



USE ON REVIEW REPORT

▶ **FILE #:** 7-D-21-UR

AGENDA ITEM #: 30

AGENDA DATE: 7/8/2021

▶ **APPLICANT:** KARLA GOINS

OWNER(S): Karla Goins

TAX ID NUMBER: 104 054

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 8700 Ball Camp Pk.

▶ **LOCATION:** South side of Ball Camp Pike, west side of Hitching Post Drive

▶ **APPX. SIZE OF TRACT:** 0.98 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via the Schaad Road extension which is under construction as a 3-lane median divided right-of-way of 112' with sidewalks.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **ZONING:** CN (Neighborhood Commercial) pending

▶ **EXISTING LAND USE:** AgForVac (Agriculture/Forestry/Vacant Land)

▶ **PROPOSED USE:** Food Truck Court

HISTORY OF ZONING: A rezoning request from PR (Planned Residential) to CN (Neighborhood Commercial) is pending and will be heard at the July 26, 2021 County Commission meeting.

SURROUNDING LAND USE AND ZONING: North: Single family residences - PR (Planned Residential) up to 5 du/ac

South: Public park and AYSO fields - PR (Planned Residential)

East: Vacant land - A (Agricultural)

West: Single family residence - A (Agricultural)

NEIGHBORHOOD CONTEXT: This area consists of a mix of single family residential with rural residential and agricultural/forestry/vacant lots transitioning to single family residential in areas adjacent to the Schaad Road improvements.

STAFF RECOMMENDATION:

▶ **Approve the request for a restaurant use consisting of up to four (4) food trucks at 8700 Ball Camp Pike, subject to 4 conditions.**

1. Meeting all appropriate requests of the Knox County Zoning Ordinance, including but not limited to the landscape standards of the CN (Neighborhood Commercial) zone district (Section 5.38) and the parking lot dimensional standards (Section 3.51). A landscape plan with the species of the vegetation to be installed and

revised parking lot layout shall be reviewed and approved by Planning Commission staff before any permits are approved for the site.

2. Meeting any applicable requirements of the Knox County Health Department.
3. Meeting all applicable requirements of Knox County Engineering and Public Works.
4. Obtaining approval of the CN (Neighborhood Commercial) zoning for the subject property.

With the conditions noted above, this request meets all requirements for approval in the CN (Neighborhood Commercial) zoning district, as well as the criteria for approval of a use on review.

COMMENTS:

This proposal requires rezoning the property from PR (Planned Residential) to CN (Neighborhood Commercial) to allow consideration of this request. The rezoning application is also on the July Planning Commission agenda and must be recommended for approval for this Use on Review (UOR) request to be considered. If the Planning Commission does not recommend approval of the CN zoning, then this UOR request must be postponed until after County Commission makes a final determination on the rezoning.

At the June Planning Commission meeting, Knox County Engineering and Public Works (County Engineering) expressed concerns regarding commercial access to the site, so the Planning Commission postponed consideration of the rezoning to the July meeting, however, requested that the UOR application also be on the July agenda so as to not further holdup the applicant from opening the food truck park if the rezoning is successful. County Engineering determined that left and right turn movements into the site from Schaad Road is acceptable, however, only right out turn movements will be allowed onto Schaad Road. The potential connection to Hatmaker Drive has been determined to not be feasible at this time.

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. If the associated sector plan amendment is approved (6-A-21-SP), the Northwest County Sector Plan will recommend NC (Neighborhood Commercial) uses for this site. This classification 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 proposed food truck use is compatible with this description. There will be sidewalks linking the subject site to nearby neighborhoods once the Schaad Road improvements are completed.

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 performance standards are provided to maximize compatibility between commercial uses and adjacent residential uses.

B. Since the Knox County Zoning Ordinance does not specifically address food truck parks, they are considered a restaurant use, which is a use permitted on review in the CN (Neighborhood Commercial) zone.

C. The proposed parking lot will need to be revised during permitting to meet the minimum parking stall dimensions and drive aisle width. Of the 23 parking stall shown, staff estimates that only 11 of those meet the dimension standards. If the parking area is redesigned, more spaces than 11 may be feasible.

