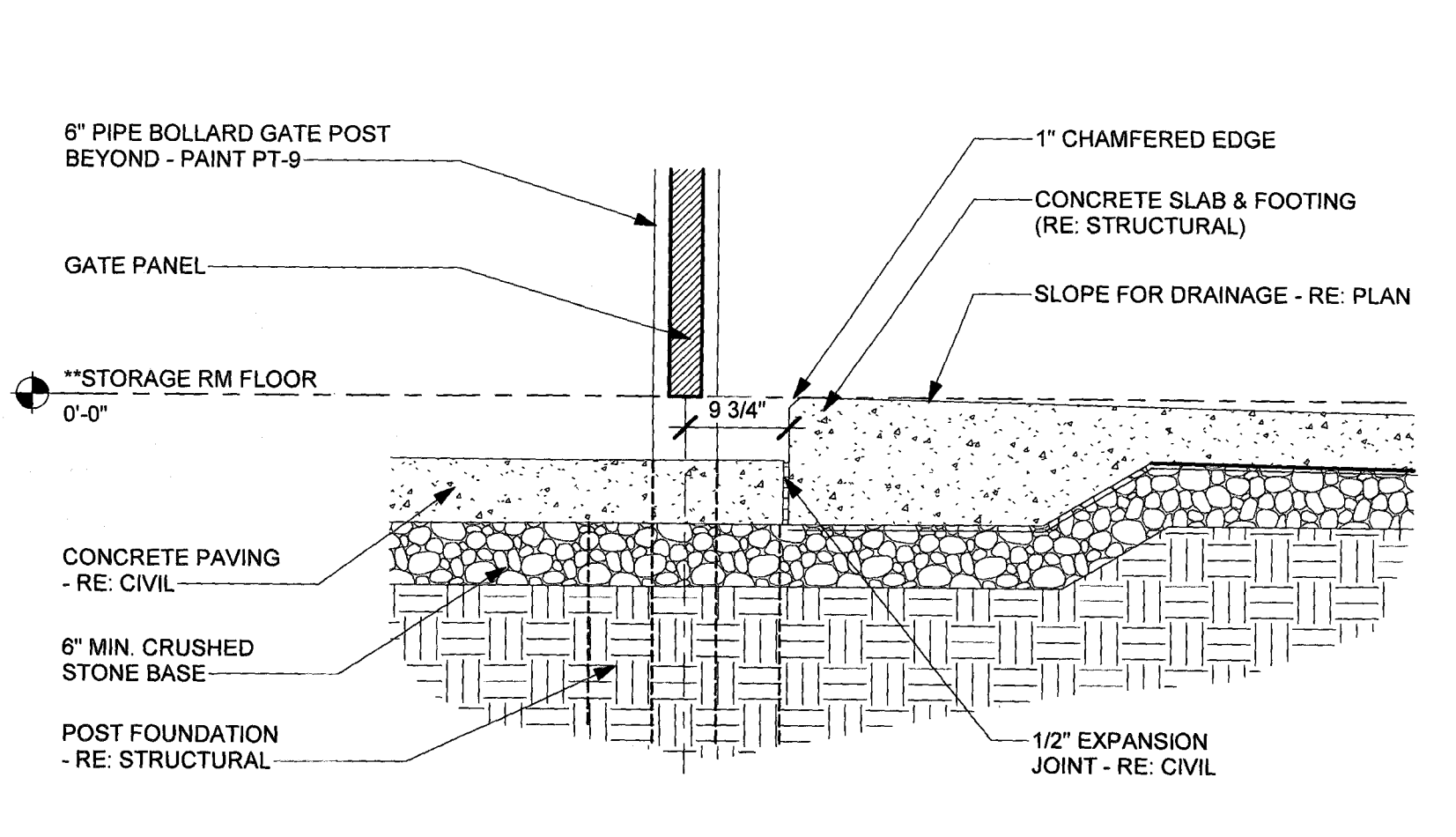
C1 REFUSE ENCLOSURE DOOR JAMB DETAIL
1 1/2" = 1'-0"



