

# 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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Knoxville, Tennessee 37902  
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**File Number:** 4-E-15-UR                      **Related File Number:**  
**Application Filed:** 2/23/2015              **Date of Revision:**  
**Applicant:** BOB ALCORN ARCHITECT

## PROPERTY INFORMATION

**General Location:** Northwest side of Kingston Pike, southwest side of West Kings Way, east of Ebenezer Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 119 03804                      **Jurisdiction:** City  
**Size of Tract:** 7.3 acres  
**Accessibility:** Access is via Kingston Pike a major arterial street with a 5 lane pavement section with a 110' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Shopping center  
**Surrounding Land Use:**  
**Proposed Use:** Covered patio with outdoor seating                      **Density:**  
**Sector Plan:** Southwest County              **Sector Plan Designation:** Commercial  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** The site is located within a commercial area along Kingston Pike that has developed under a mix of commercial zoning districts.

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

**Street:** 8807 Kingston Pike  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PC-2 (Retail and Distribution Park)  
**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:

Tom Brechko

Staff Recomm. (Abbr.):

APPROVE the development plan for a covered outdoor patio area of approximately 864 square feet for an existing eating and drinking establishment, subject to 5 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance
2. Meeting all applicable requirements of the Plans Review and Inspections Division.
3. Meeting all applicable requirements of the Knoxville Fire Marshal.
4. Restriping the row of parking spaces along the western property line just north of the patio area meeting the requirements of the Knoxville Department of Engineering.
5. Meeting all applicable requirements of the Knoxville Department of Engineering.

With the conditions noted above, this request meets all requirements of the PC-2 (Retail and Distribution Park) zoning district, as well as other criteria for approval of a use on review.

Comments:

The applicant is proposing to add a covered patio to Roger's place, an existing eating and drinking establishment located in the shopping center on the north side of Kingston Pike that includes Rothchild Catering & Conference Center. The proposed patio area addition of approximately 864 square feet will be located on the north end of the building that is on the west side of access driveway off of Kingston Pike. A total of five parking spaces were removed when the owner of Roger's Place began working on the outdoor patio area about two years ago. Even with the removal of the five parking spaces, the commercial center still meets the parking requirements of the Knoxville Zoning Ordinance. The Knoxville Building Official made the determination that a shopping center would be the appropriate use category to determine required parking. The Building Official has recommended that applicant be required to restripe the row of parking spaces along the western property line just north of the patio area since the majority of the lines are not visible.

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

1. The proposed covered patio will have minimal impact on local services since all utilities are available to serve this site.
2. The existing shopping center has adequate parking to meet the requirements of this small addition.

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

1. With the recommended conditions, the proposed covered patio meets the standards for development within the PC-2 zoning district and all other requirements of the Zoning Ordinance..
2. The proposed development 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 Southwest County Sector Plan identifies this property for commercial use. The One Year Plan designates the site for general commercial use.
2. The site is identified as being within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

Action:

Approved

Meeting Date: 4/9/2015

Details of Action:

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance

2. Meeting all applicable requirements of the Plans Review and Inspections Division.
3. Meeting all applicable requirements of the Knoxville Fire Marshal.
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With the conditions noted above, this request meets all requirements of the PC-2 (Retail and Distribution Park) zoning district, as well as other criteria for approval of a use on review.

**Summary of Action:**

APPROVE the development plan for a covered outdoor patio area of approximately 864 square feet for an existing eating and drinking establishment, subject to 5 conditions:

**Date of Approval:**

4/9/2015

**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:**