



SPECIAL USE REPORT

▶ **FILE #:** 5-B-23-SU

AGENDA ITEM #: 12

AGENDA DATE: 5/11/2023

▶ **APPLICANT:** MARY KATHERINE WORMSLEY (FKA Craig Reynolds)

OWNER(S): Hatcher Hill Properties LLC

TAX ID NUMBER: 121 A C 004.01

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 6502 KINGSTON PIKE

▶ **LOCATION:** South side of Kingston Pike, west of Northshore Drive

▶ **APPX. SIZE OF TRACT:** 0.75 acres

SECTOR PLAN: West City

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

ACCESSIBILITY: Access is via Kingston Pike, a major arterial with a pavement width of 83-ft within a right-of-way width of 156-ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Fourth Creek

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

▶ **EXISTING LAND USE:** Commercial

▶ **PROPOSED USE:** Drive-thru for Freddy's Frozen Custard

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Commercial, office - C-G-1 (General Commercial)

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

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

West: Commercial - O (Office), C-G-1 (General Commercial)

NEIGHBORHOOD CONTEXT: This property is along Kingston Pike, which includes a mix of office, commercial, and multifamily uses.

STAFF RECOMMENDATION:

▶ **APPROVE the Special Use for a drive through facility in the C-G-1 zone, subject to 5 conditions.**

1. Meeting the requirements of the principal use standards for a Drive Through Facility (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. Meeting all applicable requirements of the Knoxville Department of Engineering.
4. Meeting all applicable requirements of the Tennessee Department of Transportation.
5. Meeting all other applicable requirements of the City of Knoxville Zoning Ordinance.

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

COMMENTS:

This request is for a drive through for Freddy's Frozen Custard. The existing building is not currently a drive-through, though the building has had a drive-through facility in the past.

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 West City Sector Plan designation for this site is GC (General Commercial).

B. Drive-through facilities are permissible as a special use in the C-G-1 zone.

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

A. The C-G General Commercial 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.

B. With the recommended conditions, the drive-through facility meets the principal use standards for drive through facilities (Article 9.3.F).

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 existing 1-story structure is consistent with the other 1 and 2-story structures on this block of Kingston Pike.

B. The use is similar in nature to other existing uses along this stretch of Kingston Pike. There is a bank with a drive-through facility across the street.

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 use 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 proposed drive-through facility only has access to Kingston Pike, a major arterial.

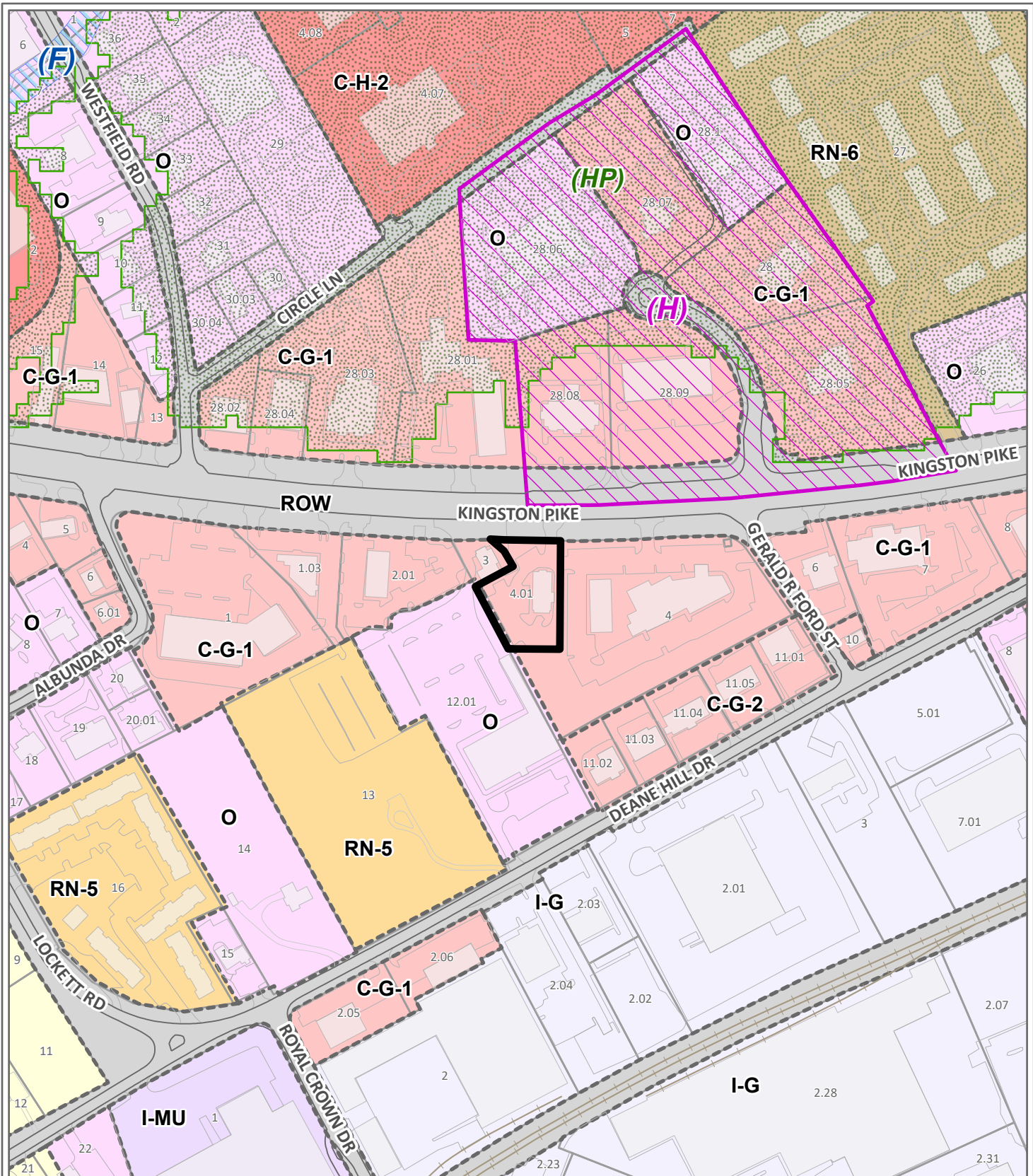
6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for future uses on this site.

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 Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed.



SPECIAL USE

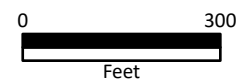
5-B-23-SU

Petitioner: Mary Katherine Wormsley



Drive-thru for Freddy's Frozen Custard in C-G-1 (General Commercial)

Map No: 121
Jurisdiction: City



Original Print Date: 4/17/2023

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



311 N MAIN STREET, SUITE A
SWEETWATER, TN 37074 • 423.351.7900

This drawing is the property of Main Street Studios, LLC and is to be used only for the project and site specifically identified herein. This drawing is not to be used on any other project without the project for which it is made is executed on file. It is to be returned upon request.

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Project Name

EXISTING
TANDUR
INDIAN
KITCHEN

KNOXVILLE, TN

No.	Drawing Issue Description	Date
1	ISSUED FOR REVIEW	06.15.16
2	ISSUED FOR PERMIT	08.11.16
3	ISSUED FOR CONSTRUCTION	09.07.16

