



SPECIAL USE REPORT

▶ **FILE #:** 6-E-22-SU

AGENDA ITEM #: 38

AGENDA DATE: 6/9/2022

▶ **APPLICANT:** PALMETTO KNOXVILLE-WESTERN AVE., LLC

OWNER(S): John Trotter / Westhave Acquisition, LLC

TAX ID NUMBER: 93 D K 001 (PART OF)

[View map on KGIS](#)

JURISDICTION: City Council District 3

STREET ADDRESS: 3935 Western Ave.

▶ **LOCATION:** North of Western Ave., west of Sanderson Rd & east of I-75

▶ **APPX. SIZE OF TRACT:** 3.65 acres

SECTOR PLAN: Central City

GROWTH POLICY PLAN: N/A

ACCESSIBILITY: Access is via Sanderson Road, a two-lane minor collector with a pavement width of 50-ft within a right-of-way width of 60-ft. Access is also via Western Avenue, a divided, six-lane major arterial with a pavement width of 87-ft within a right-of-way width of 112-ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

▶ **ZONING:** C-G-1 (General Commercial)

▶ **EXISTING LAND USE:** CO (Commercial)

▶ **PROPOSED USE:** Gas station with convenience store

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Single family residential homes, office building - RN-1 (Single-Family Residential Neighborhood), C-G-1 (General Commercial)

South: Western Avenue right-of-way, drive-thru restaurant, banks and offices - ROW, C-G-1 (General Commercial)

East: Gas station - C-G-1 (General Commercial)

West: I-640 / I-75 right of way - ROW

NEIGHBORHOOD CONTEXT: This is a commercial corridor along Western Avenue adjacent to an interstate interchange, and abutting a residential neighborhood.

STAFF RECOMMENDATION:

▶ **Approve the request to redevelop a portion of the site to a gas convenience store with 12 fueling positions in the C-G-1 zone, subject to 3 conditions.**

1) Meeting all other applicable requirements of the City of Knoxville Engineering Department.

2) Meeting all other applicable requirements of the City of Knoxville Zoning Ordinance, including but not limited to Article 12.

3) Meeting all other applicable requirements of the Tennessee Department of Transportation (TDOT).

With the conditions noted, this plan meets the requirements for approval in the C-G-1 zone and the criteria for approval of a special use.

COMMENTS:

This proposal is to redevelop a portion of a parcel currently consisting of multi-tenant strip commercial building into a gas convenience store with 12 fueling pumps. A portion of the multi-tenant retail building will remain occupied by other tenants, while a portion of the building (20,695 square feet) will be demolished to accommodate the new gas convenience store.

STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2.)

1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.

A. The One Year Plan and Sector Plan designations for this site are MU-CC (Community Mixed Use Center), which recommends a mix of residential, office, and commercial uses.

B. The redevelopment of a portion of the property to a gas convenience store with pedestrian connections from the convenience store to a new sidewalk along Sanderson Road is consistent with the MU-CC land use designation.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.

A. The proposed gas convenience store is consistent with the principal use standards for a gas station (Article 9.3.O) in the C-G-1 zone district.

B. The areas for landscaping may need to be adjusted during permitting to meet the standards of Article 12.

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 proposed one-story structure is consistent in design and character as the other developments in the C-G-1 zone district in this vicinity.

B. A gas station with a convenience store is located across Sanderson Road, also at this intersection with Western Avenue.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.

A. The proposed gas station will not significantly injure the value of the adjacent property or detract from the immediate environment, particularly as the landscaping provisions of the zoning ordinance will buffer the adjacent residential zoned properties.

C. The subject property is required to comply with Article 10 of the City of Knoxville Zoning Ordinance, which regulates impacts. Section 10.2 regulates lighting, while noise, dust and pollution, odors, fire hazards, and other similar concerns are regulated in Section 10.5.

5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

A. The proposal will not draw additional traffic through residential streets, particularly as access to the site is along a commercially zoned intersection, near an interstate interchange and along a major arterial.

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 immediately surrounding the subject site that poses a potential hazard or undesirable environment for the proposed use.

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.