

# 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

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File Number: 12-H-16-UR

Related File Number:

Application Filed: 10/28/2016

Date of Revision:

Applicant: R2R STUDIO LLC

## PROPERTY INFORMATION

General Location: Southeast side of E. Emory Rd., northeast of Central Avenue Pike.

Other Parcel Info.:

Tax ID Number: 57 PART OF 00701

Jurisdiction: City

Size of Tract: 1.7 acres

Accessibility: Access is via E. Emory Rd., a major arterial street with a 5 lane section, and a 60 foot pavement width within a required right-of-way of 112 feet.

## GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land

Surrounding Land Use:

Proposed Use: Restaurant

Density:

Sector Plan: North County

Sector Plan Designation: Mixed Use

Growth Policy Plan: Urban Growth Area (Inside City Limits)

Neighborhood Context: This site is the former location of the Powell airport, a private landing strip. I-75 runs along the east side of the site and E. Emory Rd is along the north side. The interstate interchange is developed with a variety of commercial uses, under various zones.

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

Street: 0 E Emory Rd

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: PC-1 (Retail and Office Park)

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning: Property rezoned to PC-1 in 2006

## 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:

Tom Brechko

Staff Recomm. (Abbr.):

APPROVE the request for a restaurant containing approximately 7,635 square feet of floor area as shown on the development plan, subject to 8 conditions

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knoxville Zoning Ordinance
3. Meeting all applicable requirements of the Knoxville Department of Engineering.
4. Installation of landscaping as shown on the landscape plan within six months of the issuance of occupancy permit for this project.
5. Meeting all applicable requirements of the Knoxville Urban Forester.
6. Installation of all sidewalks and pedestrian crossings identified on the approved development plan in compliance with the applicable requirements of the Americans with Disabilities Act (ADA) and the Knoxville Department of Engineering.
7. Proposed signage subject to approval by the Planning Commission staff and Knoxville's Zoning Inspector
8. Approval of the revised Aubrey's Restaurant Traffic Impact Study prepared by Fulghum MacIndoe & Associates, Inc., by MPC and Knoxville Department of Engineering Staff, and implementation of any recommended improvements.

With the conditions noted above, the development plan meets all requirements for the approval of a use on review in the PC-1 Zoning District.

Comments:

The applicant is proposing an Aubrey's Restaurant with approximately 7,635 square feet of floor area on a 1.73 acre site. The property is located on the south side of E. Emory Rd. just west of the main entrance for the new Kroger store and fuel center. While the proposed lot has frontage along E. Emory Rd., there will be no direct access from the site onto E. Emory Rd. Access to the site will be through a driveway connection to the main driveway access for the Kroger store at the signalized intersection on E. Emory Rd.

The applicant is proposing a total of 121 parking spaces to serve the restaurant which exceeds the minimum zoning ordinance requirement of 77. The number of proposed spaces is based on parking demand experience from other Aubrey's Restaurants in the Knoxville area.

The applicant submitted an updated traffic analysis of the area with the addition of the proposed restaurant. It was determined that no additional traffic improvements would be required. It should be noted that any additional development of the 60+ acre tract that surrounds the Kroger site will require a new traffic impact study and consideration of the access driveway connection out to Central Avenue Pike.

**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. The proposed restaurant is compatible with the scale and intensity with the surrounding development and zoning pattern.

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

1. With the recommended conditions, the proposal meets all requirements of the PC-1 zoning as well as the general criteria for approval of a use on review.

2. The proposed restaurant 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 since the development is located off of a major arterial street. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

**CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS**

1. The North County Sector Plan identifies this site as part of a mixed use special district (MU-NC04), which allows consideration of PC-1 development.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved **Meeting Date:** 12/8/2016

- Details of Action:**
1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
  2. Meeting all applicable requirements of the Knoxville Zoning Ordinance
  3. Meeting all applicable requirements of the Knoxville Department of Engineering.
  4. Installation of landscaping as shown on the landscape plan within six months of the issuance of occupancy permit for this project.
  5. Meeting all applicable requirements of the Knoxville Urban Forester.
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  8. Approval of the revised Aubrey's Restaurant Traffic Impact Study prepared by Fulghum MacIndoe & Associates, Inc., by MPC and Knoxville Department of Engineering Staff, and implementation of any recommended improvements.

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**Summary of Action:** APPROVE the request for a restaurant containing approximately 7,635 square feet of floor area as shown on the development plan, subject to 8 conditions

**Date of Approval:** 12/8/2016 **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:**