CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

File Number: 1-D-07-UR Related File Number:

Application Filed: 12/4/2006 **Date of Revision:**

Applicant: BAHMAN KASRAEI

Owner:



PROPERTY INFORMATION

General Location: Southeast side of Sutherland Ave., southwest of Lebanon St.

Other Parcel Info.:

Tax ID Number: 107 K F 008 Jurisdiction: City

Size of Tract: 0.6 acres

Accessibility: Access is via Sutherland Ave., a three lane, minor arterial street.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant

Surrounding Land Use:

Proposed Use: Dry goods store/art gallery and restaurant Density:

Sector Plan: West City Sector Plan Designation: NC

Growth Policy Plan: Urban Growth Area

Neighborhood Context: This property is located in an area with a mix of office, multi-family, and commercial uses developed

under R-2, R-3, O-1, C-1 and C-3 zones.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 3816 Sutherland Ave

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-1 (Neighborhood Commercial)

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning: Denied plan amendment request in October of 2006 (10-C-06-PA).

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

1/31/2007 12:15 PM Page 1 of 3

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

Surveyor:

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

MPC ACTION AND DISPOSITION

Planner In Charge: Kelley Schlitz

Staff Recomm. (Abbr.): APPROVE the request for a dry goods store/art gallery and a restaurant in the C-1 (Neighborhood

Commercial) zoning district, subject to the following 6 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

- 2. Meeting all applicable requirements of the Knoxville Engineering Department.
- 3. Connection to sanitary sewer and meeting all other requirements of the Knox County Health Department.
- 4. Installation of proposed landscaping within six months of the issuance of occupancy permits for each unit.
- 5. Establishment of a property owners association for the purpose of assessing fees for the maintenance of all commonly held assets.
- 6. Adhering to attached plans and stipulations, as submitted by the applicant for the purposes of this review.

With the conditions noted above, this request meets all criteria for a use on review in the C-1 zoning district.

Comments:

The applicant is requesting approval of a dry goods store/art gallery and a restaurant to be located in a 5,000 square foot commercial building. The proposed dry goods store/art gallery will cover approximately 1,600 square feet of the commercial building and the restaurant will cover 1,200 square feet. There will be an additional 2,200 square feet of retail space. Restaurants and dry good stores are uses permitted on review in the C-1 zoning district. For the purpose of parking requirements for the dry

goods store/art gallery, it was determined that this use is comparable to a furniture establishment. According to the Knoxville Zoning Ordinance, furniture establishments are required to provide 1 space per 500 square feet of retail floor area. The proposed plan has provided sufficient parking for the dry goods store, restaurant and retail space.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE

- 1. This request will have no impact on schools and minimal impact on adjacent properties.
- 2. Public utilities are available to serve the site.
- 3. Sutherland Ave., is a minor arterial and has sufficient capacity to handle the additional traffic which will be generated by this development.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

- 1. The proposed uses are 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 of the Zoning Ordinance. The use should not significantly injure the value of adjacent property. The use will not draw substantial additional traffic through residential areas. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.
- 2. The request with the noted conditions conforms to the requirements of the C-1 zoning district, as well as other criteria for approval of a use on review.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1. The West City One Year Plan identifies this property for neighborhood commercial.
- 2. The current C-1 zoning of the property permits consideration of dry goods stores and restaurants as uses considered on review.

MPC Action: Approved MPC Meeting Date: 1/11/2007

1/31/2007 12:15 PM Page 2 of 3

Details of MPC action:

- 1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
- 2. Meeting all applicable requirements of the Knoxville Engineering Department.
- 3. Connection to sanitary sewer and meeting all other requirements of the Knox County Health Department.
- 4. Installation of proposed landscaping within six months of the issuance of occupancy permits for each unit.
- 5. Establishment of a property owners association for the purpose of assessing fees for the maintenance of all commonly held assets.
- 6. Adhering to attached plans and stipulations, as submitted by the applicant for the purposes of this

With the conditions noted above, this request meets all criteria for a use on review in the C-1 zoning

district.

Summary of MPC action: APPROVE the request for a dry goods store/art gallery and a restaurant in the C-1 (Neighborhood

Commercial) zoning district, subject to the following 6 conditions:

Date of MPC Approval: 1/11/2007 Date of Denial: Postponements:

Date of Withdrawal: Withdrawn prior to publication?: ☐ Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION		
Legislative Body:	Knoxville City Council	
Date of Legislative Action:		Date of Legislative Action, Second Reading:
Ordinance Number:		Other Ordinance Number References:
Disposition of Case:		Disposition of Case, Second Reading:
If "Other":		If "Other":
Amendments:		Amendments:
Date of Legislative Appeal:		Effective Date of Ordinance:

1/31/2007 12:15 PM Page 3 of 3