



SPECIAL USE REPORT

▶ **FILE #:** 11-B-22-SU

AGENDA ITEM #: 20

AGENDA DATE: 11/10/2022

▶ **APPLICANT:** PAVILION DEVELOPMENT COMPANY

OWNER(S): Anthony DiFranco The Circle Burger Corp

TAX ID NUMBER: 131 N C 014.01

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 10248 KINGSTON PIKE

▶ **LOCATION:** Southeast quadrant of the intersection of Kingston Pk and S. David Ln

▶ **APPX. SIZE OF TRACT:** 0.66 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Kingston Pike, a 4-lane major arterial with a turning lane within a right-of-way width of 100-ft. Access is also via S. David Lane, a local street with a pavement width of 29-ft within a right-of-way width of 50-ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Sinking Creek

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

▶ **EXISTING LAND USE:** Commercial

▶ **PROPOSED USE:** Drive-thru coffee shop

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Office - CA (General Business)

South: Office - C-G-1 (General Commercial)

East: Bank - C-G-1 (General Commercial)

West: Restaurant - C-G-1 (General Commercial)

NEIGHBORHOOD CONTEXT: This is a commercial corridor along Kingston Pike with a mix of commercial and offices uses, including drive-through facilities.

STAFF RECOMMENDATION:

▶ **Approve the request for a drive-through facility in the C-G-1 zoning district, subject to 7 conditions.**

1. Meeting the requirements of principal use standards for drive-through facilities (Article 9.3.F) of the City of Knoxville Zoning Ordinance.
2. Meeting the requirements of Article 13 (Signs) of the City of Knoxville Zoning Ordinance.
3. Installation of landscaping per the requirements of Article 12 (Landscaping) of the City of Knoxville Zoning Ordinance or the applicant may request an alternative landscape design, as per Article 12.2.D.
4. Meeting all applicable requirements of the Knoxville Department of Engineering.

5. Meeting all applicable requirements of the Tennessee Department of Transportation.
6. Meeting all other applicable requirements of the City of Knoxville Zoning Ordinance.
7. Meeting all the application requirements of the City of Knoxville Plans Review and Inspections Department.

With the conditions noted above, this request meets the requirements of C-G-1 zoning, the principal use standards for drive-through facilities, and other criteria for approval of a special use.

COMMENTS:

This is a proposal to construct a new drive-through facility for a Dutch Bros Coffee on a site that was most recently a barbeque restaurant. The applicant is proposing an approximate 950-sq.ft building with a drive-through. The parcel has frontage along Kingston Pike and S. David Lane. The applicant is submitting for a sidewalk waiver through the City of Knoxville Engineering Department and the landscape plan will require alternative landscape design review.

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

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

A. The One Year Plan and Sector Plan designation for this parcel is GC (General Commercial), which includes previously developed strip commercial corridors providing a wide range of retail and service oriented uses.

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

A. The C-G zoning district is intended to provide for a heterogeneous mix of retail, personal service, office and residential uses within and along Knoxville's commercial nodes and corridors. Drive-through facilities may be permitted as a special use approval.

B. The C-G-1 zone does not have a minimum lot area or lot width, nor does it have maximum gross floor area standards. The maximum building height is 45-ft within the C-G-1 zone district. The applicant has not provided elevations to demonstrate building height, but will be expected to meet this standard during permitting through the City of Knoxville.

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. There are other eating and drinking establishments with drive-through facilities in the area, including a Subway which is located on the adjacent parcel to the east. There is also a bank with a drive through to the west across S. David Lane.

B. The proposed structure is for 950-sqft building with a drive-through facility for a Dutch Brothers Coffee.

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 drive-through facility will not significantly injure the value of adjacent property or detract from the immediate environment, the adjacent properties are primarily a mix of commercial and office uses, also with drive-through facilities.

B. 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.

C. The landscape plan as submitted by the applicant will require an alternative landscape design review, as per Article 12.2.D

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

A. The proposed drive-through facility is at an intersection along the commercial corridor of Kingston Pike and is surrounded by commercial and office uses. It is not anticipated to draw substantial traffic through residential streets.

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.

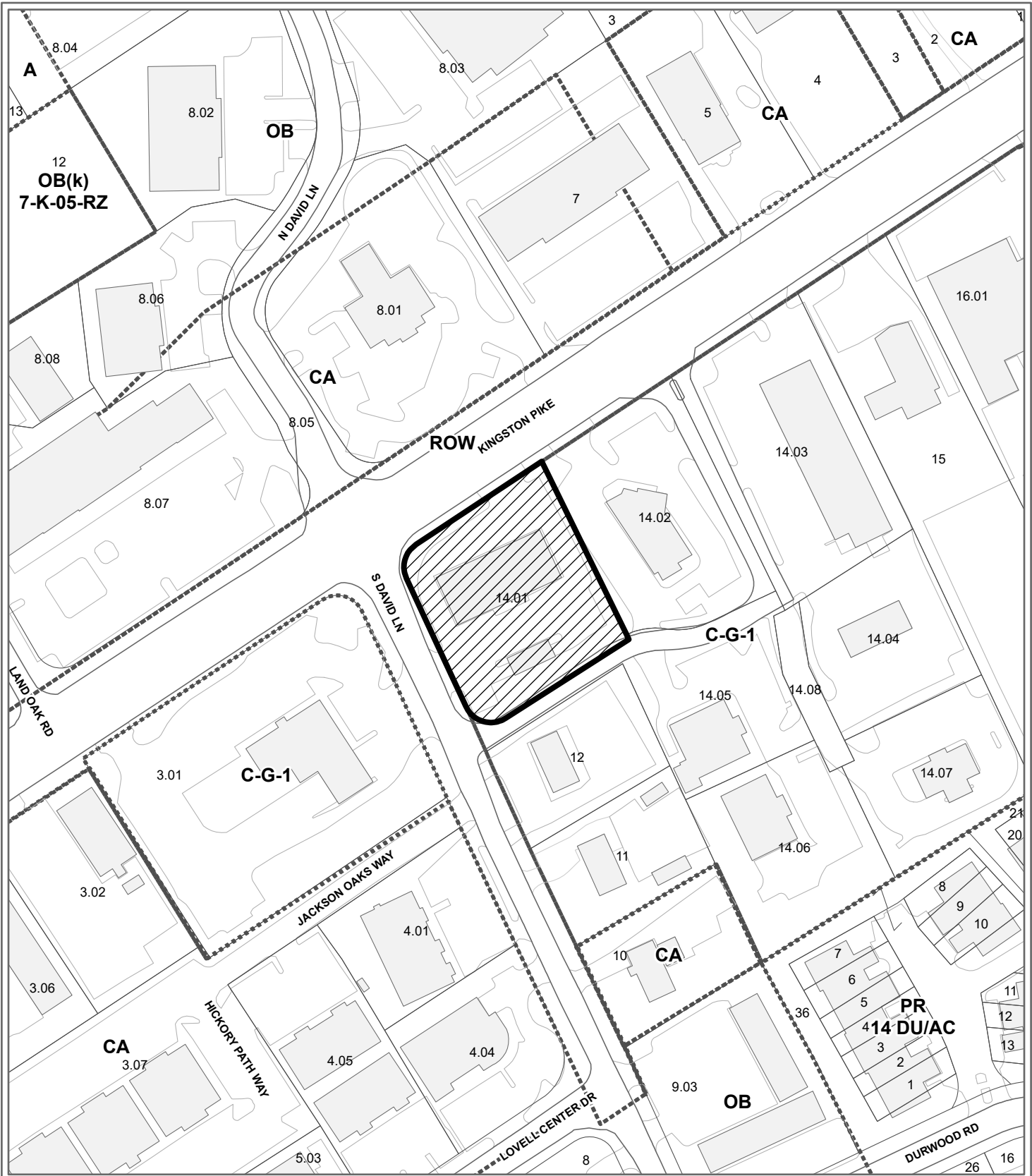
A. There are no known uses immediately surrounding the subject site that pose a potential hazard or undesirable environment for the proposed use.

