



USE ON REVIEW REPORT

▶ **FILE #:** 3-A-26-UR

AGENDA ITEM #: 40

AGENDA DATE: 3/5/2026

▶ **APPLICANT:** DANIEL LEVY

OWNER(S): Rushabh Patel

TAX ID NUMBER: 162 M C 019

[View map on KGIS](#)

JURISDICTION: County Commission District 5

STREET ADDRESS: 1615 CHOTO RD

▶ **LOCATION:** Southwest side of Choto Rd, southeast side of S Northshore Drive

▶ **APPX. SIZE OF TRACT:** 0.99 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Choto Road, a minor collector with 22-23 ft of pavement width within a 61-ft right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

FIRE DISTRICT: Rural Metro Fire

WATERSHED: Tennessee River

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

PLACE TYPE: CMU (Corridor Mixed-use)

▶ **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land

▶ **PROPOSED USE:** Restaurant

HISTORY OF ZONING: In 2001, a request to rezone the property from A to CA (General Business) was denied (12-D-01-RZ). In 2004, a request to rezone the property from A and PR up to 3 du/ac to CN (Neighborhood Commercial) (initially requested CA) was denied (9-C-04-RZ). In 2010 a request to rezone the property from A to CN was denied (5-H-10-RZ). In 2016 a request to rezone the property from A to OA (Office Park) was denied (3-E-16-RZ). In 2020 a request to rezone the property from A to CN was approved (10-D-20-RZ).

SURROUNDING LAND USE AND ZONING: North: Commercial - CN (Neighborhood Commercial)
South: Agriculture/forestry/vacant land - A (Agricultural)
East: Single family residential - PR (Planned Residential) up to 3 du/ac
West: Single family residential - PR (Planned Residential) up to 3 du/ac

NEIGHBORHOOD CONTEXT: The subject property lies across from a neighborhood commercial node within an area that predominantly features single family houses in subdivisions and on large lots.

STAFF RECOMMENDATION:

► **APPROVE the request for the restaurant with approximately 3,100 sqft of gross floor area and 6,700 sqft of outdoor use area, as shown on the development plan, subject to 7 conditions.**

- 1) Meeting all requirements of the CN (Neighborhood Commercial) zone and all other applicable requirements of the Knox County Zoning Ordinance, including but not limited to the sign regulations for the CN zone (Article 3.90. – Signs, billboards, and other advertising structures), noise (Article 4.10.01), and off-street parking (Article 3.50).
- 2) All site light fixtures shall be full cut off and installed with the light source perpendicular to the support structure or otherwise parallel to the ground. This does not apply to architectural and landscape accent lighting.
- 3) The existing, mature evergreen trees along the southeast and southwest lot lines and on the subject property may be retained and counted towards the minimum landscape screening requirement for the zone district. Emphasis should be placed on retaining trees that provide screening to adjacent residential structures. The landscaping plan must be reviewed and approved by Planning staff before grading and building permits are issued for this site.
- 4) The hours of operation shall be as presented in the “Project Use” on the plan sheet A010, and provided in the staff comments below.
- 5) Meeting all applicable requirements of First Utility District regarding work performed within the platted utility easement, including the planting of required landscape screening.
- 6) Meeting all applicable requirements of Knox County Engineering and Public Works, including but not limited to meeting the requirements of the sidewalk ordinance (Chapter 54, Article IV of the Knox County Code).
- 7) If during design plan approval or construction of the development, it is discovered that unforeseen off-site improvements within the right-of-way are necessary as caused by the development, the developer will either enter into a memorandum of understanding (MOU) with the County for these improvements or reimburse the County for their direct expenses (if completed by County crews) to make corrections deemed necessary.

With the conditions noted, this plan meets the requirements for approval in the CN district and the criteria for approval of a use on review.

COMMENTS:

This proposal is for a 2-story restaurant with approximately 3,100 sq ft of gross floor area (conditioned space), and approximately 6,700 sqft of outdoor use area (patio, pavers, deck, and amenities) located between the building and Choto Road. The outdoor use area includes seating, a bar, one pickleball court, two bocce ball courts, and a video screen.

In 2020, the property was rezoned from A (Agricultural) to CN (Neighborhood Commercial), which allows restaurants as a “use permitted on review” (10-D-20-RZ). The CN zone limits individual businesses to a maximum floor area of 5,000 sqft. The uncovered amenity area is not subject to the maximum floor area limitation.

The CN zone has specific building setback and landscape standards when adjacent to residential and agricultural zones, which apply to the southwest and southeast property lines. The existing trees along the southeast property line can remain and count toward the required landscape screening. Additional landscaping is required between the parking lot and road frontages, along 50 percent of the building’s foundation, and in the parking lot.

PROJECT USE (see plan sheet A010)

- 1) Hours of usage (restaurant): Monday-Sunday, 11:00 AM – 11:00 PM.
- 2) Hours of usage for recreation court: 11:00 AM - 6:00 PM (during daylight, no night time illumination).
- 3) There is to be amplified sound.
- 4) No additional special lighting other than normal illuminated building façade lights and illuminated signage. —
NOTE: The CN zone does not permit internally illuminated signs, but does allow external illumination.

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL)

In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

1) **THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE COMPREHENSIVE PLAN OF KNOX COUNTY.**

A. The property is designated the CMU (Corridor Mixed-Use) place type on the Future Land Use Map. These areas are appropriate for moderate-scale, walkable, mixed-use development along major corridors and shall

provide connectivity to nearby neighborhoods. The place type's form attributes recommend buildings of 2-5 stories, with variable setbacks depending on location and street classification.

B. A sidewalk will be installed along the S. Northshore Drive frontage, connecting to the existing sidewalk along Choto Road, and a pedestrian connection will be provided from the internal sidewalks to the public sidewalk.

C. Commercial uses are considered a primary use in the CMU place type. With the proposed conditions, the proposal is consistent with the place types' intent and recommended form attributes.

D. The proposed landscape screening and recommended site lighting and sidewalks are consistent with the Comprehensive Plan's Implementation Policies 2, 4, and 13, to ensure development is sensitive to existing community character, the creation of neighborhood service nodes, and provides alternative transportation options.

E. The proposed development is also compatible with the subject property's location in the Planned Growth Area of the Growth Policy Plan, which it encourages a reasonably compact pattern of development, promotes expansion of the Knox County economy, offers a wide range of housing choices, and coordinates the action of the public and private sectors, particularly with regard to provision of adequate roads, utilities, schools, drainage and other public facilities and services.

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. The CN's development standards maximize compatibility between commercial uses and adjacent residential uses.

B. Restaurants are listed as a use permitted on review in the CN zone, which requires Planning Commission approval per Article 6.50 (Procedure for authorizing uses permitted on review).

C. The CN zone permits individual commercial establishments that are no more than 5,000 sqft, and no building footprint can exceed 5,000 sqft. The restaurant's indoor (conditioned) gross floor area is 3,100 sqft.

D. The CN zone has landscaping standards for parking areas and side and rear yards. The required landscape yards are provided, and the detailed landscape plan will be reviewed and approved by staff before grading and building permits are issued.

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 include a detailed site lighting plan, but do show the general location of the site lighting. Staff recommends that all site lighting fixtures be full cut off and installed with the light source perpendicular to the ground.

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 two-story height and setbacks from the southwest and southeast property lines are compatible with the area.

B. The landscape screening required by the CN zone buffers the proposed use from the residential uses to the south.

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

A. The outdoor use area could have noise that is a nuisance to nearby residential uses.

B. The building's location between the outdoor use area and the residential neighborhood to the southeast, and the recommended conditions of approval, will help mitigate impacts on adjacent properties.

