

USE ON REVIEW REPORT

► FILE #: 12-D-21-UR	AGENDA ITEM #: 26				
	AGENDA DATE: 12/9/2021				
► APPLICANT:	TOMMY HUNT CALLOWAY HUNT REAL ESTATE				
OWNER(S):	Robert Kadunce				
TAX ID NUMBER:	92 01201 View map on KGIS				
JURISDICTION:	County Commission District 6				
STREET ADDRESS:	3216 Johnson Rd.				
► LOCATION:	North side of Schaad Road, east side of Johnson Road				
APPX. SIZE OF TRACT:	2.69 acres				
SECTOR PLAN:	Northwest County				
GROWTH POLICY PLAN:	Urban Growth Area				
ACCESSIBILITY:	Access is via Johnson Road, a local street with a 15.5-ft pavement width within a 50-ft wide right-of-way. Access is also via Schaad Road, a 4-lane median separated minor arterial with a pavement width of 100 ft within a right of way width of 112 ft.				
UTILITIES:	Water Source: Knoxville Utilities Board				
	Sewer Source: Knoxville Utilities Board				
WATERSHED:	Grassy Creek				
► ZONING:	CN (Neighborhood Commercial)				
EXISTING LAND USE:	RR (Rural Residential)				
PROPOSED USE:	Convenience store with a gas station and a restaurant with drive- through service				
HISTORY OF ZONING:	Rezoned from A (Agricultural) to CN (Neighborhood Commercial) in 2020 (Case 5-C-20-RZ). A request to rezone the property from A to PC (Planned Commercial) was denied by the Planning Commission (Case 6-L-19-RZ) and withdrawn at County Commission.				
SURROUNDING LAND	North: Single family residences - A (Agricultural)				
USE AND ZONING:	South: Single family residence - A (Agricultural)				
	East: Vacant land - A (Agricultural)				
	West: Single family residences and vacant land - A (Agricultural)				
NEIGHBORHOOD CONTEXT:	This area is primarily single family residential, rural residential and agriculture/forestry/vacant lands. It is in close proximity to Amherst Elementary School and identified as a neighborhood commercial node on the Northwest County Sector Plan.				

STAFF RECOMMENDATION:

• APPROVE the request for a convenience store that is approximately 6,472 sq ft with an internal

AGENDA ITEM #: 26	FILE #: 12-D-21-UR	12/1/2021 03:55 PM	MICHELLE PORTIER	PAGE #:	26-1
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restaurant with a drive-through facility, and a fuel station with 16 gas pump stations, subject to 6 conditions.

1. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.

2. Connection to sanitary sewer and meeting any other relevant requirements of the utility provider.

3. Meeting all applicable requirements of the Knox County Zoning Ordinance, including but not limited to signage and landscaping.

4. Implementing the recommendations of the E-Z Stop Food Mart Transportation Impact Study (Cannon & Cannon, Revised 11/22/2021), as revised and approved by Planning Commission staff and Knox County Engineering and Public Works (see Exhibit A).

5. Working with Knox County Department of Engineering and Public Works on the traffic signal installation at such time as deemed necessary.

6. Installation of all landscaping as shown on the development plan within six months of the issuance of an occupancy permit, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.

With the conditions noted, this plan meets the requirements for approval of a restaurant, drive-through facility, and fueling service station in the CN (Neighborhood Commercial) zone and the criteria for approval of a use on review.

COMMENTS:

This proposal will consist of a 6,472 square foot convenience store with a gas station and a restaurant with a drive-thru window located at the intersection of Johnson Road and Schaad Road. The gas station will have 16 pump locations and is located on the southeast side of the property between the building and Schaad Road. The restaurant is separate from the convenience store and will have indoor seating and a kitchen with a drive-through window.

There are three proposed driveways for the development: two right-in/right-out driveways on Schaad Road and a full-access driveway on Johnson Road.