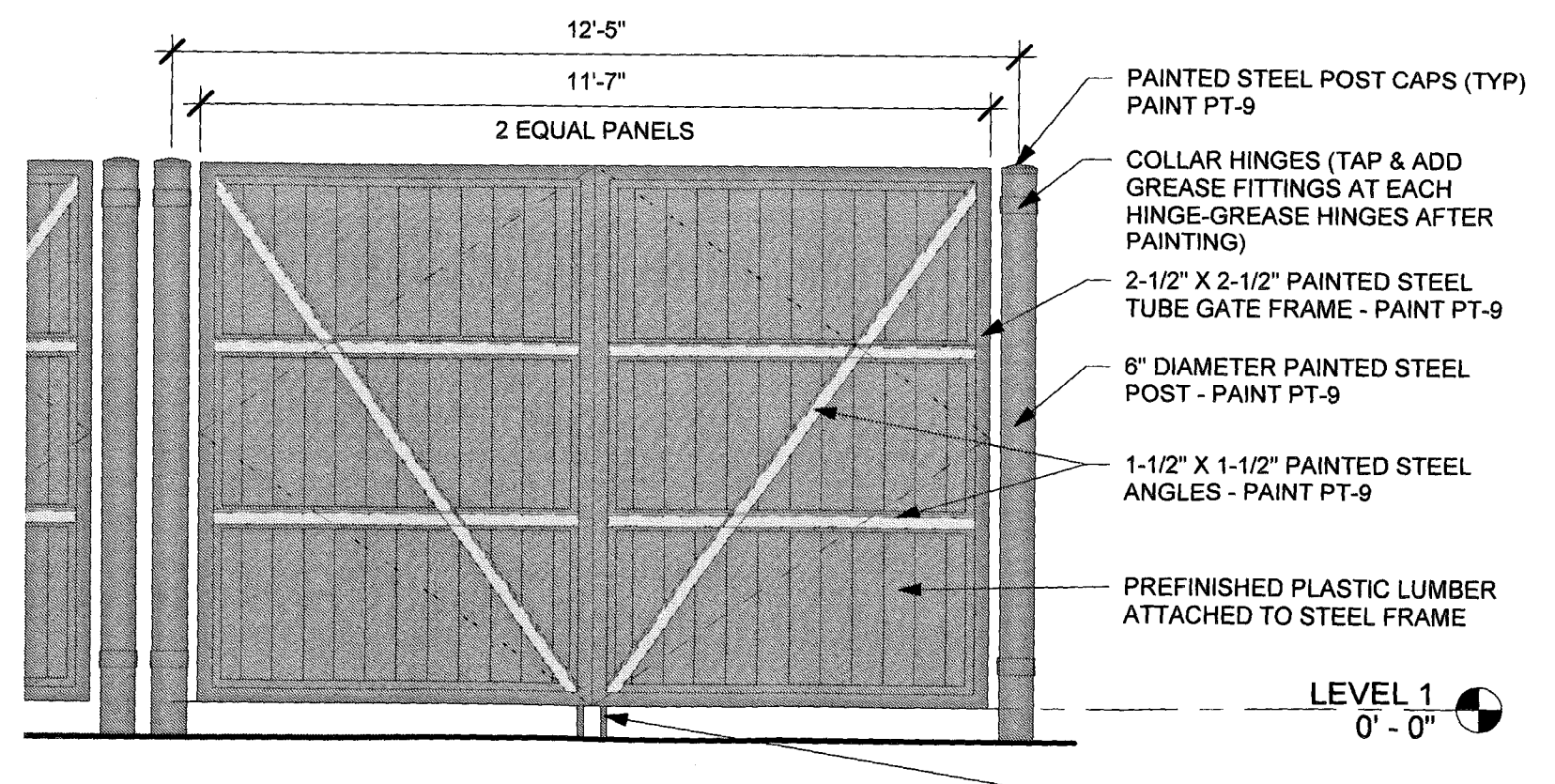
A3 REFUSE ENCLOSURE DROP ROD 3-D DETAIL
1/2" = 1'-0"