D. If the associated rezoning application is approved (6-A-21-RZ) and with the recommended conditions of approval, the proposed use will be compatible with the CN zone district.

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 proposal for up to four (4) food trucks to be parked on the subject property is compatible with the surrounding uses along Schaad Road (under construction) and will not disrupt the overall character of the area.

B. The adjacent property to the west has a house. The CN zone district requires a 20-FT landscaped buffer to this property and the applicant is proposing a 40-FT buffer. Unless the Planning Commission specifically requires a landscape buffer larger than 20-FT, the applicant could revise their plan to provide a 20-FT buffer.

C. Because of the dimensional constraints of the lot and the access restrictions to Schaad Road, it is not anticipated that the property will be suitable for many other permitted uses within the CN zone.

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

A. There is no indication that a food truck park with up to four (4) food trucks will significantly injure the value of adjacent properties.

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

A. The property has direct access to Ball Camp Pike (future Schaad Road). It is not anticipated that the use would generate additional traffic that would affect residential areas.

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.

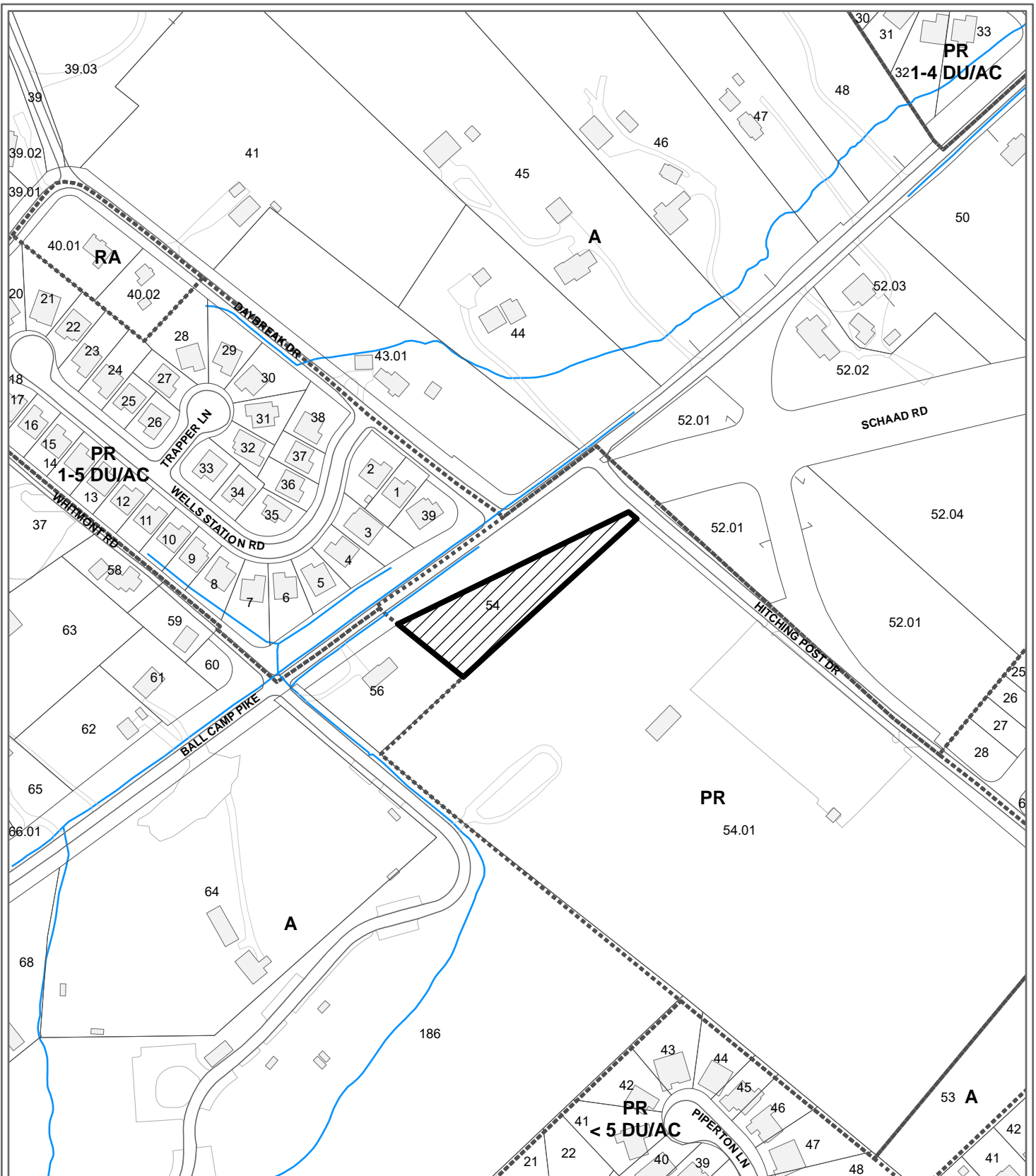
A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed food truck park.

ESTIMATED TRAFFIC IMPACT: Not required.

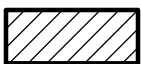


ESTIMATED STUDENT YIELD: Not applicable.

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.



**7-D-21-UR
USE ON REVIEW**



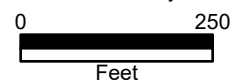
Food Truck Court in CN (Neighborhood Commercial) pending

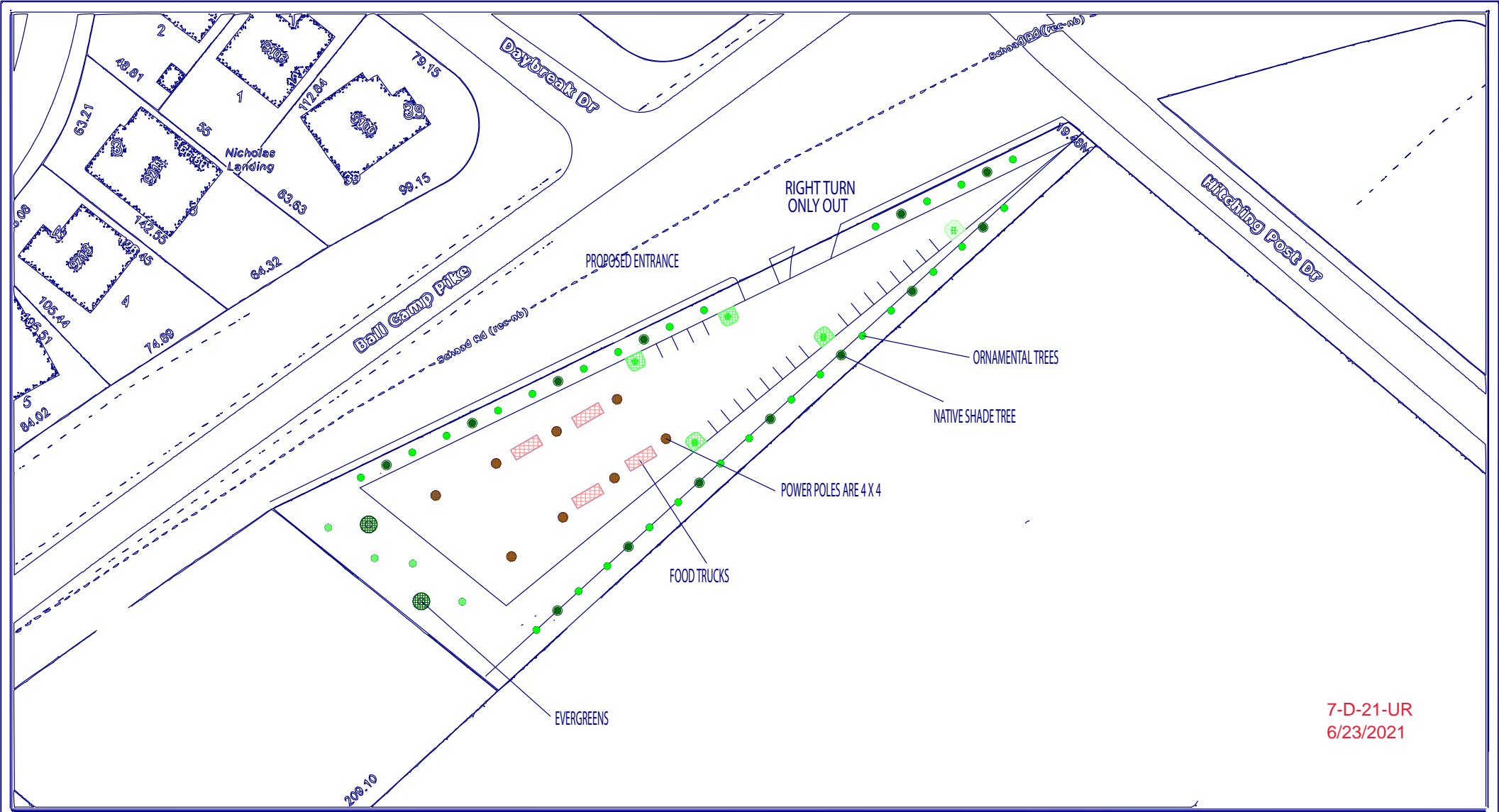
Petitioner: Goins, Karla

Map No: 104

Jurisdiction: County

Original Print Date: 6/9/2021 Revised:
 Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902





7-D-21-UR
6/23/2021



Title
Subtitle
Notes



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Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - SP OYP
- Rezoning

Karla Goins Owner
Applicant Name Affiliation

5-24-21 July 8, 2021 File Number(s)
Date Filed Meeting Date (if applicable) 7-D-21-UR

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

See Above (Below)
Name Company

125 Jessie Ln. Lenoir City TN. 37772
Address City State ZIP

Phone Email

CURRENT PROPERTY INFO

Scott Goins / Karla Goins 865-256-1703
Owner Name (if different) Owner Address Owner Phone

8700 Ball Camp PK, Knox, TN. 37931 104-054
Property Address Parcel ID

mud mud N
Sewer Provider Water Provider Septic (Y/N)

STAFF USE ONLY

South side of Ball Camp Pike West side of Hitchling Post Dr. 98 acres
General Location Tract Size

City County 6th PR (CN pending) Vacant land
District Zoning District Existing Land Use

NW County OS (UC pending) Planned Growth
Planning Sector Sector Plan Land Use Classification Growth Policy Plan Designation

DEVELOPMENT REQUEST

- Development Plan
 Use on Review / Special Use
 Hillside Protection COA