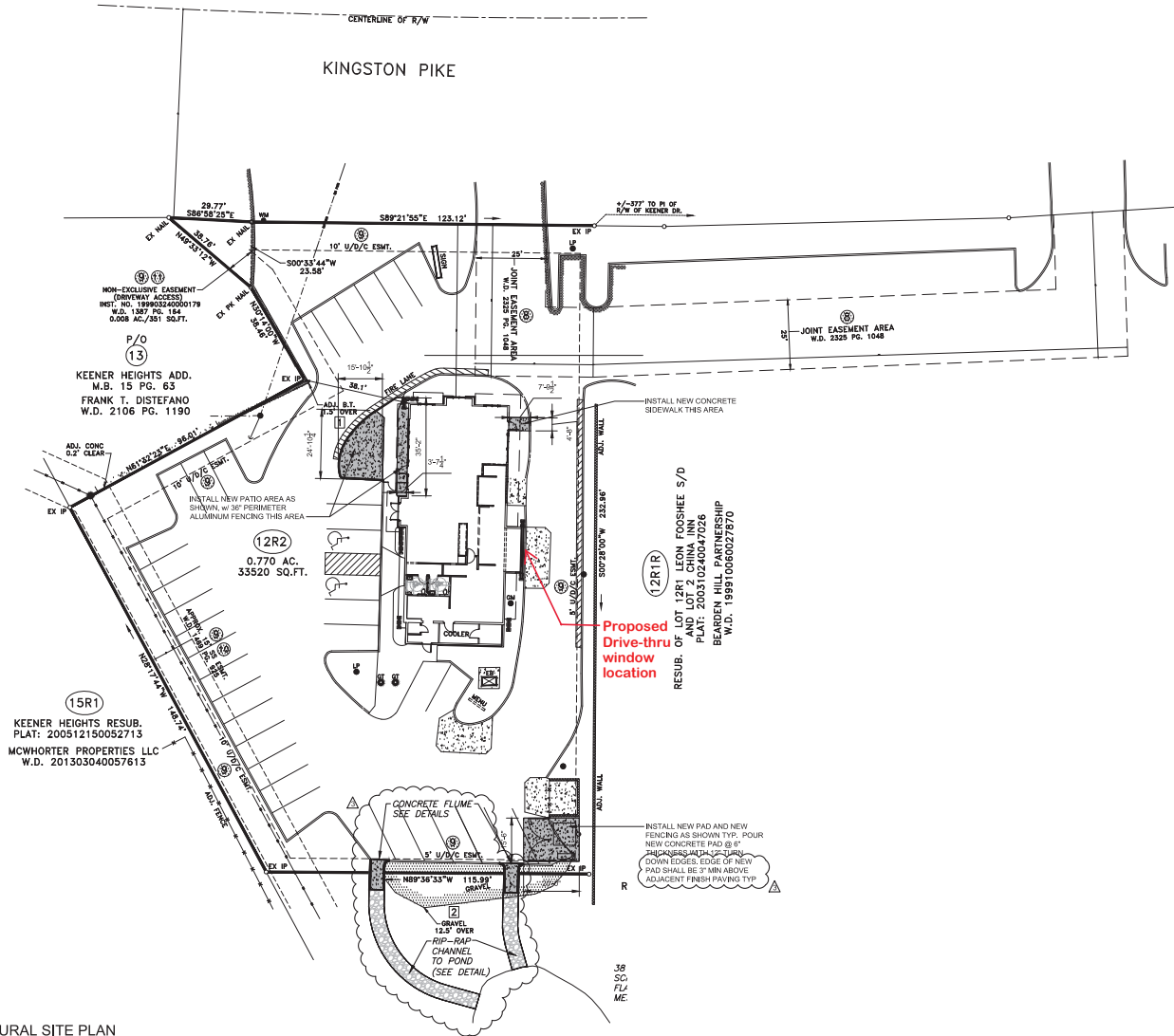
Revised

Project No. MSS 0716
Date 06.04.16
File Name P_0716_A0.01

Drawing Title
EXISTING
ARCHITECTURAL
SITE
PLAN

Sheet No.

A0.01



1 ARCHITECTURAL SITE PLAN
A0.01 Scale: 1" = 20'-0"

Note:
Site plan shown represents the proposed site layout for Freddy's Frozen Custard

5-B-23-SU
3/17/2023



Dori Caron <dori.caron@knoxplanning.org>

5-B-23-SU 6502 Kingston Pike

Tim Hill <tim@hatcherhill.com>
To: Dori Caron <dori.caron@knoxplanning.org>

Fri, Apr 28, 2023 at 10:47 AM

Dori:

Mary Katherine Wormsley with Hatcher-Hill Properties will be the Applicant representative instead of Craig Reynolds on this case.

Thank you,

Tim Hill

865-719-7538

311 S. Weisgarber Road

Knoxville, TN 37919





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

Mary Katherine Wormsley / Hatcher-Hill Properties, LLC (fka Craig Reynolds)

Applicant Name

Affiliation

3/17/2023

5/11/2023

5-B-23-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.

Craig Reynolds RKS Ventures, Inc

Name / Company

9340 E Central Ste A Wichita KS 67206

Address

316-978-9038 / creynolds@rksks.com

Phone / Email

CURRENT PROPERTY INFO

Hatcher Hill Properties LLC

311 S Weisgarber Rd Knoxville TN 37919

Owner Name (if different)

Owner Address

Owner Phone / Email

6502 KINGSTON PIKE

Property Address

121 A C 004.01

0.75 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

South side of Kingston Pike, west of Northshore Drive

General Location

City

Council District 2

C-G-1 (General Commercial)

Commercial

County District

Zoning District

Existing Land Use

West City

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 for Freddy's Frozen Custard	

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

Craig Reynolds	3/17/2023
Applicant Signature	Date
Please Print	

Phone / Email

Hatcher Hill Properties LLC	3/17/2023
Property Owner Signature	Date
Please Print	

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

Craig Reynolds - RKS Ventures, Inc. (d.b.a. - Freddy's Frozen Custard)

VP of Real Estate

Applicant Name

Affiliation

3/13/23

May 11, 2023

File Number(s)

Date Filed

Meeting Date (if applicable)

5-B-23-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

Craig Reynolds

RKS Ventures, Inc.

Name

Company

9340 E. Central, Ste A

Wichita

KS

67206

Address

City

State

ZIP

(316) 978-9038

creynolds@rksks.com

Phone

Email

CURRENT PROPERTY INFO

Hatcher Hill Properties, LLC - Tim Hill

128 N. Northshore Drive, Knoxville, TN

(865) 719-7538

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

6502 Kingston Pike, Knoxville, TN 37919

121AC00401

Property Address

Parcel ID

Knoxville Utilities

Knoxville Utilities

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

City County

District

Zoning District

Existing Land Use

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) _____

Other (specify) Special Use for Drive Thru Window - Freddy's Frozen Custard

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name _____

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	Total
Fee 2		
Fee 3		

AUTHORIZATION

Craig Reynolds

Digitally signed by Craig Reynolds
Date: 2023.03.13 10:05:26 -05'00'

Applicant Signature

Craig Reynolds - RKS Ventures, Inc. (d.b.a.) 3/13/23

Please Print

Date

(316) 978-9038

Phone Number

creynolds@rksks.com

Email

Property Owner Signature

Timothy M. Hill
Hatchers Hill Properties

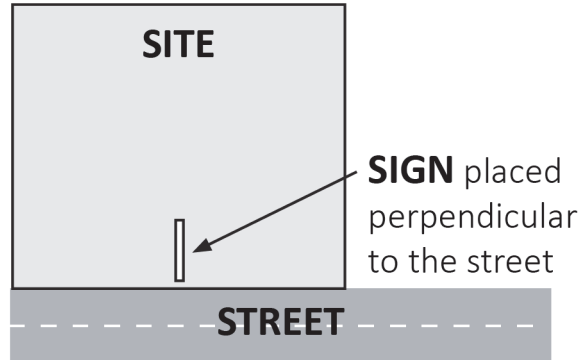
Please Print

Date

3/13/23

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:

_____ April 28, 2023 _____ and _____ May 12, 2023 _____
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Craig Reynolds

Date: 3/17/2023

File Number: 5-B-23-SU



Sign posted by Staff



Sign posted by Applicant