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

A. The development has access to Choto Road, which is a minor collector street.

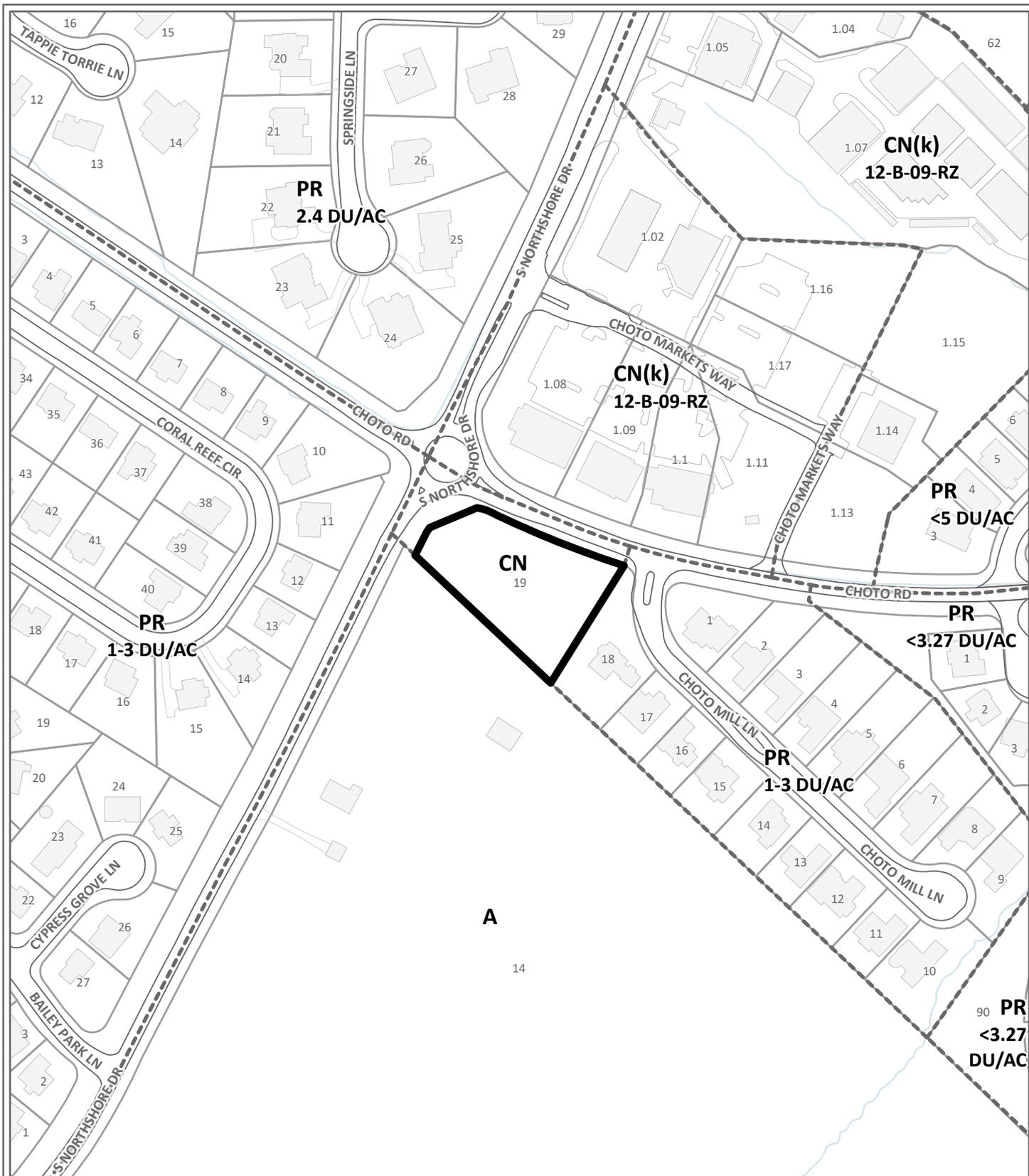
6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

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 the development.

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. For more information on the appeal process, contact Knoxville-Knox County Planning.



USE ON REVIEW

3-A-26-UR

Petitioner: Daniel Levy



Restaurant in CN (Neighborhood Commercial)