ESTIMATED TRAFFIC IMPACT: 507 (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.

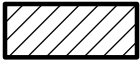
ESTIMATED STUDENT YIELD: Not applicable.

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



**11-B-22-SU
SPECIAL USE**

Petitioner: Pavilion Development Company



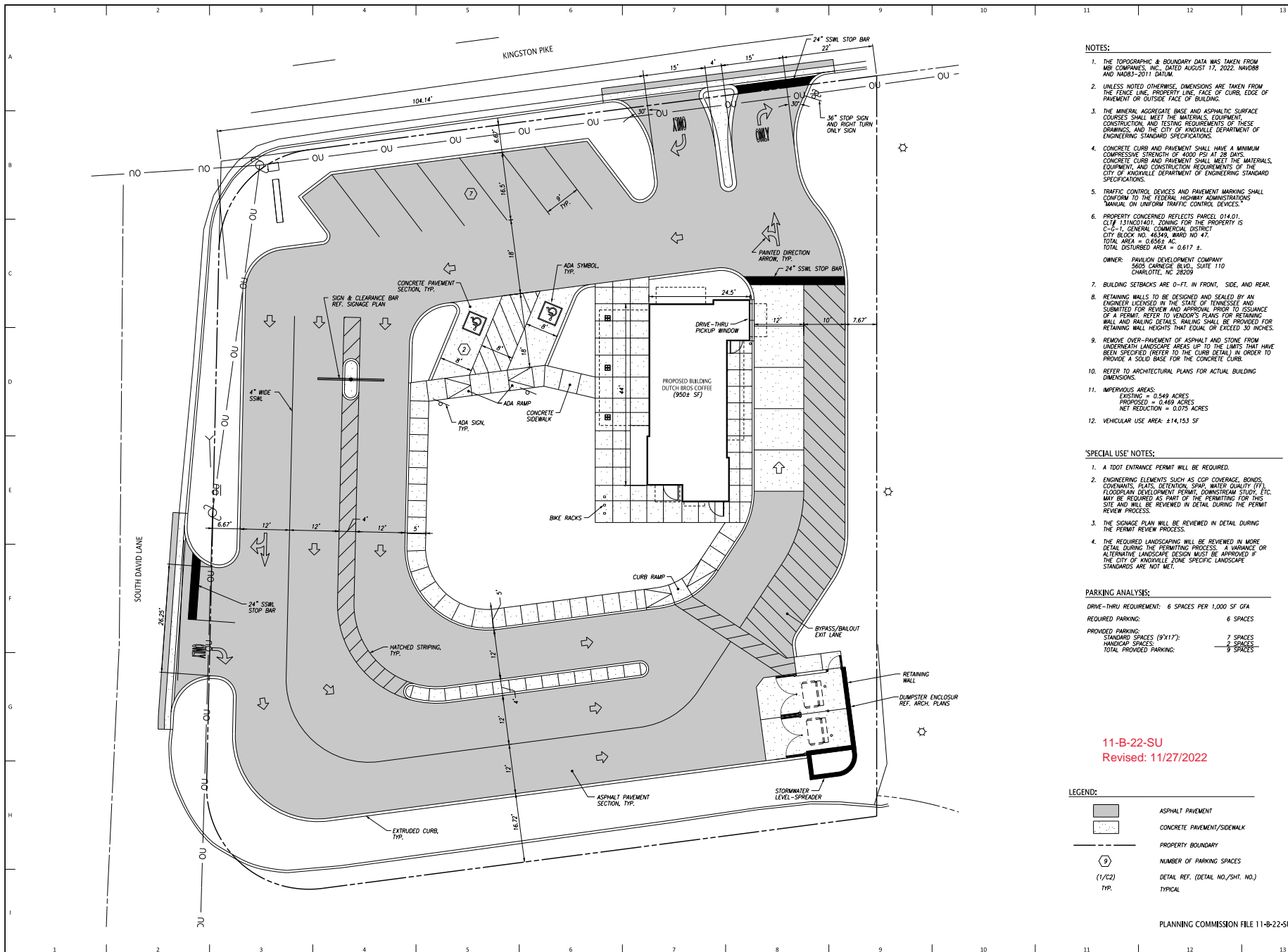
Drive-thru coffee shop in C-G-1 (General Commercial)

Original Print Date: 10/17/2022 Revised:
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Map No: 131
 Jurisdiction: City

