SPECIAL USE REPORT

FILE #: 3-L-20-SU  
AGENDA ITEM #: 33  
AGENDA DATE: 3/12/2020

APPLICANT: MIKE GRAY, P.E.  
OWNER(S): Broadway Center Partnership

TAX ID NUMBER: 81 E F 00802 AND PART OF 008  
JURISDICTION: City Council District 4  
STREET ADDRESS: 2085 N. Broadway

LOCATION: West side of N. Broadway, west of McCroskey Ave., northwest of Cecil Ave.

APPROX. SIZE OF TRACT: 0.49 acres  
SECTOR PLAN: Central City  
GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)  
ACCESSIBILITY: Access is via N Broadway, a major arterial street with a five lane street section within a 70’ right-of-way.

UTILITIES: 
Water Source: Knoxville Utilities Board  
Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

ZONING: C-G-2 (General Commercial)

EXISTING LAND USE: Taco Bell restaurant

PROPOSED USE: Restaurant with drive-thru

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: 
North: Broadway Shopping Center - C-G-2 (General Commercial)  
South: Broadway Shopping Center - C-G-2 (General Commercial)  
East: N. Broadway and mixed businesses - C-G-2 (General Commercial)  
West: Broadway Shopping Center - C-G-2 (General Commercial)

NEIGHBORHOOD CONTEXT: The site is located within an older shopping center in an area that includes a mix of commercial, institutional and residential uses.

STAFF RECOMMENDATION:

APPROVE the development plan for a restaurant with drive thru containing approximately 2,600 square feet of floor area, subject to 9 conditions.

1. Connection to sanitary sewer and meeting any other relevant requirements of the utility provider.
2. Installation of all landscaping shown on the development plan within six months of the issuance of occupancy permit for this project.
3. Meeting all applicable requirements of the City of Knoxville Tree Protection Ordinance.
4. Installing all sidewalks shown on the development plan in accordance with the requirements of the...
Americans with Disabilities Act (ADA) and the City of Knoxville Department of Engineering.
5. Signage shall be in conformance with Article 13 of the City of Knoxville Zoning Ordinance, and is subject to
final approval by Planning staff and the Knoxville Plans Review and Inspections Division.
6. Since this site was reviewed as a stand alone site and not as a part of the overall Broadway Shopping
Center, a final plat approval will be required for the lease parcel in order to create a lot of record.
7. Recording any greenway easement as may be required by the City of Knoxville. Any greenway easement
that will cross this lot shall be identified on the final plat.
8. Meeting all applicable requirements of the City of Knoxville Department of Engineering.
9. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the SC-2 (Community Shopping
Center) District, and the other criteria for approval of a use on review.

COMMENTS:
The applicant has submitted a development plan for a new 2600 square foot restaurant with drive thru to
replace the existing Taco Bell restaurant in the Broadway Shopping Center. The plan was submitted to the
City of Knoxville before the end of last year and is being reviewed under the SC-2 (Community Shopping
Center) District and not the C-G-2 (General Commercial). Access to the site is from the internal driveway
system for the shopping center. There will be a total of 17 parking spaces provided on the site which complies
with the parking standards.

Since this site was reviewed as a stand alone site and not as a part of the overall Broadway Shopping Center,
a final plat approval will be required for the lease parcel in order to create a lot of record. Any greenway
easement that is required by the City that will cross this lot shall be identified on the final plat.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND THE
COMMUNITY AS A WHOLE
1. The proposed restaurant will have minimal impact on local services since all utilities are available to serve
this site.
2. The proposed redevelopment of the restaurant will have minimal impact on traffic circulation patterns and all
driveways should operate with acceptable service levels.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING
ORDINANCE
1. With the recommended conditions, the proposed restaurant meets the standards for development within the
SC-2 zoning district and all other requirements of the Zoning Ordinance..
2. The proposed restaurant is consistent with the general standards for uses permitted on review: The
proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan.
The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible
with the character of the area where it is proposed. The use will not significantly injure the value of adjacent
property. The use will not draw additional traffic through residential areas.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS
1. The Central City Sector Plan and the One Year Plan identify this area as being within the Broadway Mixed
Use District which allows commercial uses for this site. The restaurant is consistent with both the Sector and
One Year plans.
2. The site is located within the Urban Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

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. Appellants have 15 days to appeal a Planning Commission decision in the City.
Restaurant with drive-thru in C-G-2 (General Commercial)

Petitioner: Gray, P.E., Mike
Map No: 81
Jurisdiction: City

Original Print Date: 2/18/2020
Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902
Existing 1-Story Building

Ground Area: 2,190 s.f.±

Dumpster Pad

11 Spaces + 2 H/C

8 Spaces

Subject Property

Third Civil District
Knox County, Tennessee
Parcel ID: 081EF008
0.49 Acres±

FLOOD ZONE XFLOOD ZONE AE

Exclusive Easement for Parking

Approximate Tie-in Point

P.O.B. 5/8" Rebar

Sign: "Taco Bell"

FLOODWAY

First Creek
North Broadway (SR-33)

(PUBLIC RIGHT-OF-WAY)

Broadway Center Partnership
Db. 20000404, Pg. 22244
Parcel ID: 081EF008
Bradley Lee's Addition to Knoxville Pb. 5, Pg. 299

DEMOLITION LEGEND

DEMOLITION NOTES

3-L-20-SU
Revised: 2/25/2020
# Development Request

**Development**
- □ Development Plan
- □ Planned Development
- □ Use on Review / Special Use

**Subdivision**
- □ Concept Plan
- □ Final Plat

**Zoning**
- □ Plan Amendment
- □ Rezoning

### Applicant Information

- **Name**: Mike Gray, P.E.
- **Affiliation**: Tacala TN Corp
- **Date Filed**: 1-27-2020
- **Meeting Date (if applicable)**: 3-12-2020
- **File Numbers(s)**: 3-L-20-UR

### Correspondence

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

- **Applicant**: Mike Gray, P.E.
- **Company**: Tacala TN Corp
- **Address**: 3750 Corporate Woods Drive
- **City**: Vestavia Hills
- **State**: AL
- **Zip**: 35242
- **Phone**: 205.283.7413
- **Email**: mike.gray@tacala.com

### Current Property Info

- **Owner Name (if different)**: 2085 N. Broadway
- **Owner Address**: PO Box 22013, Knoxville TN 37933
- **Owner Phone**: 081EF00802
- **Property Address**: North Broadway Shopping Center
- **Parcel ID**: 0.49 acres
- **General Location**: West side of N. Broadway, west of McCroskey Ave.
- **Tract Size**: C-G-2 (previously SC-2)
- **Jurisdiction (specify district above)**: Central City
- **Zoning District**: MU-SD MU-CC7
- **Inside City**: Inside City
- **Planning Sector**: Taco Bell restaurant
- **Sector Plan Land Use Classification**: N
- **Growth Policy Plan Designation**: KUB
- **Existing Land Use**: Septic (Y/N)
- **Sewer Provider**: KUB
- **Water Provider**: KUB
REQUEST

☐ Development Plan  ☑ Use on Review / Special Use

☐ Residential  ☑ Non-Residential

☐ Home Occupation (specify): ________________________________

☐ Other (specify): Restaurant with drive-thru

☐ Proposed Subdivision Name

☐ Parcel Change

☐ Combine Parcels  ☐ Divide Parcel  Total Number of Lots Created: __________

☐ Other (specify): ________________________________

☐ Attachments / Additional Requirements

☐ Zoning Change:

☐ Plan Amendment Change:

☐ Proposed Property Use (specify)  Proposed Density (units/acre)  Previous Rezoning Requests

☐ Other (specify): ________________________________

PLAT TYPE

☐ Staff Review  ☐ Planning Commission

ATTACHMENTS

☐ Property Owners / Option Holders  ☐ Variance Request

ADDITIONAL REQUIREMENTS

☐ Design Plan Certification (Final Plat only)

☐ Use on Review / Special Use (Concept Plan only)

☐ Traffic Impact Study

FEE 1: $1,500

FEE 2: __________

FEE 3: __________

TOTAL: $1,500

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

Mike Gray  Mike Gray, P.E.

Applicant Signature  Date: 2020-01-27 15:55:18 -06'00'

205.283.7413  mike.gray@tacala.com

Phone Number  Email

Michael Reynolds

Staff Signature  Date: 1-28-2020
REQUIRED SIGN POSTING AGREEMENT
For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted Administrative Rules and Procedures.

At the time of application, staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the Planning offices. The applicant will be charged a fee of $10 for each replacement sign.

LOCATION AND VISIBILITY
The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then 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 15 days before 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 15 days before the next Planning Commission meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

(15 days before the Planning Commission meeting) and (the day after the Planning Commission meeting)

Signature: ____________________________________________
Printed Name: ________________________________________
Phone: __________________________ Email: __________________
Date: ________________________________________________
File Number: ________________________________________

REVISED MARCH 2019