Map No: 162
Jurisdiction: County



Original Print Date: 1/26/2026

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

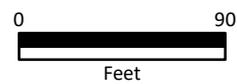
Exhibit A. Contextual Images

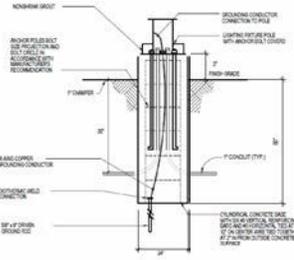


AERIAL MAP



Case boundary



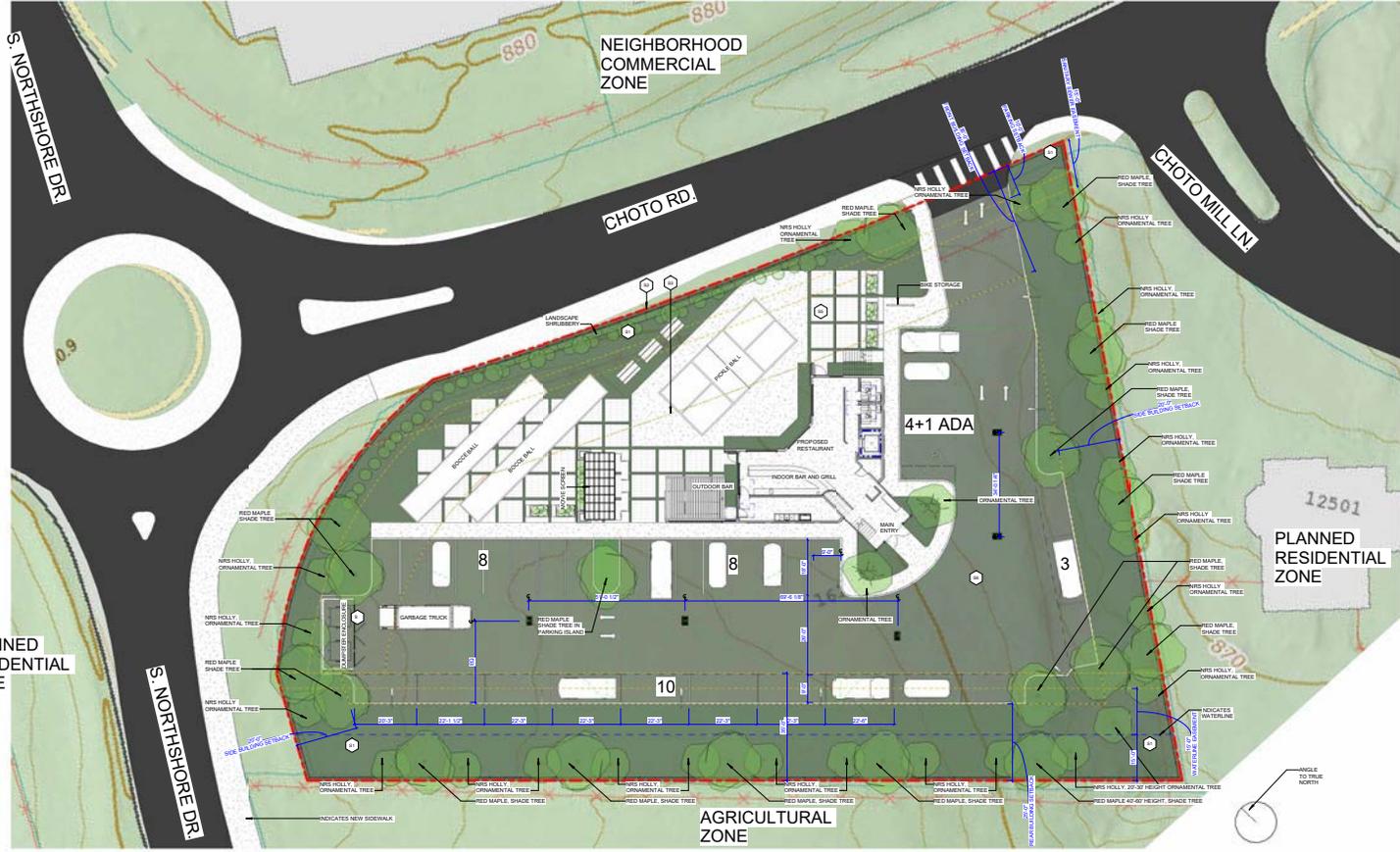


POLE BASE DETAIL
SCALE: NTS

PROJECT INFO AND REQUIREMENTS
 ADDRESS: 1615 CHOTO RD, KNOXVILLE, TN 37922
 AHJ: KNOX COUNTY
 PARCEL ID: 162M0319
 SITE ZONING: CN - NEIGHBORHOOD COMMERCIAL
 USE: PERMITTED USE RESTAURANT (BUDS 22)
 MAX HEIGHT ALLOWED: 34 FT
 MAX AREA ALLOWED: 5000 SQFT PER FLOOR
 LOT AREA MIN REQUIRED: 10000 SQFT
 OFF STREET PARKING REQUIRED: ONE (1) PER THREE (3) EMPLOYEES, PLUS ONE (1) PER ONE HUNDRED (100) SQUARE FEET OF USABLE FLOOR SPACE, OR ONE (1) PER THREE (3) FIXED SEATS, WHICHEVER IS THE GREATER.
 3135 SQFT OF USABLE FLOOR SPACE. REQUIRED 32 PARKING SPOTS + 2 EMPLOYEE PARKING SPOTS
 96 NON-FIXED SEATS. REQUIRED 32 PARKING SPOTS + EMPLOYEE SPOTS

PROJECT PROPOSED
 PROPOSED USE: RESTAURANT
 PROVIDED HEIGHT: 34' - 0", SEE ELEV.
 PROVIDED FLOOR AREAS:
 FIRST FLOOR CONDITIONED SPACE (FOOTPRINT): 1623 SQFT
 OUTDOOR PATIO AREA INCLUDING PICKLEBALL COURT: 2298 SQFT
 TOTAL OUTDOOR PAVERS: 3543 SQFT
 SECOND FLOOR CONDITIONED SPACE: 1206 SQFT
 SECOND FLOOR OUTDOOR DECK: 823 SQFT
 LOT AREA ACTUAL: 20964 SQFT OR 0.527 ACRES
 OFF STREET PARKING PROVIDED: 31 SPACES + 2 EMPLOYEE SPACES + 1 ADA SPACE + 3H SPACES
 SQFT PARKING ASPHALT: 16280 SQFT

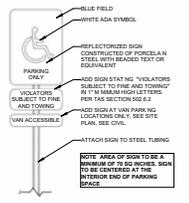
PROJECT USE
 HOURS OF USAGE MONDAY - SUNDAY: 11:00 AM - 11:00 PM
 HOURS OF USAGE FOR RECREATION COURT: 11AM - 6PM DURING DAYLIGHT, NO NIGHT TIME ILLUMINATION.
 THERE IS TO BE AMPLIFIED SOUND, NO ADDITIONAL SPECIAL LIGHTING OTHER THAN NORMAL ILLUMINATED BUILDING FACADE LIGHTS AND ILLUMINATED SIGNAGE.
 SITE LIGHTING TO BE DIRECTED AWAY FROM ALL RESIDENTIAL AND AGRICULTURAL NEIGHBORING PROPERTIES.
 50% OF PERIMETER OF BUILDING HAS 4FT LANDSCAPE BUFFER
 LANDSCAPE REQUIREMENTS AND PROPOSED:
 WHERE THE SIDE YARD IS ADJACENT TO A RESIDENTIAL ZONE, THE BUILDING SETBACK SHALL BE NOT LESS THAN TWENTY (20) FEET. THE REQUIRED SIDE YARD MUST BE LANDSCAPED WITH A MINIMUM OF ONE (1) EVERGREEN TREE PER EVERY THIRTY (30) FEET OR PORTION THEREOF OF SIDE YARD PROPERTY DEPTH OUTSIDE OF REQUIRED FRONT AND REAR YARDS. THE EVERGREEN TREES MUST BE SPACED A MINIMUM OF THIRTY (30) FEET APART AT THE TIME OF PLANTING. SHRUBS AND/OR GROUND COVERS PLANTINGS MUST COVER THE REMAINDER OF THE SIDE YARD, EXCEPT FOR THE SPACE WITHIN TEN (10) FEET FROM THE BASE OF THE EVERGREEN TREES.
 WHERE THE REAR YARD IS ADJACENT TO A RESIDENTIAL OR AGRICULTURAL ZONE, THE BUILDING SETBACK SHALL BE NOT LESS THAN TWENTY-FIVE (25) FEET. THE REQUIRED REAR YARD MUST BE LANDSCAPED WITH A MINIMUM OF ONE (1) EVERGREEN TREE PER EVERY TWENTY-FIVE (25) LINEAR FEET OR PORTION THEREOF OF REAR YARD PROPERTY LENGTH. THE EVERGREEN TREES MUST BE SPACED A MINIMUM OF THIRTY (30) FEET APART AT THE TIME OF PLANTING. SHRUBS AND/OR GROUND COVERS PLANTINGS MUST COVER THE REMAINDER OF THE REAR YARD, EXCEPT FOR WITHIN TEN (10) FEET FROM THE BASE OF THE EVERGREEN TREES.



SITE PLAN LEGEND

- INDICATES LANDSCAPING AREA. SEE CIVIL.
- PROPERTY LINE
- BUILDING SETBACK LINE. PER ZONING ORDINANCE
- DUMPSTER ENCLOSURE. SEE SHEET A011
- HARDSCAPE PAVERS. SEE CIVIL.
- INDICATES SLOPE TO STORM WATER DRAIN IN PARKING LOT

NOTE: ARCHITECTURAL SITE PLAN FOR REFERENCE ONLY. SEE CIVIL FOR ALL FINAL SITE RELATED INFORMATION.
 NOTE: ALL FINISHES AND COLORS TO BE VERIFIED WITH OWNER.



ARCHITECTURAL SITE PLAN
1/16" = 1'-0"

ADA PARKING SIGN
1" = 1'-0"

DKLEVY
 architecture + design
 3523 Maloney Rd., Knoxville, TN 37920
 p. 865.474.9264 www.dklevy.com

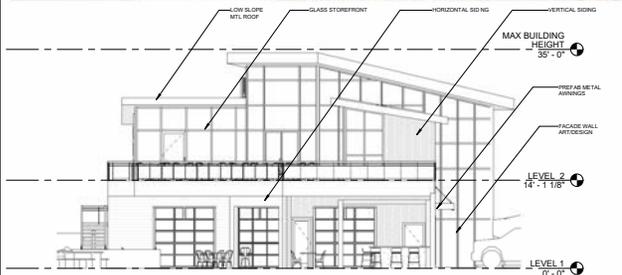
NOT FOR CONSTRUCTION
 Seal
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CHOTO GRILL AND BAR
 USE ON REVIEW SET

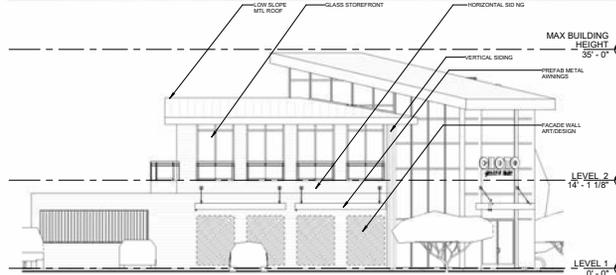
3-A-26-UR
 Revised: 2/17/2026

The information provided is conceptual and only to be used for the information and/or contained on the same project. DKLEVY P.L.L.C. does not warrant the accuracy or completeness of the information provided. It is the responsibility of the client to verify the accuracy and completeness of the information provided. No representation shall be made by DKLEVY P.L.L.C. for any use of the information provided for any purpose other than that intended. Any representation shall be made by DKLEVY P.L.L.C. for any use of the information provided for any purpose other than that intended. Any representation shall be made by DKLEVY P.L.L.C. for any use of the information provided for any purpose other than that intended.

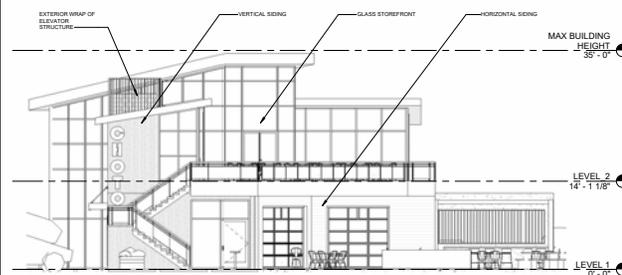
REVISIONS			PROJECT NUMBER
NO.	DESCRIPTION	DATE	25156
	1615 Choto Rd, Knoxville, TN 37922		
	ISSUE DATE	02.17.2026	
ARCHITECTURAL SITE PLAN			
			A010



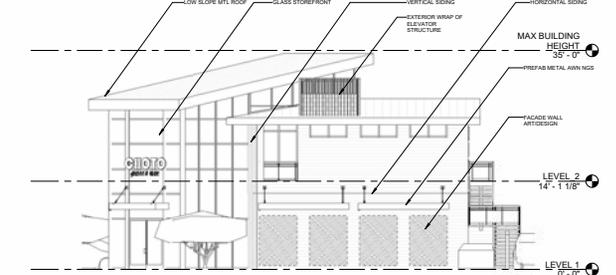
① ELEV. PLAN WEST
1/8" = 1'-0"



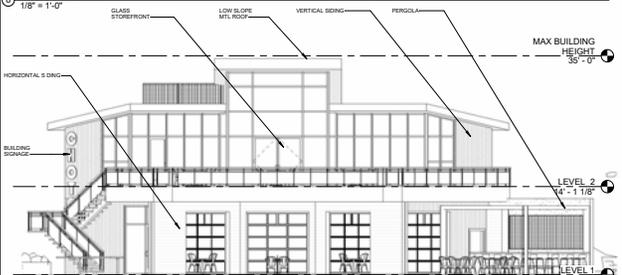
② ELEV. PLAN SOUTH
1/8" = 1'-0"



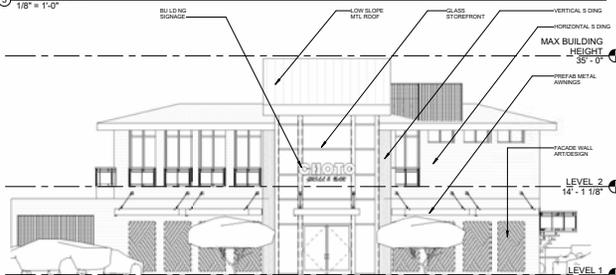
③ ELEV. PLAN NORTH
1/8" = 1'-0"



④ ELEV. PLAN EAST
1/8" = 1'-0"



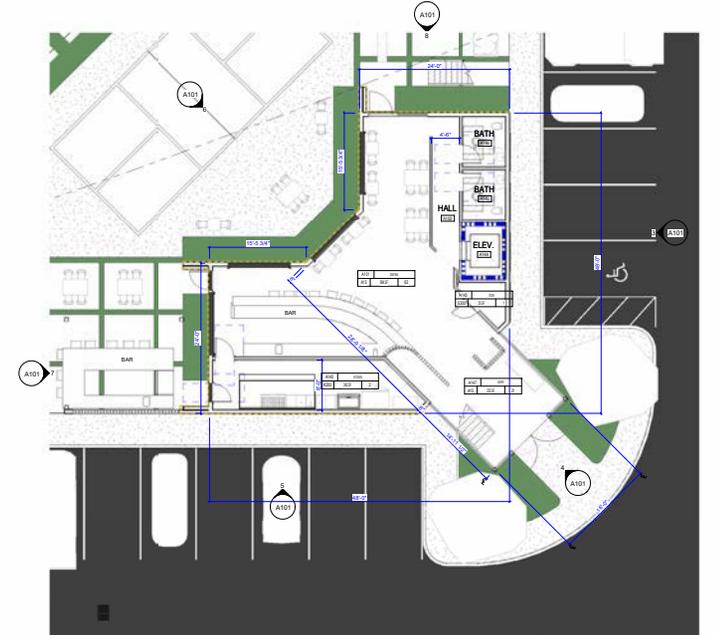
⑤ ELEV. PLAN NORTH WEST
1/8" = 1'-0"



⑥ ELEV. PLAN SOUTH EAST
1/8" = 1'-0"



⑦ LEVEL 2 - PROPOSED
1/8" = 1'-0"



⑧ LEVEL 1 - PROPOSED
1/8" = 1'-0"

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architecture + design
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CHOTO GRILL AND BAR

USE ON REVIEW SET

3-A-26-UR
Revised: 2/17/2026

REVISIONS			PROJECT NUMBER
NO.	DESCRIPTION	DATE	25156
	1615 Choto Rd, Knoxville, TN 37922		
	ISSUE DATE	02.17.2026	
PLANS AND ELEVATIONS			
			A101

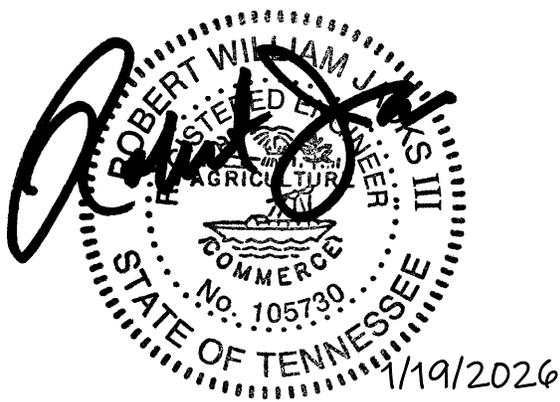


Transportation Impact Letter Choto Road Grill and Bar Knox County, Tennessee



January 2026

Prepared for:
DKLEVY Architecture and Design
3523 Maloney Road
Knoxville, TN 37920



3-A-26-UR
TIL Version 1
1/20/2026

▪ **EXECUTIVE SUMMARY**

Preface:

Rushabh Patel proposes a commercial development at the southeast corner of S Northshore Drive at Choto Road in deep Southwest Knox County, TN. The proposed development will include the construction of a 2-story restaurant and bar on a single parcel of 0.53 +/- acres. The development is referred to in this report as “Choto Road Grill and Bar”. The development proposes a single entrance to Choto Road, 70 feet to the west of the existing unsignalized t-intersection of Choto Road at Choto Mill Lane. The Choto Road Grill and Bar is expected to be fully built and operational by early 2027.