0 125
 Feet





- NOTES:**
1. THE TOPOGRAPHIC & BOUNDARY DATA WAS TAKEN FROM MB COMPANES, INC., DATED AUGUST 17, 2022, NAV088 AND NAV83-2011 DATUM.
 2. UNLESS NOTED OTHERWISE, DIMENSIONS ARE TAKEN FROM THE FENCE LINE, PROPERTY LINE, FACE OF CURB, EDGE OF PAVEMENT OR OUTSIDE FACE OF BUILDING.
 3. THE MINERAL, AGGREGATE, BASE AND ASPHALTIC SURFACE COURSES SHALL MEET THE MATERIALS, EQUIPMENT, CONSTRUCTION, AND TESTING REQUIREMENTS OF THESE DRAWINGS, AND THE CITY OF KNOXVILLE DEPARTMENT OF ENGINEERING STANDARD SPECIFICATIONS.
 4. CONCRETE CURB AND PAVEMENT SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI AT 28 DAYS. CONCRETE CURB AND PAVEMENT SHALL MEET THE MATERIALS, EQUIPMENT, AND CONSTRUCTION REQUIREMENTS OF THE CITY OF KNOXVILLE DEPARTMENT OF ENGINEERING STANDARD SPECIFICATIONS.
 5. TRAFFIC CONTROL DEVICES AND PAVEMENT MARKING SHALL CONFORM TO THE FEDERAL HIGHWAY ADMINISTRATIONS "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES."
 6. PROPERTY CONCERNED REFLECTS PARCEL 014.01, CITY 13IND01401, ZONING FOR THE PROPERTY IS C-1, GENERAL COMMERCIAL DISTRICT, CITY BLOCK NO. 46348, WARD NO. 47. TOTAL AREA = 0.656± AC. TOTAL DISTURBED AREA = 0.617 ±.
 7. BUILDING SETBACKS ARE 0'-FT. IN FRONT, SIDE, AND REAR.
 8. RETAINING WALLS TO BE DESIGNED AND SEALED BY AN ENGINEER LICENSED IN THE STATE OF TENNESSEE AND SUBMITTED FOR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF A PERMIT. REFER TO VENDOR'S PLANS FOR RETAINING WALL AND RAILING DETAILS. RAILING SHALL BE PROVIDED FOR RETAINING WALL HEIGHTS THAT EQUAL OR EXCEED 30 INCHES.
 9. REMOVE OVER-PAVEMENT OF ASPHALT AND STONE FROM UNDERNEATH LANDSCAPE AREAS UP TO THE LIMITS THAT HAVE BEEN SPECIFIED (REFER TO THE CURB DETAIL) IN ORDER TO PROVIDE A SOLID BASE FOR THE CONCRETE CURB.
 10. REFER TO ARCHITECTURAL PLANS FOR ACTUAL BUILDING DIMENSIONS.
 11. IMPERVIOUS AREAS:
 EXISTING = 0.548 ACRES
 PROPOSED = 0.469 ACRES
 NET REDUCTION = 0.075 ACRES
 12. VEHICULAR USE AREA: ±14,153 SF

- SPECIAL USE NOTES:**
1. A TDOT ENTRANCE PERMIT WILL BE REQUIRED.
 2. ENGINEERING ELEMENTS SUCH AS CCP COVERAGE, BONDS, COVENANTS, PLATS, DETENTION, SPAR, WATER QUALITY (WQ), FLOODPLAIN DEVELOPMENT PERMIT, DOWNSTREAM STUDY, ETC. MAY BE REQUIRED AS PART OF THE PERMITTING FOR THE SITE AND WILL BE REVIEWED IN DETAIL DURING THE PERMIT REVIEW PROCESS.
 3. THE SIGNAGE PLAN WILL BE REVIEWED IN DETAIL DURING THE PERMIT REVIEW PROCESS.
 4. THE REQUIRED LANDSCAPING WILL BE REVIEWED IN MORE DETAIL DURING THE PERMITTING PROCESS. A VARIANCE OR ALTERNATIVE LANDSCAPE DESIGN MUST BE APPROVED IF THE CITY OF KNOXVILLE ZONE SPECIFIC LANDSCAPE STANDARDS ARE NOT MET.

PARKING ANALYSIS:

DRIVE-THRU REQUIREMENT: 6 SPACES PER 1,000 SF GFA

REQUIRED PARKING: 6 SPACES

PROVIDED PARKING:
 STANDARD SPACES (9'x12'): 7 SPACES
 HANDICAP SPACES: 2 SPACES
 TOTAL PROVIDED PARKING: 9 SPACES

11-B-22-SU
 Revised: 11/27/2022

LEGEND:

	ASPHALT PAVEMENT
	CONCRETE PAVEMENT/SIDEWALK
	PROPERTY BOUNDARY
	NUMBER OF PARKING SPACES
	DETAIL REF. (DETAIL NO./SHT. NO.)
	TYPICAL

PLANNING COMMISSION FILE 11-B-22-SU

ARDURRA
COLLABORATE. INNOVATE. CREATE.
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PAVILION DEVELOPMENT COMPANY

5605 CARNEGIE BLVD., SUITE 110
 CHARLOTTE, NC 28209

MR. JIM GAMBLE
 JAG@PAVDEVCO.COM
 704.994.2983

REVISION	DATE	NO.

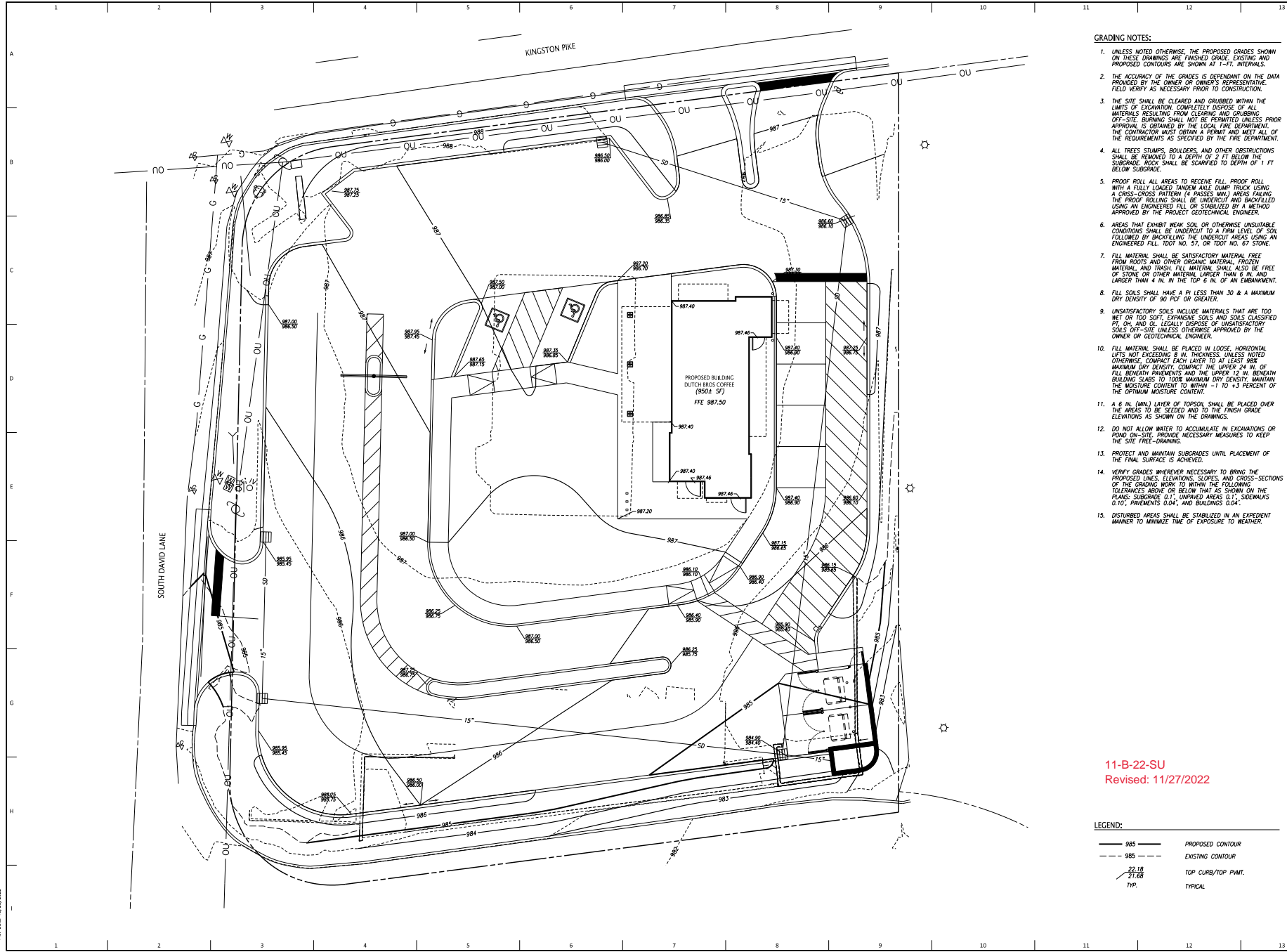
DUTCH BROS. COFFEE
 STORE NO. TN0803
 4300 MARKET PLACE
 KNOXVILLE, TN 37922

PRELIMINARY SPECIAL USE LAYOUT AND PAVING PLAN

JOB NO: 714.004
 DATE: 11/27/2022

C3.1

SPECIAL USE PERMITTING



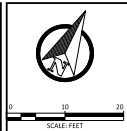
GRADING NOTES:

1. UNLESS NOTED OTHERWISE, THE PROPOSED GRADES SHOWN ON THESE DRAWINGS ARE FINISHED GRADE, EXISTING AND PROPOSED CONTOURS ARE SHOWN AT 1'-FT. INTERVALS.
2. THE ACCURACY OF THE GRADES IS DEPENDANT ON THE DATA PROVIDED BY THE OWNER OR OWNER'S REPRESENTATIVE. FIELD VERIFY AS NECESSARY PRIOR TO CONSTRUCTION.
3. THE SITE SHALL BE CLEARED AND GRUBBED WITHIN THE LIMITS OF EXCAVATION. COMPLETELY DISPOSE OF ALL MATERIALS RESULTING FROM CLEARING AND GRUBBING. OFF-SITE BURNING SHALL NOT BE PERMITTED UNLESS PRIOR APPROVAL IS OBTAINED FROM THE LOCAL FIRE DEPARTMENT. THE CONTRACTOR MUST OBTAIN A PERMIT AND MEET ALL OF THE REQUIREMENTS AS SPECIFIED BY THE FIRE DEPARTMENT.
4. ALL TREES STUMPS, BOULDERS, AND OTHER OBSTRUCTIONS SHALL BE REMOVED TO A DEPTH OF 2 FT BELOW THE SUBGRADE. ROCK SHALL BE SCAMPED TO DEPTH OF 1 FT BELOW SUBGRADE.
5. PROOF ROLL ALL AREAS TO RECEIVE FILL. PROOF ROLL WITH A FULLY LOADED TANDEN AXLE DUMP TRUCK USING A CROSS-CROSS PATTERN 14 PASSES MIN. AREAS FAILING THE PROOF ROLLING SHALL BE UNDERCUT AND BACKFILLED USING AN ENGINEERED FILL OR STABILIZED BY A METHOD APPROVED BY THE PROJECT GEOTECHNICAL ENGINEER.
6. AREAS THAT EXHIBIT WEAK SOIL OR OTHERWISE UNSUITABLE CONDITIONS SHALL BE UNDERCUT TO A FIRM LEVEL OF SOIL FOLLOWED BY BACKFILLING THE UNDERCUT AREAS USING AN ENGINEERED FILL, TOOT NO. 57, OR TOOT NO. 67 STONE.
7. FILL MATERIAL SHALL BE SATISFACTORY MATERIAL FREE FROM ROOTS AND OTHER ORGANIC MATERIAL, FROZEN MATERIAL, AND TRASH. FILL MATERIAL SHALL ALSO BE FREE OF STONE OR OTHER MATERIAL LARGER THAN 6 IN. AND LARGER THAN 4 IN. IN THE TOP 6 IN. OF AN EMBANKMENT.
8. FILL SOILS SHALL HAVE A PI LESS THAN 30 & A MAXIMUM DRY DENSITY OF 90 PCF OR GREATER.
9. UNSATISFACTORY SOILS INCLUDE MATERIALS THAT ARE TOO WET OR TOO SOFT, EXPANSIVE SOILS AND SOILS CLASSIFIED PT, OH, AND OL. LEGALLY DISPOSE OF UNSATISFACTORY SOILS OFF-SITE UNLESS OTHERWISE APPROVED BY THE OWNER OR GEOTECHNICAL ENGINEER.
10. FILL MATERIAL SHALL BE PLACED IN LOOSE, HORIZONTAL LIFTS NOT EXCEEDING 8 IN. THICKNESS. UNLESS NOTED OTHERWISE, COMPACT EACH LAYER TO AT LEAST 98% MAXIMUM DRY DENSITY. COMPACT THE UPPER 24 IN. OF FILL BENEATH PAVEMENTS AND THE UPPER 12 IN. BENEATH BUILDING SLABS TO 100% MAXIMUM DRY DENSITY. MAINTAIN THE MOISTURE CONTENT TO WITHIN $\pm 1.10 \pm 3$ PERCENT OF THE OPTIMUM MOISTURE CONTENT.
11. A 6 IN. (MIN.) LAYER OF TOPSOIL SHALL BE PLACED OVER THE AREAS TO BE SEEDED AND TO THE FINISH GRADE ELEVATIONS AS SHOWN ON THE DRAWINGS.
12. DO NOT ALLOW WATER TO ACCUMULATE IN EXCAVATIONS OR POND ON-SITE. PROVIDE NECESSARY MEASURES TO KEEP THE SITE FREE-DRAINING.
13. PROTECT AND MAINTAIN SUBROADS UNTIL PLACEMENT OF THE FINAL SURFACE IS ACHIEVED.
14. VERIFY GRADES WHEREVER NECESSARY TO BRING THE PROPOSED LINES, ELEVATIONS, SLOPES, AND CROSS-SECTIONS OF THE GRADING WORK TO WITHIN THE FOLLOWING TOLERANCES ABOVE OR BELOW THAT AS SHOWN ON THE PLANS: SUBGRADE 0.1", UNPAVED AREAS 0.1", SIDEWALKS 0.10", PAVEMENTS 0.04", AND BUILDINGS 0.04".
15. DISTURBED AREAS SHALL BE STABILIZED IN AN EXPEDITIOUS MANNER TO MINIMIZE TIME OF EXPOSURE TO WEATHER.

11-B-22-SU
Revised: 11/27/2022

LEGEND:

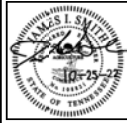
— 985 —	PROPOSED CONTOUR
- - - 985 - - -	EXISTING CONTOUR
— 22.18 / 21.68 —	TOP CURB/TOP PWT.
TYP.	TYPICAL



PAVILION DEVELOPMENT COMPANY
5605 CARNEGIE BLVD., SUITE 110 CHARLOTTE, NC 28209
MR. JIM GAMBLE JAG@PAVDEVCO.COM 704.994.2983

NO.	DATE	REVISION

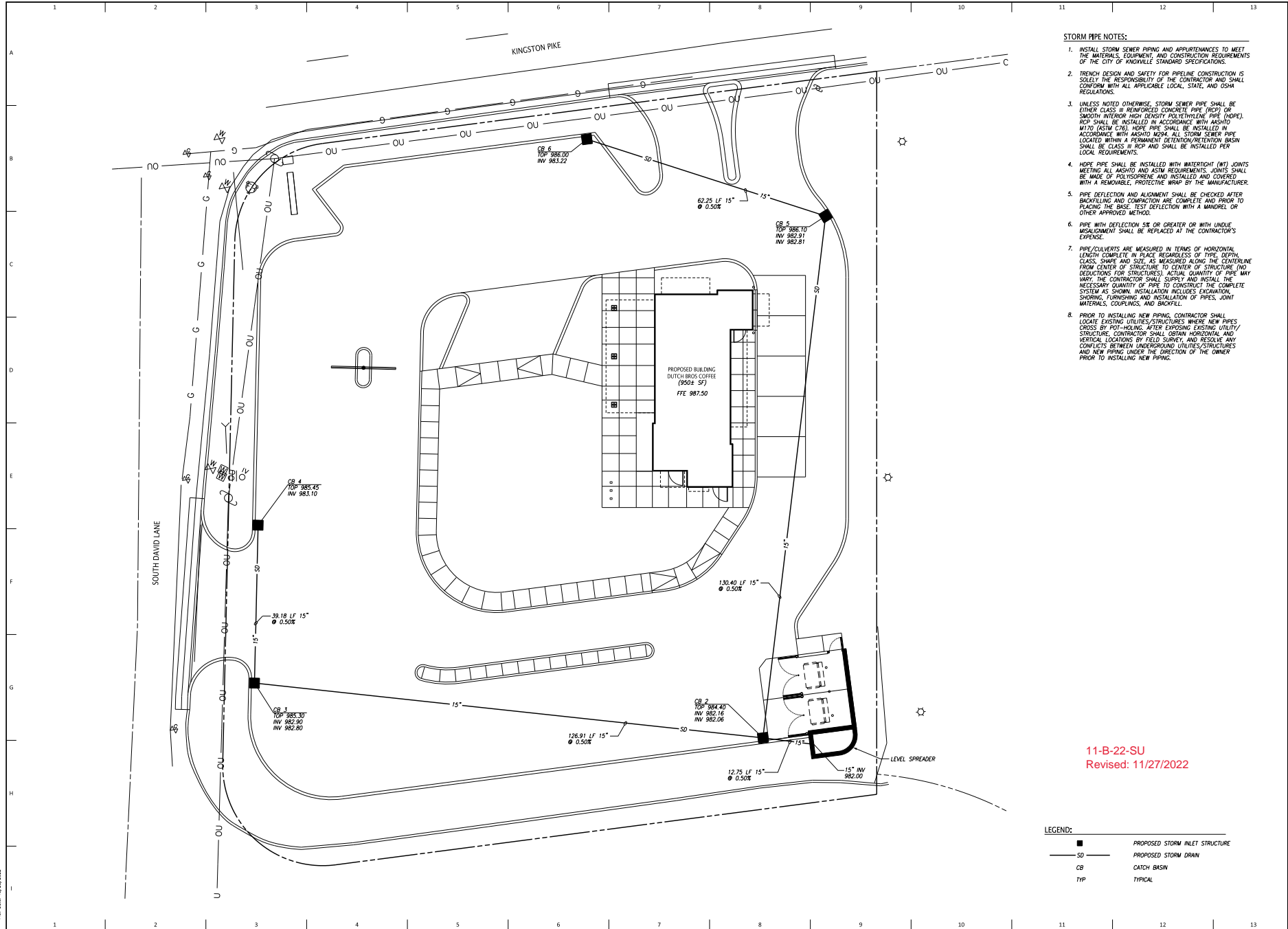
DUTCH BROS. COFFEE
STORE NO. TINDSB3
1000 SOUTH DAVID LANE
KNOXVILLE, TN 37922
PRELIMINARY SPECIAL USE GRADING PLAN



JOB NO: 714.004
DATE: 10/25/2022

C4.1
SPECIAL USE PERMITTING

File Name: I:\174\17405\DWG\174050505.dwg
 Plot Date: 11/27/2022



PAVILION DEVELOPMENT COMPANY
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 CHARLOTTE, NC 28209
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NO.	DATE	REVISION