B2 REFUSE ENCLOSURE BASE DETAIL
1 1/2" = 1'-0"



B1 REFUSE PAD AT CONCRETE PAVING DETAIL
3/4" = 1'-0"



A2 REFUSE ENCLOSURE BACK OF GATE ELEVATION
3/8" = 1'-0"

REFUSE ENCLOSURE NOTES

- ** IN THE ARCHITECTURAL DRAWINGS, REFUSE ENCLOSURE AND MAIN BUILDING ARE BOTH NOTED WITH FINISH SLAB AT 0'-0". ACTUAL FINISH SLAB HEIGHTS WILL VARY BETWEEN MAIN BUILDING AND REFUSE ENCLOSURE. REFER TO CIVIL FOR ALL FINISH SLAB HEIGHTS.

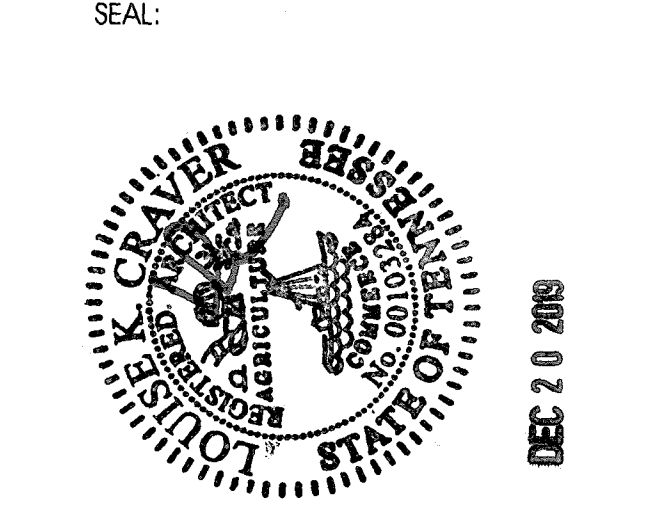
1-B-20-UR
Revised: 12/23/2019



Chick-fil-A
5200 Buffington Road
Atlanta, Georgia
30349-2998

INTERPLAN
ARCHITECTURE
ENGINEERING
INTERIOR DESIGN
PROJECT MANAGEMENT

604 COURTLAND STREET
SUITE 100
ORLANDO, FLORIDA 32804
PH 407.645.5008
FX 407.629.9124



CHICK-FIL-A
Kingston Overlook FSU
9646 Kingston Pike,
Knoxville, TN 37922

FSR# 0994
BUILDING TYPE / SIZE: COM / ALL
RELEASE: v2.18.04

REVISION SCHEDULE NO.	DATE	DESCRIPTION

ARCHITECT'S PROJECT #	2017.0426
PRINTED FOR DATE	PERMIT DATE 07/03/18
DRAWN BY	MB
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SHEET	REFUSE ENCLOSURE

SHEET NUMBER
A-103

PERMIT

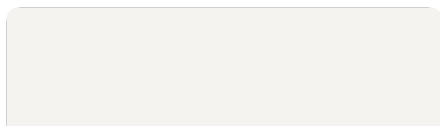


Image capture: Apr 2016 © 2019 Google

Knoxville, Tennessee



Street View





DEVELOPMENT REQUEST

DEVELOPMENT

- Development Plan
- Use on Review / Special Use

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
- Rezoning

Chick-fil-A, Inc. - Evan Foster

Applicant

11/14/2019
Date Filed

January 9, 2020
~~December 12, 2019~~
Meeting Date (if applicable)

1-B-20-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

Donna Brown	Interplan LLC
Name	Company
604 Courtland Street, Suite 100	Orlando FL 32804
Address	City State Zip
4076455008	dbrown@interplanllc.com
Phone	Email
	<i>fax 407-629-9124</i>

CURRENT PROPERTY INFO

Lisa Teah Reusche and Tanya Sheree Browning			5809 Cypress Point Drive, Fort Worth, TX 76132		
Owner Name (if different)		Owner Address		Owner Phone	
9646 Kingston Pike, Knoxville, TN 37922				13202107	
Property Address			Parcel ID		
Southside of Kingston Pike, east of Triplett Lane			1.31		
General Location			Tract Size		
City Council 1 District 2			SC-2		
Jurisdiction (specify district above)		<input checked="" type="checkbox"/> City <input type="checkbox"/> County		Zoning District	
Southwest County		Fast Food Restaurant GC		Commercial Inside city	
Planning Sector		Sector Plan Land Use Classification		Growth Policy Plan Designation	
Restaurant with drive-thru		N		First Utility District First Utility District	
Existing Land Use		Septic (Y/N)		Sewer Provider Water Provider	

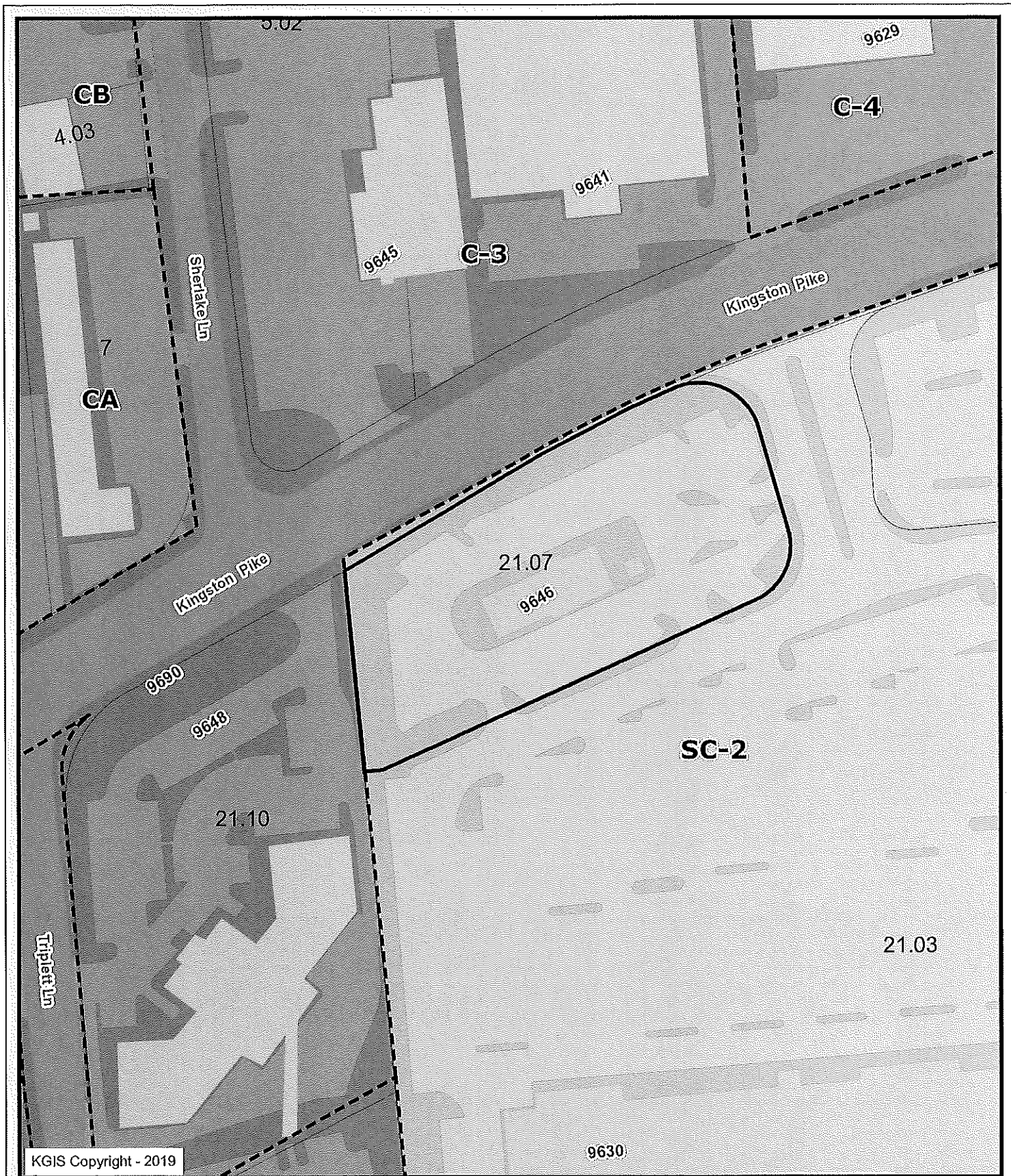
REQUEST

DEVELOPMENT	<input type="checkbox"/> Development Plan <input checked="" type="checkbox"/> Use on Review / Special Use
	<input type="checkbox"/> Residential <input 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: _____
	<input type="checkbox"/> Other (specify): _____
	<input type="checkbox"/> Attachments / Additional Requirements
	<input type="checkbox"/> Zoning Change: _____ Proposed Zoning _____
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"/> Staff Review <input type="checkbox"/> Planning Commission	FEE 1:	TOTAL:
	ATTACHMENTS	<input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	FEE 2:	
	ADDITIONAL REQUIREMENTS	<input type="checkbox"/> Design Plan Certification (Final Plat only)	FEE 3:	
	<input type="checkbox"/> Use on Review / Special Use (Concept Plan only)			