The E-Z Stop Food Mart Transportation Impact Study (Cannon & Cannon, Revised 11/22/2021) was prepared to evaluate the traffic, operational, and safety impacts of the proposed development upon roadways in the vicinity of the site. The TIS recommended three improvements to the external street system – installation of a traffic signal at the intersection of Schaad Road and Johnson Road, an exclusive left turn lane on the southbound Johnson Road approach to Schaad Road, and a right turn lane on Schaad Road for the development's right-in/right-out driveway. The traffic signal would be installed at a later time determined by the Knox County Department of Engineering and Public Works. Engineering would install the signal, but it would be funded by the applicant.

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. The Northwest County Sector Plan recommends NC (Neighborhood Commercial) uses for this site which 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 NC location criteria state that automobile-oriented uses (e.g. gas stations or convenience stores) should be located on arterial streets at the edge of neighborhoods. Schaad Road is a minor arterial street.

C. The proposed use is consistent with the general plan and sector plan.

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 should be compatible with the character of the adjacent neighborhood. This zoning should generally be placed at street intersections that include either a collector or arterial street, as close to the edge of the neighborhood as possible. The range of permitted uses is limited to those that are generally patronized

on a frequent basis by neighborhood residents. Development performance standards are provided to maximize compatibility between commercial uses and adjacent residential uses.

B. The fuel station, restaurant, and drive-through facility are uses permitted on review in the CN zone. There are no specific standards for these uses within the CN or the supplemental regulations in Article 4 of the Knox County Zoning Ordinance.

C. The CN zone permits individual buildings or commercial establishments that are no more than 5,000 sq. ft. Each use is below the maximum allowed. The convenience store is approximately 4,609 sq. ft. and the restaurant is approximately 1,863 sq. ft.

D. The CN zone has landscaping standards for parking areas and side and rear yards. The proposed landscape plan meets the CN zone standards.

E. The CN zone requires that site lighting be directed away from residential and agricultural zones and any public right-of-way. The attached plans do not show the site lighting but must be provided during permit review.

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 one-story building height and setback from the southeast property line are compatible with the area. B. Amherst Elementary is approximately 450 ft. to the southwest. Surrounding development includes vacant land and single family residences.

C. The proposed use would be located at a commercial node to be utilized by surrounding residential uses. D. Schaad Road is lined with vacant land, various commercial uses clustered together, and single family residences along its length. The proposed use is compatible with this pattern of development.

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

A. The development contains the landscape screening required in the CN zone, which is more robust than the typical landscape screen requirements. This should help buffer the residential lots from the potential adverse impacts of the commercial use, such as noise, lights, fumes, or odors.

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

A. The development has access to Schaad Road, which is a major arterial street. The Johnson Road entry/exit is near the intersection with Schaad Road.

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.