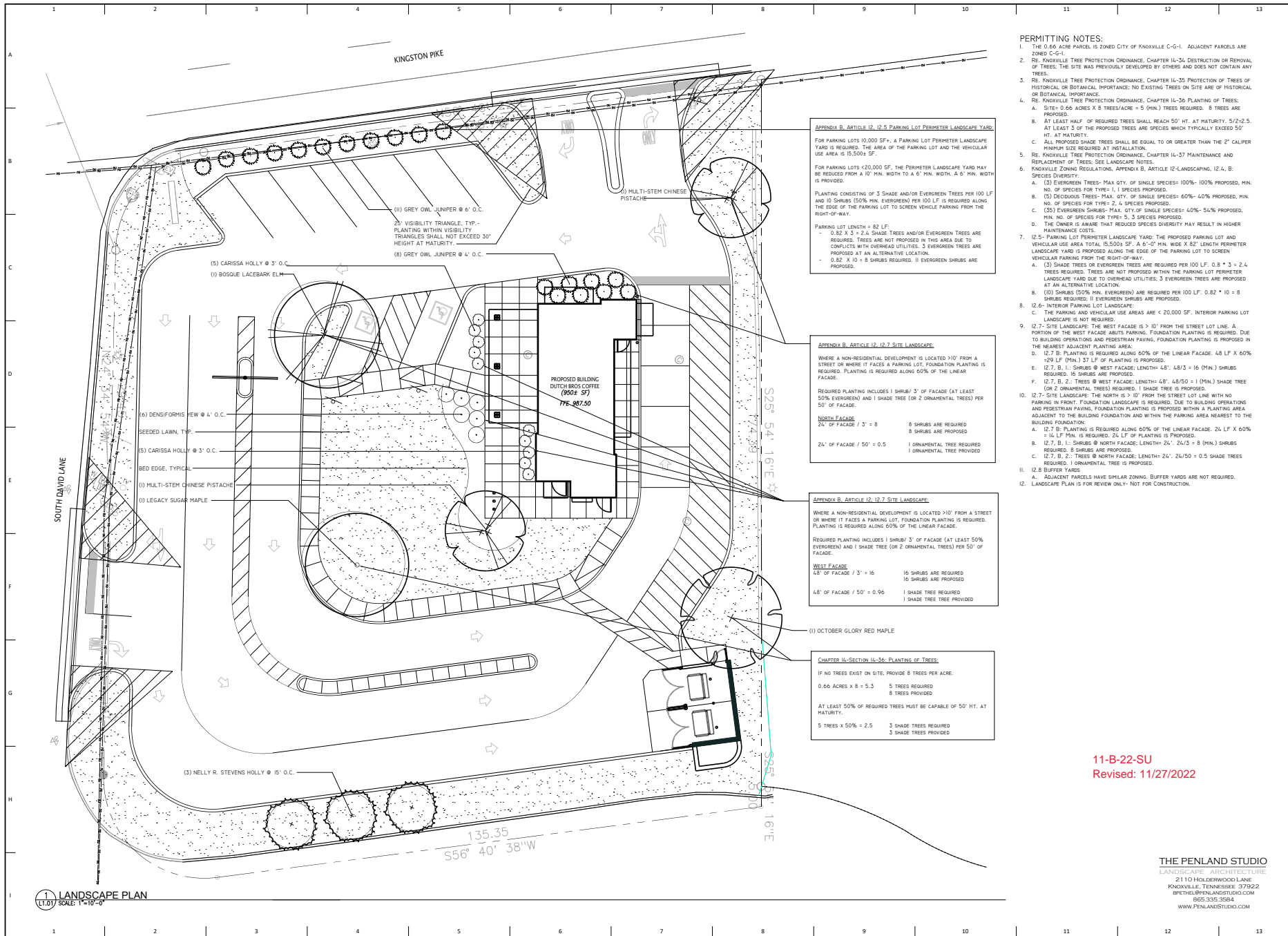
DUTCH BROS. COFFEE
 STORE NO. TN0503
 5605 CARNEGIE BLVD.
 KNOXVILLE, TN 37922

PRELIMINARY SPECIAL USE DRAINAGE PLAN



JOB NO: 714.004
 DATE: 10/25/2022

C5.1
 SPECIAL USE PERMITTING



- PERMITTING NOTES:**
1. THE 0.66 ACRE PARCEL IS ZONED CITY OF KNOXVILLE C-G-1. ADJACENT PARCELS ARE ZONED C-G-1.
 2. RE. KNOXVILLE TREE PROTECTION ORDINANCE, CHAPTER 14-36. DESTRUCTION OR REMOVAL OF TREES: THE SITE WAS PREVIOUSLY DEVELOPED BY OTHERS AND DOES NOT CONTAIN ANY TREES.
 3. RE. KNOXVILLE TREE PROTECTION ORDINANCE, CHAPTER 14-35. PROTECTION OF TREES OF HISTORICAL OR BOTANICAL IMPORTANCE: NO EXISTING TREES ON SITE ARE OF HISTORICAL OR BOTANICAL IMPORTANCE.
 4. RE. KNOXVILLE TREE PROTECTION ORDINANCE, CHAPTER 14-36. PLANTING OF TREES:
 - A. SITE: 0.66 ACRES X 8 TREES/ACRE = 5 (MIN.) TREES REQUIRED. 8 TREES ARE PROVIDED.
 - B. AT LEAST HALF OF REQUIRED TREES SHALL REACH 50' HT. AT MATURITY. 5/2+2.5. AT LEAST 3 OF THE PROPOSED TREES ARE SPECIES WHICH TYPICALLY EXCEED 50' HT. AT MATURITY.
 - C. ALL PROPOSED SHADE TREES SHALL BE EQUAL TO OR GREATER THAN THE 2" CALIPER MINIMUM SIZE REQUIRED AT INSTALLATION.
 5. RE. KNOXVILLE TREE PROTECTION ORDINANCE, CHAPTER 14-37. MAINTENANCE AND REPLACEMENT OF TREES: SEE LANDSCAPE NOTES.
 6. KNOXVILLE ZONING REGULATIONS, APPENDIX B, ARTICLE 12-LANDSCAPING, 12.4, B: SPECIES DIVERSITY:
 - A. (3) EVERGREEN TREES- MAX QTY. OF SINGLE SPECIES= 100%- 100% PROPOSED, MIN. NO. OF SPECIES FOR TYPE= 1, 1 SPECIES PROPOSED.
 - B. (3) DECIDUOUS TREES- MAX. QTY. OF SINGLE SPECIES= 60%- 60% PROPOSED, MIN. NO. OF SPECIES FOR TYPE= 2, 4 SPECIES PROPOSED.
 - C. (3) EVERGREEN SHRUBS- MAX. QTY. OF SINGLE SPECIES= 40%- 54% PROPOSED, MIN. NO. OF SPECIES FOR TYPE= 3, 3 SPECIES PROPOSED.
 - D. THE OWNER IS AWARE THAT REDUCED SPECIES DIVERSITY MAY RESULT IN HIGHER MAINTENANCE COSTS.
 7. 12.5- PARKING LOT PERIMETER LANDSCAPE YARD: THE PROPOSED PARKING LOT AND VEHICULAR USE AREA TOTAL 15,500± SF. A 0'-0" MIN. WIDE X 82' LENGTH PERIMETER LANDSCAPE YARD IS PROPOSED ALONG THE EDGE OF THE PARKING LOT TO SCREEN VEHICULAR PARKING FROM THE RIGHT-OF-WAY.
 - A. (3) SHADE TREES OR EVERGREEN TREES ARE REQUIRED PER 100 L.F. 0.8 * 5 = 2.4 TREES REQUIRED. TREES ARE NOT PROPOSED WITHIN THE PARKING LOT PERIMETER LANDSCAPE YARD DUE TO OVERHEAD UTILITIES; 3 EVERGREEN TREES ARE PROPOSED AT AN ALTERNATIVE LOCATION.
 - B. (10) SHRUBS (50% MIN. EVERGREEN) ARE REQUIRED PER 100 L.F. 0.82 * 10 = 8 SHRUBS REQUIRED; 11 EVERGREEN SHRUBS ARE PROPOSED.
 - C. THE PARKING AND VEHICULAR USE AREAS ARE < 20,000 SF. INTERIOR PARKING LOT LANDSCAPE IS NOT REQUIRED.
 8. 12.7- SITE LANDSCAPE: THE WEST FACADE IS > 10' FROM THE STREET LOT LINE. A PORTION OF THE WEST FACADE ABUTS PARKING. FOUNDATION PLANTING IS REQUIRED. DUE TO BUILDING OPERATIONS AND PEDESTRIAN PAVING, FOUNDATION PLANTING IS PROPOSED IN THE NEAREST ADJACENT PLANTING AREA.
 - A. 12.7 B: PLANTING IS REQUIRED ALONG 60% OF THE LINEAR FACADE: 48 LF X 60% = 29 LF (MIN.) 37 LF OF PLANTING IS PROPOSED.
 - B. 12.7 B, 1: SHRUBS @ WEST FACADE; LENGTH: 48'; 48/3 = 16 (MIN.) SHRUBS REQUIRED; 16 SHRUBS ARE PROPOSED.
 - C. 12.7 B, 2: TREES @ WEST FACADE; LENGTH: 48'; 48/50 = 1 (MIN.) SHADE TREE (OR 2 ORNAMENTAL TREES) REQUIRED; 1 SHADE TREE IS PROPOSED.
 9. 12.7- SITE LANDSCAPE: THE NORTH IS > 10' FROM THE STREET LOT LINE WITH NO PARKING IN FRONT. FOUNDATION LANDSCAPE IS REQUIRED. DUE TO BUILDING OPERATIONS AND PEDESTRIAN PAVING, FOUNDATION PLANTING IS PROPOSED WITHIN A PLANTING AREA ADJACENT TO THE BUILDING FOUNDATION AND WITHIN THE PARKING AREA NEAREST TO THE BUILDING FOUNDATION.
 - A. 12.7 B: PLANTING IS REQUIRED ALONG 60% OF THE LINEAR FACADE: 24 LF X 60% = 14 LF (MIN.) IS REQUIRED; 24 LF OF PLANTING IS PROPOSED.
 - B. 12.7 B, 1: SHRUBS @ NORTH FACADE; LENGTH: 24'; 24/3 = 8 (MIN.) SHRUBS REQUIRED; 8 SHRUBS ARE PROPOSED.
 - C. 12.7 B, 2: TREES @ NORTH FACADE; LENGTH: 24'; 24/50 = 0.5 SHADE TREES REQUIRED; 1 ORNAMENTAL TREE IS PROPOSED.
 10. 12.8 BUFFER YARDS:
 - A. ADJACENT PARCELS HAVE SIMILAR ZONING. BUFFER YARDS ARE NOT REQUIRED.
 - B. LANDSCAPE PLAN IS FOR REVIEW ONLY- NOT FOR CONSTRUCTION.

APPENDIX B, ARTICLE 12.12.5. PARKING LOT PERIMETER LANDSCAPE YARD

FOR PARKING LOTS 10,000 SF+, A PARKING LOT PERIMETER LANDSCAPE YARD IS REQUIRED. THE AREA OF THE PARKING LOT AND THE VEHICULAR USE AREA IS 15,500± SF.

FOR PARKING LOTS < 20,000 SF, THE PERIMETER LANDSCAPE YARD MAY BE REDUCED FROM A 10' MIN. WIDTH TO A 6' MIN. WIDTH. A 6' MIN. WIDTH IS PROVIDED.

PLANTING CONSISTING OF 3 SHADE AND/OR EVERGREEN TREES PER 100 LF AND 10 SHRUBS (50% MIN. EVERGREEN) PER 100 LF IS REQUIRED ALONG THE EDGE OF THE PARKING LOT TO SCREEN VEHICULAR PARKING FROM THE RIGHT-OF-WAY.

PARKING LOT LENGTH = 82 LF:
 - 0.82 X 3 = 2.4 SHADE TREES AND/OR EVERGREEN TREES ARE REQUIRED. TREES ARE NOT PROPOSED IN THIS AREA DUE TO CONFLICTS WITH OVERHEAD UTILITIES. 3 EVERGREEN TREES ARE PROPOSED AT AN ALTERNATIVE LOCATION.
 - 0.82 X 10 = 8 SHRUBS REQUIRED; 11 EVERGREEN SHRUBS ARE PROPOSED.

APPENDIX B, ARTICLE 12.12.7. SITE LANDSCAPE

WHERE A NON-RESIDENTIAL DEVELOPMENT IS LOCATED >10' FROM A STREET OR WHERE IT FACES A PARKING LOT, FOUNDATION PLANTING IS REQUIRED. PLANTING IS REQUIRED ALONG 60% OF THE LINEAR FACADE.

REQUIRED PLANTING INCLUDES 1 SHRUB/ 3' OF FACADE (AT LEAST 50% EVERGREEN) AND 1 SHADE TREE (OR 2 ORNAMENTAL TREES) PER 50' OF FACADE.

NORTH FACADE
 24' OF FACADE / 3' = 8 8 SHRUBS ARE REQUIRED
 8 SHRUBS ARE PROPOSED

24' OF FACADE / 50' = 0.5 1 ORNAMENTAL TREE REQUIRED
 1 ORNAMENTAL TREE PROVIDED

APPENDIX B, ARTICLE 12.12.7. SITE LANDSCAPE

WHERE A NON-RESIDENTIAL DEVELOPMENT IS LOCATED >10' FROM A STREET OR WHERE IT FACES A PARKING LOT, FOUNDATION PLANTING IS REQUIRED. PLANTING IS REQUIRED ALONG 60% OF THE LINEAR FACADE.

REQUIRED PLANTING INCLUDES 1 SHRUB/ 3' OF FACADE (AT LEAST 50% EVERGREEN) AND 1 SHADE TREE (OR 2 ORNAMENTAL TREES) PER 50' OF FACADE.