Report Results:

The significant findings of this report include the following:

- The proposed Choto Road Grill and Bar, with 160 seats, is estimated to generate 74 trips during the MIDDAY peak hour and 74 during the PM peak hour in 2027.
- The Proposed Entrance intersection at Choto Road is calculated to operate with low vehicle delays and short vehicle queues in the projected 2027 conditions.
- At the Proposed Entrance location on Choto Road, the sight distance was visually estimated to be adequate in both directions in the existing conditions.
- Separate entering left and right-turn lanes on Choto Road at the Proposed Entrance are not expected to meet Knox County thresholds based on the calculated intersection volumes for the projected 2027 conditions.
- A single exit lane for the development, allowing both left and right-turn movements from the Proposed Entrance onto Choto Road, will be sufficient, according to calculations based on projected 2027 volumes.
- The proposed intersection spacing shown on the site plan between Choto Mill Lane and the Proposed Entrance on Choto Road is likely in compliance with Knox County standards regarding proper spacing between driveways and public roadways.
- The projected 2027 PM peak hour results indicate substantial southbound queues on S Northshore Drive at the roundabout. This result is related to the high future growth assumed and used in the study, rather than the calculated trips generated by the proposed development. However, this result portends to potential lengthy vehicle queues during the afternoon peak periods for southbound traffic on S Northshore Drive due to expected future growth in the surrounding area.

Recommendations:

The following recommendations are offered based on the analyses to minimize the impacts of the proposed development on the adjacent transportation system while attempting to achieve an acceptable traffic flow and improved safety. The recommendations marked with an asterisk indicate an existing transportation issue noted during the site review and are not associated with the proposed development's projected impacts.

Choto Road at Proposed Entrance:

- Intersection sight distances from the Proposed Entrance at Choto Road must not be impacted by future landscaping, signage, or grading at the entrance.
- It is recommended that a Stop Sign (R1-1) be installed and a 24" white stop bar be applied at the Proposed Entrance approach at Choto Road. The stop bar should be applied a minimum of 4 feet away from the edge of the travel lane on Choto Road and placed at the desired stopping point that maximizes sight distance.
- A white crosswalk is recommended to be applied across the Proposed Entrance approach, where the existing sidewalk on Choto Road will cross. The crosswalk should have a white transverse marking as shown in TDOT Standard Drawing T-M-4.
- The current site plan shows the Proposed Entrance at Choto Road, 70 feet west of Choto Mill Lane (centerline to centerline). This proposed spacing needs to be clarified and further confirmed to ensure a minimum distance of 50 feet is met to meet Knox County regulations.

S Northshore Drive at Choto Road:

- * • The existing roundabout is missing some road traffic signs that were once posted. These signs include two posts in the raised center of the roundabout facing southbound and eastbound motorists and include both "One-Way" Signs (R6-1r) and Roundabout Directional (2 Chevron) Signs (R6-4) for each of these approaches.
- * • The northbound approach of S Northshore Drive prior to the roundabout is missing a post that includes a Roundabout Intersection Sign (W2-6), a "Roundabout" plaque (W16-17p), and an advisory speed plaque (W13-1p) of 20 mph, as posted at all of the other approaches to the roundabout.

Choto Road Grill and Bar Internal Drives/Parking Lot Aisleways:

- All drainage grates and covers for the commercial development must be

pedestrian and bicycle-safe.

- All internal parking space lines are to be white, except for handicapped markings. White pavement lane markings and arrows should also be considered to facilitate orderly internal vehicular movements.
- The Proposed Entrance intersection elements at Choto Road should be designed in accordance with the American Association of State Highway and Transportation Officials (AASHTO) and the Manual on Uniform Traffic Control Devices (MUTCD), as well as Knox County specifications and guidelines, to ensure proper roadway operations.

Public Notice and Community Engagement

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). The contact information you provide in your application may be used for that purpose. We require applicants to acknowledge their role in this process.

Sign Posting and Removal

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.

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.

Acknowledgement

By signing below, you acknowledge that public notice signs must be posted and visible on the property consistent with the guidelines above and between the dates listed below.

02/20/2026

03/06/2026

Date to be Posted

Date to be Removed

Have you engaged the surrounding property owners to discuss your request?

Yes No

No, but I plan to prior to the Planning Commission meeting



Digitally signed by Daniel Levy
Date: 2026.01.20 14:44:49
-05'00'

Daniel Levy

1.19.26

Applicant Signature

Applicant Name

Date