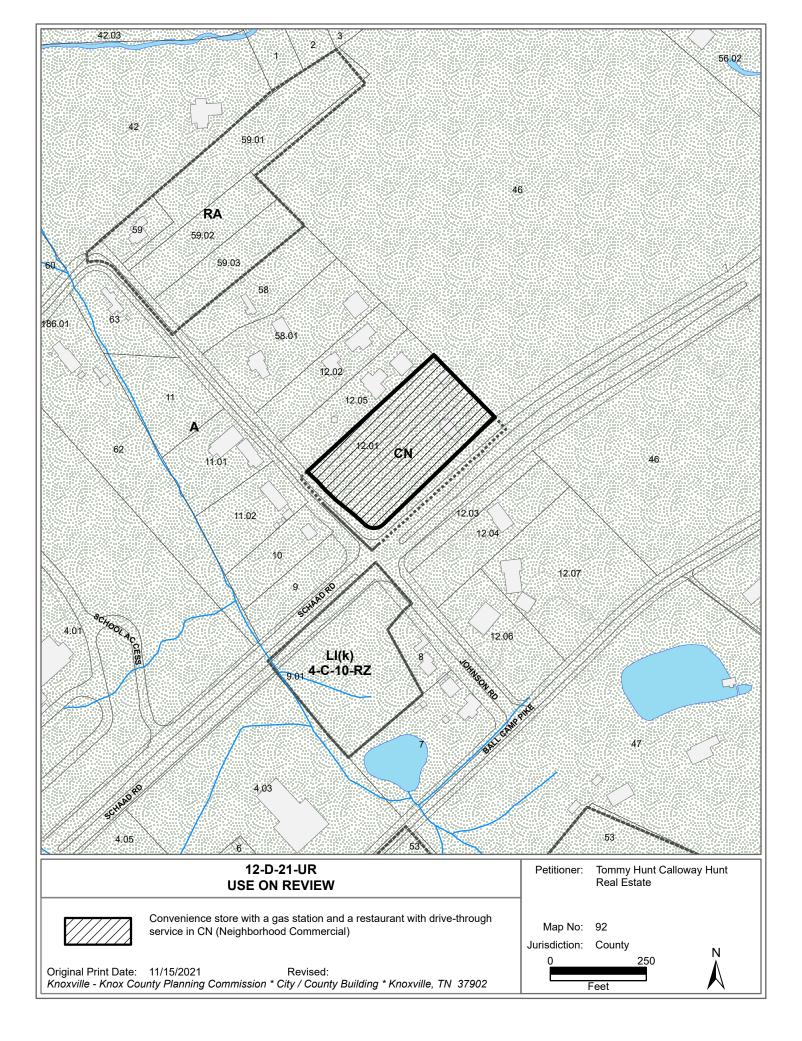
A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed uses within this development.

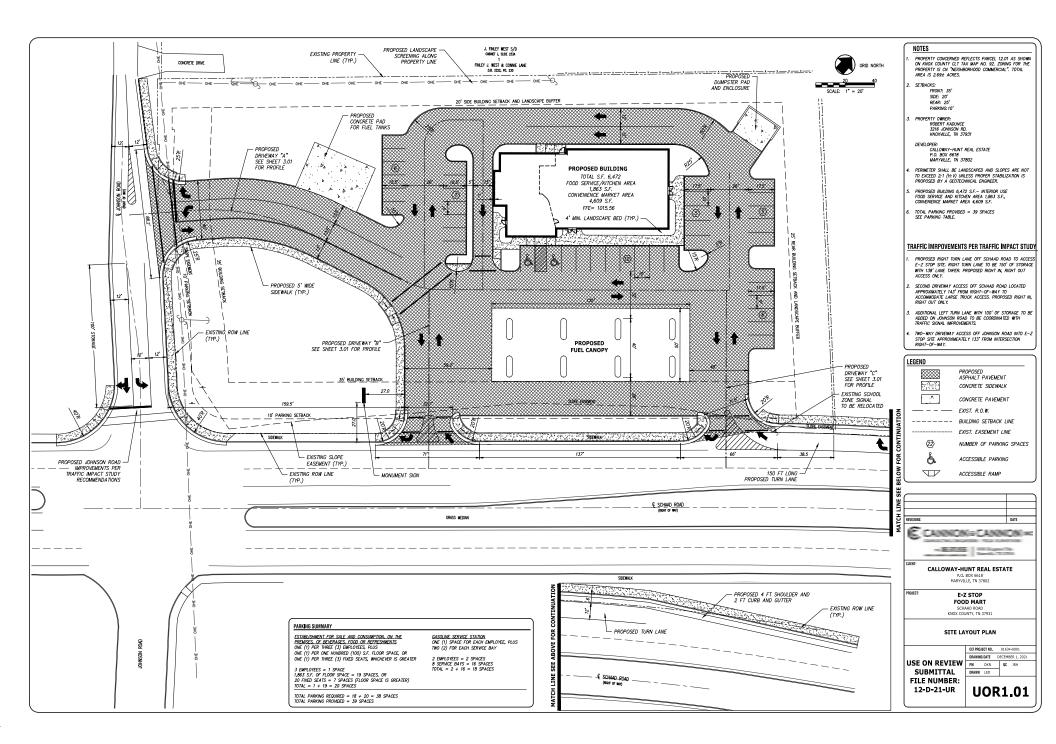
ESTIMATED TRAFFIC IMPACT: 3286 (average daily vehicle trips)

