

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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www.knoxmpc.org

File Number: 2-A-10-UR
Application Filed: 12/17/2009
Applicant: MIKE ELLIOTT

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: West side of Arthur St., north side of McGhee Av.
Other Parcel Info.:
Tax ID Number: 94 F H 011.01 **Jurisdiction:** City
Size of Tract: 3750 square feet
Accessibility: Access is via Arthur St., a local street with a pavement width of 28' within a 40' wide right-of-way

GENERAL LAND USE INFORMATION

Existing Land Use: Restaurant / deli
Surrounding Land Use:
Proposed Use: Restaurant **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 is located in historic district that includes numerous dwellings commercial structures and the historically significant Arthur Street fire hall.

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

Street: 501 Arthur St.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-1 (Neighborhood Commercial) & H-1 (Historic Overlay)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: None noted

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 a restaurant with up to sixteen seats as shown on the plan subject to 6 conditions

Staff Recomm. (Full):

1. Providing the required number of off street parking spaces or obtaining the appropriate parking variance from the Knoxville Board of Zoning Appeals
2. Meeting all other applicable requirements of the Knoxville Zoning Ordinance
3. Meeting all applicable requirements of the Building Code and the requirements of the Knoxville Fire Marshall's office
4. Meeting all applicable requirements of the Knoxville Historic Zoning Commission for any proposed changes or renovation to the exterior of the building
5. Meeting all applicable requirements of the Knoxville Engineering Dept.
6. Meeting all applicable requirements of the Knox County Health Dept.

Comments:

The applicant has requested a use on review for a restaurant in a C-1 (Neighborhood Commercial) District. The site has been home to a deli for a number of years. The applicant is wanting to add permanent seating to permit the patrons to sit as they have their meal. By adding the seating the operation changes from a deli to a restaurant which requires MPC approval in the C-1 district.

The site is located in the Mechanicsville Historic District. The building and the surrounding area was developed before the automobile was our primary mode of transportation. As a result, no off street parking was ever provided for this site because it was not an issue when this historic neighborhood was developed. The City Zoning Ordinance requires that a place of business provide adequate off street parking to accommodate the customers and employees of a particular enterprise. Since parking cannot be provided on site, the applicant has requested a variance to that requirement from the Knoxville Board of Zoning Appeals. The business has been operational for a number of years. Area residents support the business by walking to the location or parking on the street. Staff believes that permitting this business to transition from a deli to a restaurant will have little or no negative impact on the surrounding neighborhood.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY 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. Parking has not been an issue because the existing deli has served this neighborhood for a number of years without any off street parking.

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

1. With the granting of the parking variance, this proposed restaurant will meet the standards for development within a C-1 (Neighborhood Commercial) 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 neighborhood where it is proposed. The use will not significantly injure the value of adjacent property.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Knoxville One Year Plan designates this site for NC (Neighborhood Commercial) uses. The Central City Sector Plan designates this property for low density residential use.

Action: Approved

Meeting Date: 2/10/2011

Details of Action:

Summary of Action: APPROVE the request for a restaurant with up to sixteen seats as shown on the plan subject to 6 conditions

Date of Approval: 2/10/2011

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

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: