

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
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

File Number: 5-A-09-UR
Application Filed: 3/18/2009
Applicant: DEAD END BBQ

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: North side of Sutherland Av., east of Hollywood Rd.
Other Parcel Info.:
Tax ID Number: 107 F F 001 **Jurisdiction:** City
Size of Tract: 0.8 acres
Accessibility: Access is via Sutherland Av., a three lane minor arterial street at this location with a pavement width of 36' within a 70' wide right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Convenience store with gasoline pumps
Surrounding Land Use:
Proposed Use: Restaurant **Density:**
Sector Plan: West City **Sector Plan Designation:**
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: The site is located in the midst of a number of commercial uses that cater to the residents of the surrounding neighborhood. Other uses found in the area include University of Tennessee married student housing, the National Guard Armory and West High School. Zoning in the area is C-1 and C-3 commercial and R-2 residential.

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

Street: 3621 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: 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 at this location as shown on the development plan subject to 4 conditions

Staff Recomm. (Full):
1. Meeting all applicable requirements of the Knoxville Zoning Ordinance
2. Meeting all applicable requirements of the Knoxville Department of Engineering
3. Meeting all applicable requirements of the City of Knoxville Arborist
4. Meeting all applicable requirements of the Knox County Health Dept.

With the conditions noted, this plan meets the requirements for approval in the C-1 district and the other criteria for approval of a use on review.

Comments: The applicant is requesting approval of a development plan for a restaurant to be located in a C-1 (Neighborhood Commercial) district. The existing building on the site will be remodeled to accommodate the use. Additionally, the existing pole sign will be renovated and used for this business.

The site is located on the north side of Sutherland Av. across from the existing University of Tennessee married student housing (Golf Range and Sutherland Avenue Apartments). Other commercial uses are found in the area that have catered to the needs of the apartments as well as the larger surrounding residential area. The adjoining pizza restaurant was approved by MPC through the use on review process in 1996. Other restaurants have been located in this area in the past. The redevelopment of this site for a restaurant will have minimal impact on the surrounding residences and will not have a significant impact on the existing traffic conditions found in the area.

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 in place to serve this site.
2. The restaurant is consistent in use with the zoning and the other uses found in the area that have been developed in the C-1 and C-3 commercial zones and the R-2 residential zone.

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

1. The proposed attached residential development meets the standards for development within a C-1 (Neighborhood Commercial) 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 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.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The West City Sector Plan and Knoxville One Year Plan designates this property for mixed use development.

2. The site is located within the Urban Growth Area inside the City on the Knoxville-Knox County-Farragut Growth Policy Plan map.

MPC Action:

Approved

MPC Meeting Date: 5/14/2009

Details of MPC action:

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance
2. Meeting all applicable requirements of the Knoxville Department of Engineering
3. Meeting all applicable requirements of the City of Knoxville Arborist
4. Meeting all applicable requirements of the Knox County Health Dept.

With the conditions noted, this plan meets the requirements for approval in the C-1 district and the other criteria for approval of a use on review.

Summary of MPC action:

APPROVE the request for a restaurant at this location as shown on the development plan subject to 4 conditions

Date of MPC Approval:

5/14/2009

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: