

# CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



**File Number:** 3-L-20-SU                      **Related File Number:**  
**Application Filed:** 1/28/2020                      **Date of Revision:**  
**Applicant:** MIKE GRAY, P.E.

## PROPERTY INFORMATION

**General Location:** West side of N. Broadway, west of McCroskey Ave., northwest of Cecil Ave.  
**Other Parcel Info.:**  
**Tax ID Number:** 81 E F 00802 AND PART OF 008                      **Jurisdiction:** City  
**Size of Tract:** 0.49 acres  
**Accessibility:** Access is via N Broadway, a major arterial street with a five lane street section within a 70' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Taco Bell restaurant  
**Surrounding Land Use:**  
**Proposed Use:** Restaurant with drive-thru                      **Density:**  
**Sector Plan:** Central City                      **Sector Plan Designation:** MU-SD, MU-CC7  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** The site is located within an older shopping center in an area that includes a mix of commercial, institutional and residential uses.

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

**Street:** 2085 N. Broadway  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** C-G-2 (General Commercial)  
**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.:

**PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge: Tom Brechko

**Staff Recomm. (Abbr.):** APPROVE the development plan for a restaurant with drive thru containing approximately 2,600 square feet of floor area, subject to 9 conditions.

**Staff Recomm. (Full):**

1. Connection to sanitary sewer and meeting any other relevant requirements of the utility provider.
2. Installation of all landscaping shown on the development plan within six months of the issuance of occupancy permit for this project.
3. Meeting all applicable requirements of the City of Knoxville Tree Protection Ordinance.
4. Installing all sidewalks shown on the development plan in accordance with the requirements of the Americans with Disabilities Act (ADA) and the City of Knoxville Department of Engineering.
5. Signage shall be in conformance with Article 13 of the City of Knoxville Zoning Ordinance, and is subject to final approval by Planning staff and the Knoxville Plans Review and Inspections Division.
6. Since this site was reviewed as a stand alone site and not as a part of the overall Broadway Shopping Center, a final plat approval will be required for the lease parcel in order to create a lot of record.
7. Recording any greenway easement as may be required by the City of Knoxville. Any greenway easement that will cross this lot shall be identified on the final plat.
8. Meeting all applicable requirements of the City of Knoxville Department of Engineering.
9. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the SC-2 (Community Shopping Center) District, and the other criteria for approval of a use on review.

**Comments:** The applicant has submitted a development plan for a new 2600 square foot restaurant with drive thru to replace the existing Taco Bell restaurant in the Broadway Shopping Center. The plan was submitted to the City of Knoxville before the end of last year and is being reviewed under the SC-2 (Community Shopping Center) District and not the C-G-2 (General Commercial). Access to the site is from the internal driveway system for the shopping center. There will be a total of 17 parking spaces provided on the site which complies with the parking standards.

Since this site was reviewed as a stand alone site and not as a part of the overall Broadway Shopping Center, a final plat approval will be required for the lease parcel in order to create a lot of record. Any greenway easement that is required by the City that will cross this lot shall be identified on the final plat.

**EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES 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. The proposed redevelopment of the restaurant will have minimal impact on traffic circulation patterns and all driveways should operate with acceptable service levels.

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

1. With the recommended conditions, the proposed restaurant meets the standards for development within the SC-2 zoning 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 area 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.

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

1. The Central City Sector Plan and the One Year Plan identify this area as being within the Broadway Mixed Use District which allows commercial uses for this site. The restaurant is consistent with both the Sector and One Year plans.
2. The site is located within the Urban Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

**Action:** Approved **Meeting Date:** 3/12/2020

**Details of Action:**

**Summary of Action:** APPROVE the development plan for a restaurant with drive thru containing approximately 2,600 square feet of floor area, subject to 9 conditions.

**Date of Approval:** 3/12/2020 **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:**