 Residential
 Non-Residential

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) Food Truck Court

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name

Combine Parcels
 Divide Parcel
 Unit / Phase Number _____

Total Number of Lots Created

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Pending Plat File Number

Zoning Change _____
 Proposed Zoning

Plan Amendment Change _____
 Proposed Plan Designation(s)

Proposed Density (units/acre)

Previous Rezoning Requests

Other (specify) _____

STAFF USE ONLY

PLAT TYPE

- Staff Review
 Planning Commission

ATTACHMENTS

- Property Owners / Option Holders
 Variance Request

ADDITIONAL REQUIREMENTS

- Design Plan Certification (Final Plat)
 Use on Review / Special Use (Concept Plan)
 Traffic Impact Study
 COA Checklist (Hillside Protection)

Fee 1	Total
0401	\$1,500
Fee 2	
Fee 3	

AUTHORIZATION

By signing below, I certify I am the property owner, applicant or the owners authorized representative.

Karla Goins
Applicant Signature

Karla Goins
Please Print

5-24-21
Date

865-256-1703
Phone Number

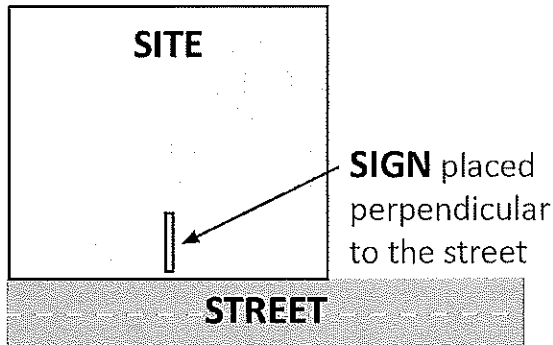
king212@gmail.com
Email

[Signature]
Staff Signature

Michael Reynolds
Please Print

5/24/2021
Date

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, 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 **not less than 12 days prior to 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 not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

6/23/2021 and 7/9/2021
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Karla Goins

Date: 5-24-21

File Number: 7-D-21-GR

Sign posted by Staff

Sign posted by Applicant