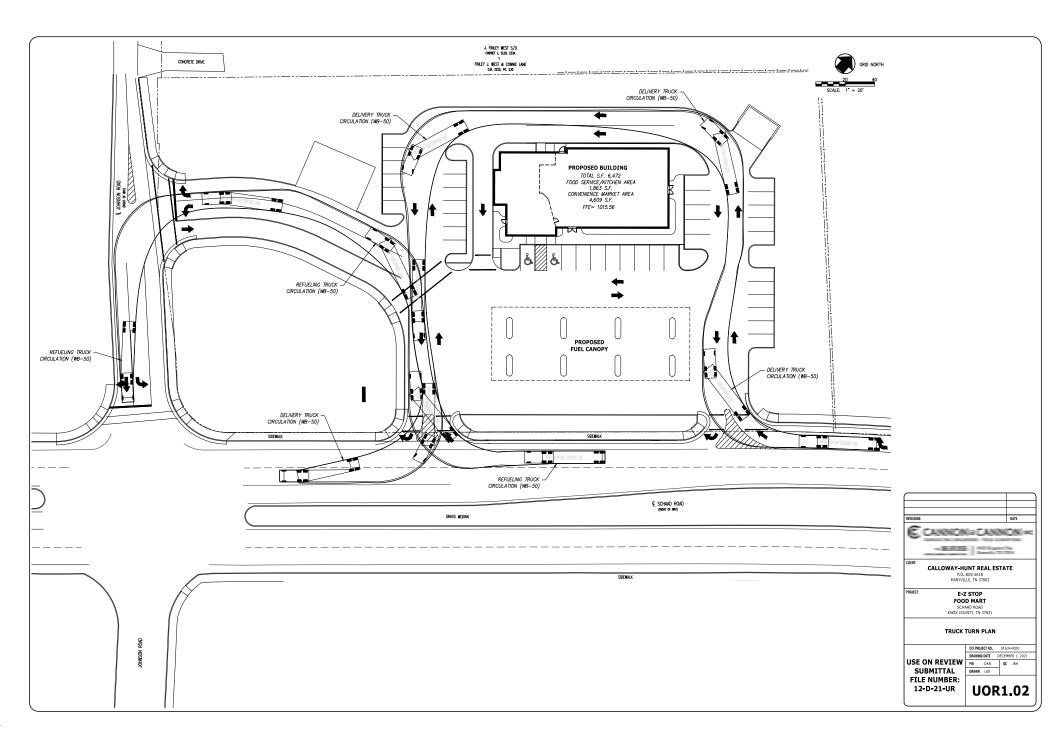
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

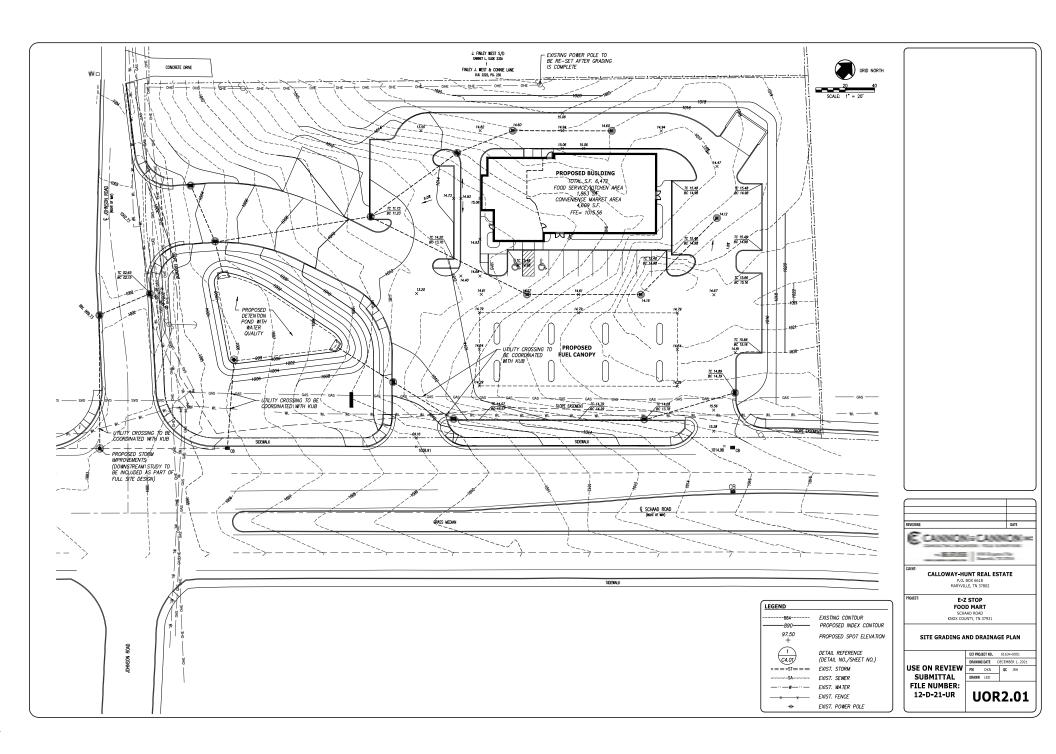
ESTIMATED STUDENT YIELD: Not applicable.

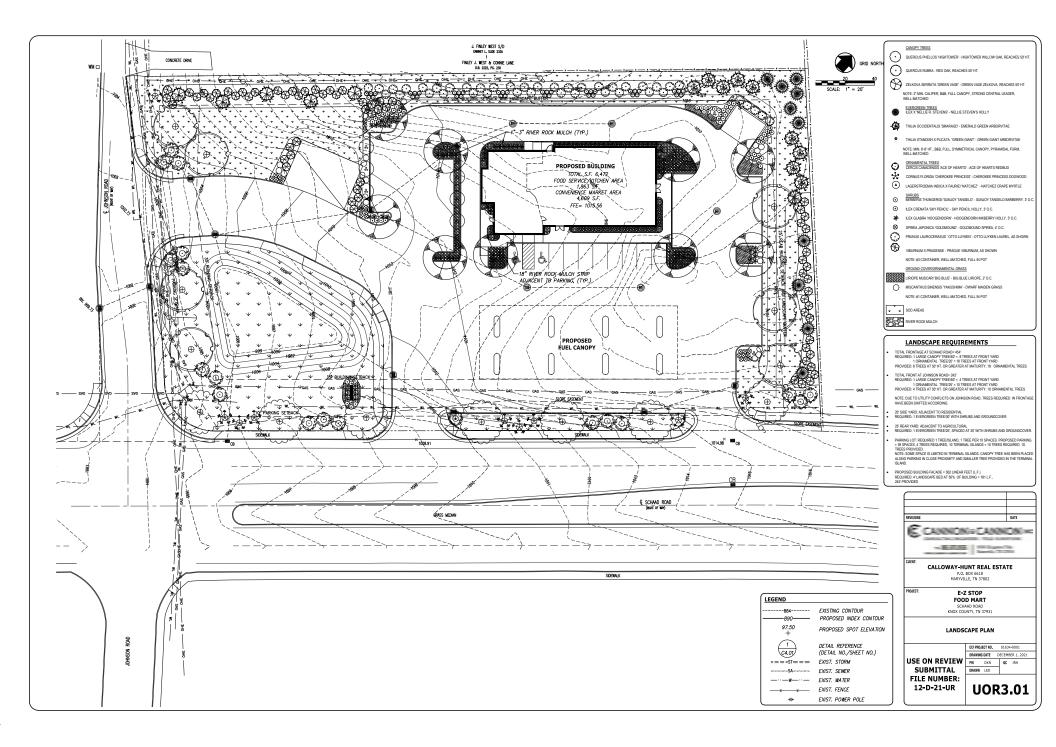
The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning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

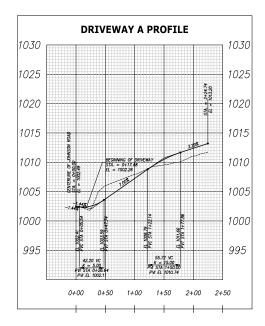


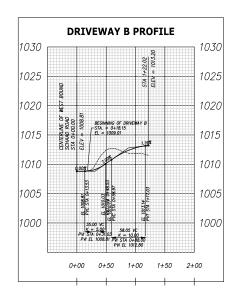


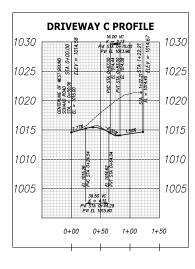


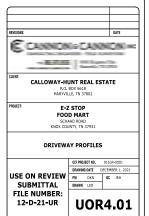




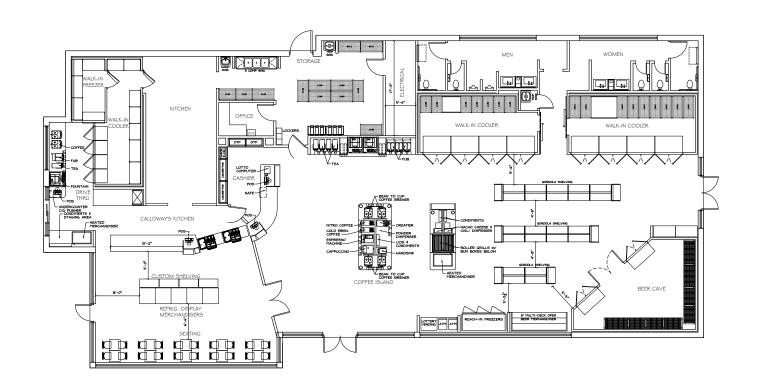








CALLOWAY OIL "SMALL" STORE LAYOUT 4,609 SQ. PT. - C-STORE 1,863 SQ. PT. - KITCHEN 6,472 TOTAL SQ. PT.





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Addressing Department Review and Comments



P: 865.215.2507 F: 865.215.2237 File #: 12-D-21-URDate Submitted: 10/25/21Tax Parcel ID: 092 01201Review Type: URSubdivision:Unit or Phase:Owner:Robert KaduncePhone: N/AApplicant Tommy HuntOffice: 865.982.3266Company: Calloway Hunt Real EstateCell:Email: tommy@ezstop.netFax:

Visit our website: <u>http://www.knoxplanning.org/addressing</u> for a list of existing and available street names.

All subdivision and street names must conform to the Knoxville/Knox County Street Uniform Naming and Addressing Ordinance, Subdivision Regulations and the Administrative Rules of the Planning Commission.

Proposed and/or Existing Subdivision or Street Names	Results of Review, Corrections, and Comments (date subdivision or street name reserved)	Approved, Pending, Denied, Revise, Note
	If approved, existing address may be changed based on submitted site plan. Building fronts Schaad Rd	NOTE
	Unresolved addressing issues may delay building permits. Recommend notifying the owner.	Note
	Site plan shows an access from Schaad Rd	Note

Comments may be modified based on new information from updated plans, field reviews or other agencies.

Andrea Kupfer (865.215.3797)	1 st Review	Donna Hill (865.215.3872)	2 nd Review	
andrea.kupfer@knoxplanning.org	11/1/2021	donna.hill@knoxplanning.org	Nov 8, 2021	



Development Request ZONING

DEVELOPMENT

□ Development Plan

- □ Planned Development
- Use on Review / Special Use
- □ Hillside Protection COA

SUBDIVISION

Concept Plan □ Final Plat

□ Plan Amendment □ SP □ OYP □ Rezoning

Tommy Hunt Calloway Hunt Real Estate

Applicant Name				Affiliation	Affiliation		
10/25/2021 Date Filed		12/09/2021	12/09/2021 Meeting Date (if applicable)		File Number(s)		
		Meeting Date (if applicabl			12-D-21-UR		
CORRESPONDE	NCE	All correspondence related to this appl	ication should be dir	ected to the approved	contact listed below.		
📕 Applicant 🗌 (Owner 🔳	Option Holder 🛛 Project Surveyor	🗌 Engineer 🗌	Architect/Landscape A	Architect		
Tommy Hunt			Calloway Hunt	Real Estate			
Name			Company				
P O BOX 6618			Maryville	TN	37082		
Address			City	State	ZIP		
865-982-3266		Tommy@ezstop.net					
Phone		Email					
CURRENT PROP	PERTY INFO						
Robert Kadunce		3216 Johnson	Rd.				
Owner Name (if diffe	erent)	Owner Address		Own	er Phone		
3216 Johnson R	d., Knoxvill	e TN 37931	092 012	01			
Property Address			Parcel ID				
KUB		KUB			Ν		
Sewer Provider Water P		rovider		Septic (Y/N)			
STAFF USE ONL	Y						
North side of Sc	haad Rd, e	ast side of Johnson Road		2.69 ac.			
General Location				Tract Size			
	6th	CN	RR				
🗌 City 🔳 County	District	Zoning District	Existing	Land Use			
Northwest Cour	nty	NC		Urban			
Planning Sector		Sector Plan Land Use Class	Sector Plan Land Use Classification				

DEVELOPMENT REQUEST

🗌 Development Plan	Use on Review / Special Use	☐ Hillside Protection COA	Related City Permit Number(s)
Residential	Non-Residential		
Home Occupation (spec	cify)		
Other (specify)			

SUBDIVISION REQUEST

						Related Re	ezoning File Number
Proposed Subdivision Name							
Unit / Phase Number	bine Parcels	Divide Parcel	Total Num	ber of Lots (Created		
Other (specify)							
🗌 Attachments / Additional Requi	rements						
ZONING REQUEST							
7 Joning Change						Pending	g Plat File Number
Zoning Change Proposed Zon	ing						
Plan Amendment Change							
Pro	posed Plan Design	ation(s)					
Proposed Density (units/acre)	Previo	us Rezoning Re	quests				
Other (specify)							
STAFF USE ONLY							
PLAT TYPE				Fee 1			Total
🗌 Staff Review 🗌 Planning C	Commission				\$1,500.	00	
ATTACHMENTS				Fee 2			\$1 E00 00
Property Owners / Option Hold	ers 🗌 Variance	Request		ree z			\$1,500.00
ADDITIONAL REQUIREMENT							
 Design Plan Certification (Final Use on Review / Special Use (Columna) 				Fee 3			
☐ Traffic Impact Study	σπεερι Ριαπ)						
COA Checklist (Hillside Protection)	on)						
AUTHORIZATION By sig	gning below, I certij	fy I am the prop	perty owner,	, applicant o	r the owner	s authorize	d representative.
	gned by Tommy F Hunt 1.10.25 13:21:54 -04'00'	Tommy Hu	int Callow	ay Hunt R	eal Estate	10-2	25-21
Applicant Signature		Please Print				Date	
865-548-9971		Tommy@e	zstop.net	:			
Phone Number		Email					
	gned by Marc Payne 1.10.25 16:11:06 -04'00'	Marc Payn	е			12/2	25/21

Staff Signature

Please Print

Date