	<input type="checkbox"/> Traffic Impact Study			

AUTHORIZATION

Staff Signature	Please Print	Date
	Lisa Teah Reusche	
Applicant Signature	Please Print	Date
	Tanya Sheree Browning	10-29-19
Applicant Signature	Please Print	Date

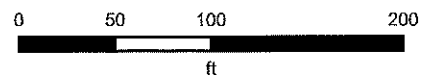


Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



Printed: 11/14/2019 at 12:52:21 PM



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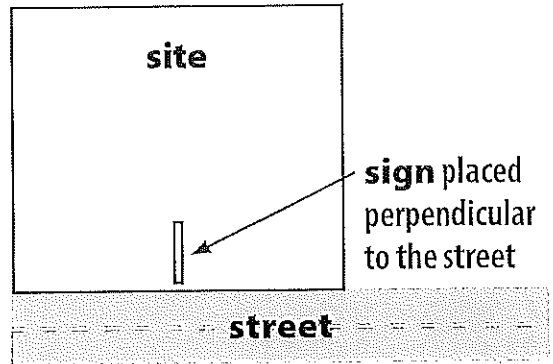
REQUIRED SIGN POSTING AGREEMENT

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 Administrative Rules and Procedures.

At the time of application, 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 Planning 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. Planning 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 Planning Commission 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 Planning Commission 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:

Dec 24th and Jan 10th
 (15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: See attached

Printed Name: Chick-fil-A Walter Hobbs Marshall Wilkens

Phone: _____ Email: _____

Date: December 5, 2019

File Number: 1-B-20-UR



Mike Reynolds <mike.reynolds@knoxplanning.org>

2017.0425 Chick-fil-A - Kingston Pike, Knoxville, TN Use on Review Submittal

Donna Brown <DBrown@interplanllc.com>
To: Mike Reynolds <mike.reynolds@knoxplanning.org>
Cc: Nancy Carreras <NCarreras@interplanllc.com>

Fri, Dec 6, 2019 at 1:59 PM

Mike:

I confirmed with the Operator, Marshall Wilkens, that he picked up the sign.

Thanks again!

[Quoted text hidden]