WEST FACADE
 48' OF FACADE / 3' = 16 16 SHRUBS ARE REQUIRED
 16 SHRUBS ARE PROPOSED

48' OF FACADE / 50' = 0.96 1 SHADE TREE REQUIRED
 1 SHADE TREE PROVIDED

CHAPTER 14-SECTION 14-36. PLANTING OF TREES

IF NO TREES EXIST ON SITE, PROVIDE 8 TREES PER ACRE.

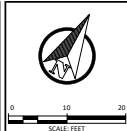
0.66 ACRES X 8 = 5.3 5 TREES REQUIRED
 8 TREES PROVIDED

AT LEAST 50% OF REQUIRED TREES MUST BE CAPABLE OF 50' HT. AT MATURITY.

5 TREES X 50% = 2.5 3 SHADE TREES REQUIRED
 3 SHADE TREES PROVIDED

11-B-22-SU
 Revised: 11/27/2022

THE PENLAND STUDIO
 LANDSCAPE ARCHITECTURE
 2110 HOLLERWOOD LANE
 KNOXVILLE, TENNESSEE 37922
 BETH@PENLANDSTUDIO.COM 865.335.3584
 WWW.PENLANDSTUDIO.COM



PAVILION DEVELOPMENT COMPANY
 5605 CARNEGIE BLVD., SUITE 110
 CHARLOTTE, NC 28209
 MR. JIM GAMBLE
 JAG@PAVDEVCO.COM
 704-984-2583

NO.	REVISION	DATE
1	20221010	

DUTCH BROS. COFFEE
 4034 KINGSTON PIKE
 KNOXVILLE, TN 37922

PRELIMINARY "SPECIAL USE" LANDSCAPE PLAN



JOB NO: 714.004
 DATE: 09/23/2022

L1.01
 SPECIAL USE
 File No. 11-B-22-SU

LANDSCAPE PLAN
 SCALE: 1"=10'-0"



Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

Pavilion Development Company

Applicant Name Affiliation

9/23/2022 **11/10/2022** **11-B-22-SU**
 Date Filed Meeting Date (if applicable) File Number(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

Jim Gamble Pavilion Development Company

Name / Company

5605 Carnegie Blvd. Suite 110 Charlotte NC 28209

Address

704-944-5983 / jag@pavdevco.com

Phone / Email

CURRENT PROPERTY INFO

Anthony DiFranco The Circle Burger Cor **904 Chateaugay Rd Knoxville TN 37923** **865-724-3053**
 Owner Name (if different) Owner Address Owner Phone / Email

10248 KINGSTON PIKE

Property Address

131 N C 014.01 **0.66 acres**
 Parcel ID Part of Parcel (Y/N)? Tract Size

Knoxville Utilities Board **Knoxville Utilities Board**
 Sewer Provider Water Provider Septic (Y/N)

STAFF USE ONLY

Southeast quadrant of the intersection of Kingston Pk and S. David Ln

General Location

City **Council District 2** **C-G-1 (General Commercial)** **Commercial**
 County District Zoning District Existing Land Use

Southwest County **GC (General Commercial)** **N/A (Within City Limits)**
 Planning Sector Sector Plan Land Use Classification Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input checked="" type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) Drive-thru coffee shop	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Total Number of Lots Created	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input type="checkbox"/> Zoning Change	Proposed Zoning	Pending Plat File Number
<input type="checkbox"/> Plan Amendment		
Proposed Plan Designation(s)		
Proposed Density (units/acre) Previous Zoning Requests		
Additional Information _____		

STAFF USE ONLY

PLAT TYPE

- Staff Review Planning Commission

ATTACHMENTS

- Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

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

Fee 1	Total
\$1,600.00	
Fee 2	
Fee 3	

AUTHORIZATION

Applicant Signature: **Pavilion Development Company** Please Print Date: **9/23/2022**

Phone / Email _____
Property Owner Signature: **Anthony DiFranco The Circle Burger Corp** Please Print Date: **9/23/2022**

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.



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

Pavilion Development Company

Buyer

Applicant Name

Affiliation

9-23-22

11-10-22

Date Filed

Meeting Date (if applicable)

File Number(s)

11-B-22-SU

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Property Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

Jim Gamble

Pavilion Development Company

Name

Company

5605 Carnegie Blvd. Suite 110

Charlotte

NC

28209

Address

City

State

ZIP

704 944 5983

jag@pavdevco.com

Phone

Email

CURRENT PROPERTY INFO

The Circle Burger Corporation

904 Chateaugay Rd. Knoxville TN. 37923

865 724 3053

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

10248 Kingston Pike

131NC01401

Property Address

Parcel ID

First Utility District

First Utility District

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

S of Kingston Pike and E. of S. David Lane

~0.656

General Location

Tract Size

2

C-G-1

CO, OF, and MF

City County

District

Zoning District

Existing Land Use

Southwest County

GC

NA (In City)

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

August 29, 2022

DEVELOPMENT REQUEST

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

Related City Permit Number(s)

Home Occupation (specify) _____
 Allowance for Drive Thru Coffee Shop
 Other (specify) _____

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name _____
 Unit / Phase Number _____
 Combine Parcels
 Divide Parcel
 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	405 \$1,600	Total	\$1,600-
Fee 2			
Fee 3			

APPLICANT INFORMATION

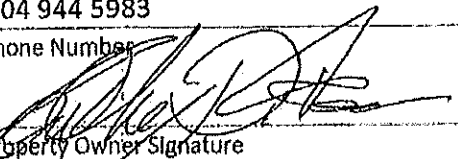

 Applicant Signature

Pavilion Development Company
 Please Print

9.21.22
 Date

704 944 5983
 Phone Number

jag@pavdevco.com
 Email

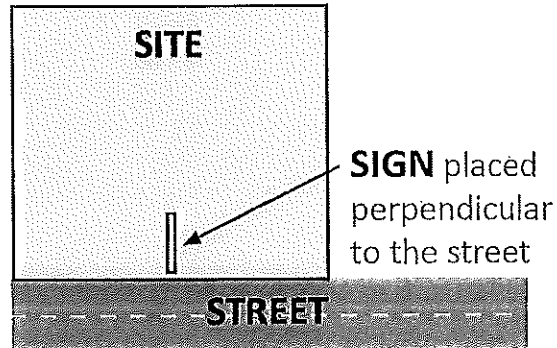

 Property Owner Signature

Anthony DiFranco
 Please Print

9/21/22
 Date

I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.

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:

October 26, 2022 and November 11, 2022
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Pavillion Development Co.

Date: 9/23/2022

File Number: 11-8-22-SU

- Sign posted by Staff
- Sign posted by Applicant