

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
400 Main Street
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-E-15-UR
Application Filed: 9/25/2015
Applicant: GEORGE EWART

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: South side of Sutherland Ave., west 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 minor arterial street with a three lane street section and 38' of pavement width within a 56' right-of-way. The Bearden Greenway is located in front of this property along Sutherland Ave.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Restaurant **Density:**
Sector Plan: West City **Sector Plan Designation:** MU WC-1 (Office & Neighborhood Commercial)
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This property is located in an area with a mix of office, multi-family, and commercial uses. This block of Sutherland Ave. is a transitional area with commercial establishments and large institutional uses to the east, and single family residential and office uses to the west.

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:

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:

Gerald Green

Staff Recomm. (Abbr.):

APPROVE the request for up to 2,590 square feet of restaurant space, subject to 9 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. Locate the building at the front of the property, with parking located to the side and rear. No parking or drive aisles are to be located between the building and the public right-of-way.
5. An entrance to the new structure shall face the public street.
6. A hard-surface sidewalk connection shall be provided from the public sidewalk to the main entry.
7. Installation of proposed landscaping within six month of the issuance of occupancy permits for this project.
8. Remove the old driveway curb cut and replace will full height curb and sidewalk/greenway to match the existing.
9. The new driveway cuts/aprons must meet ADA standards.

Comments:

The use on review process provides an opportunity, and a responsibility, for additional review to assure that the use and its design are compatible with the community in which it is proposed, with standards set forth in the Zoning Ordinance, and with community goals and objectives as stated in adopted plans and policies. The proposed development for Sutherland Avenue is within the boundary of The Bearden Village Opportunities Plan which includes the following community goals:

1. Enhance pedestrian activity and access, while minimizing the negative effects of vehicular traffic on neighborhoods and pedestrians.
2. Enhance the sense of place and community.
3. Build upon Bearden's urban character and unique atmosphere by promoting appropriate development.

Recommendations in the Plan that are relevant to the proposed development include:

1. Pedestrian Plan (page 8) -
 - a) Encourage the private sector to construct or improve sidewalks with all redevelopment or new development.
2. Sutherland Avenue Commercial Corridor (page 23) - "Creating a safer, pedestrian-friendly environment, improving the visual appearance and controlling vehicle access would enhance pedestrian activity and increase the sense of place within the corridor."
 - a) Parking to back of buildings with buildings fronting on sidewalks.
 - b) Mixed use with commercial/retail on first floors of buildings and office/residential uses on subsequent floors.
 - c) Consistent signage, landscaping and façade requirements.
 - d) Vehicular access control in to developments.
3. Forest Park Boulevard/Chambliss Avenue (page 24) -
 - a) Require parking to the side or back of buildings with green space and sidewalk connections in front of businesses.
 - b) Business conversions should not greatly disrupt the facades or overall structure of buildings.
 - c) Establish sign requirements that maintain the small-scale character.

Community representatives and MPC staff met with the applicant to discuss the recommendations of the Bearden Village Opportunities Plan and to suggest plan revisions that would aid in implementing the recommendations of the Plan. Reducing the number of curb cuts from the proposed two curb cuts to one was discussed but it appears this would make traffic flow, particularly for delivery vehicles,

extremely difficult. Placing the proposed building at the front of the parcel to create a more pedestrian friendly environment was identified by MPC staff as a way to comply with the recommendations of the Bearden Village Plan.

In an effort to assure compliance with the Bearden Village Opportunities Plan while acknowledging the need to provide for efficient traffic flow, staff recommends that the building be placed at the front of the property, with parking located to the side and rear. This would permit two curb cuts and allow for traffic to flow behind the building while creating a pedestrian friendly environment along Sutherland Avenue as envisioned in the Bearden Village Opportunities Plan.

Excerpts from the Bearden Village Opportunities Plan are attached to the agenda. The full document is available on the MPC website at the following link:
http://archive.knoxmpc.org/plans/smallarea/bearden_village_2001.pdf

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

1. Public utilities are available to service the site.
2. Sutherland Ave. is a minor arterial and has sufficient capacity to handle the additional traffic which will be generated by this development.
3. With the recommended conditions, the proposed restaurant is compatible with the scale and intensity of development in the area.

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

1. With the recommended conditions, the proposal is consistent with all requirements of the C-1 zoning district, as well as other criteria for approval of a use on review.
2. The proposed use is consistent with the general standards for uses permitted on review: The proposed use 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.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The One Year Plan and West City Sector Plan identify this site as part of a mixed use special district (MU-SD WC-1), which recommends a mix of commercial, office and residential uses and recommends implementing the Bearden Village Opportunities Plan.
2. The Bearden Village Opportunities Plan identifies this site as part of the "Forest Park Boulevard / Chambliss Avenue" opportunity district. This district is intended to be a buffer between the more intense commercial areas the single family residential section north of Sutherland Avenue and recommends maintaining the small-scale character of the area, parking to side and rear of building, and green space and sidewalk connections to front of businesses. With the recommended conditions, the proposal is consistent with the intent of the Bearden Village Opportunities Plan.
3. The block of Sutherland Ave. where the subject property is located also has similar characteristics as the "Sutherland Avenue Commercial Corridor" opportunity district to the east. This district recommends creating a safe, pedestrian-friendly environment by controlling vehicular access into developments, locating parking to the rear of buildings, and fronting buildings on sidewalks. With the recommended conditions, the proposal is consistent with the intent of the Bearden Village Opportunities Plan.

Action: Approved **Meeting Date:** 11/12/2015

- Details of 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. An entrance to the new structure shall face the public street.
 5. A hard-surface sidewalk connection shall be provided from the public sidewalk to the main entry.
 6. Installation of proposed landscaping within six month of the issuance of occupancy permits for this project.
 7. Remove the old driveway curb cut and replace will full height curb and sidewalk/greenway to match the existing.
 8. The new driveway cuts/aprons must meet ADA standards.
- (This condition deleted at MPC. -4. Locate the building at the front of the property, with parking located to the side and rear. No parking or drive aisles are to be located between the building and the public right-of-way.

Summary of Action: APPROVE the request for up to 2,590 square feet of restaurant space, subject to 8 conditions:

Date of Approval: 11/12/2015 **Date of Denial:** **Postponements:**

Date of Withdrawal:

Withdrawn prior to publication?: Action Appealed?: 11/24/2015

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 12/17/2015

Ordinance Number:

Disposition of Case: Denied (Withdrawn)

If "Other":

Amendments:

Withdrawn at request of appealant (Money refunded)

Date of Legislative Appeal:

Date of Legislative Action, Second Reading:

Other Ordinance Number References:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: