

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

KNOXVILLE-KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N

T E N N E S S E E

Suite 403 • City County Building
4 0 0 M a i n S t r e e t
Knoxville, Tennessee 37902
8 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
w w w • k n o x m p c • o r g

File Number: 11-B-14-UR **Related File Number:**
Application Filed: 9/29/2014 **Date of Revision:**
Applicant: BREVARD PARTNERS OF TN, GP

PROPERTY INFORMATION

General Location: South side of Pembroke Ave., west of N. Broadway
Other Parcel Info.:
Tax ID Number: 69 L J 011 **Jurisdiction:** City
Size of Tract: 0.188 acres
Accessibility: Access to this parking lot will be via an internal connection to the proposed restaurant. Access to the restaurant will be via N. Broadway, Pembroke Ave. and Fairfax Ave.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: Parking in a more restrictive zone **Density:**
Sector Plan: Central City **Sector Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: The site forms the boundary between the commercial uses found along N. Broadway and the residential uses found on Pembroke Av. C-3 (General Commercial) is the primary commercial zoning classification found in the area. R-2 (General Residential) is the zoning of the dwellings found in the immediate vicinity. The IH-1 (Infill Housing Overlay) zone was applied to much of the area in 2007.

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

Street: 1322 Pembroke Ave
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: O-1 (Office, Medical, and Related Services) & IH-1 (Infill Housing Overlay)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: The site was zoned O-1 (Office, Medical and Related Services) District in 2003 (7-A-03-RZ). The IH-1 (Infill Housing Overlay) District was added in 2007

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

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: Dan Kelly

Staff Recomm. (Abbr.): APPROVE the request for parking in a more restrictive zone as shown on the site plan subject to 5 conditions

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance
2. Prior to obtaining a grading permit, combine this site (069LJ011) with the adjoining commercial property (069LJ012) and the closed alley (O-279-03) by recording a plat
3. Meeting all applicable of the City of Knoxville Engineering Dept.
4. Installation of landscaping as shown on the development plan within six months of the issuance of occupancy permits for the proposed restaurant
5. Installation of the parking lot lighting as shown on the development plan

With the conditions noted this request meets the requirements for approval in the O-1 & IH-1 zones and the other criteria for approval of a use on review

Comments: The Knoxville Zoning Ordinance states that the "Metropolitan Planning Commission may approve required off street parking as a use on review in any office, commercial or industrial district which is more restrictive than that required for the principal use that it is intended to serve." In this case the O-1 zoned site is more restrictive than the adjoining C-3 property on which a restaurant will be constructed.

Access to the proposed parking lot will be through the commercial site as required by the Zoning Ordinance. A fence and landscaping will be put in place to buffer/shield the adjoining residential uses. A lighting plan has been submitted with this request. That plan shows that no light will be leaving the site where the property adjoins residential uses.

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

1. All public utilities are available to serve the site.
2. With the fencing, landscaping and controlled lighting the parking lot will be compatible with the scale and intensity of the surrounding development and zoning pattern.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. With the recommended conditions, the proposal meets all relevant requirements of the O-1 zoning district as well as the general criteria for approval of a use on review.
2. The proposed development with the recommended conditions is consistent with the following general standards for uses permitted on review: The proposal 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 neighborhood 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. No surrounding land uses will pose a hazard or create and unsuitable environment for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Knoxville One Year Plan proposes O (Office) and the Central City Sector Plan proposes LDR (Low Density Residential) for this site.

Action: Approved

Meeting Date: 11/13/2014

Details of Action:

Summary of Action: APPROVE the request for parking in a more restrictive zone as shown on the site plan subject to 5 conditions

Date of Approval: 11/13/2014

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: