

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 6-A-21-UR **Related File Number:**
Application Filed: 4/23/2021 **Date of Revision:**
Applicant: DENNA MIDDLETON

PROPERTY INFORMATION

General Location: South side of Middlebrook Pike at Foxcroft Drive
Other Parcel Info.:
Tax ID Number: 105 O C 028 **Jurisdiction:** County
Size of Tract: 3.16 acres
Accessibility: Access is off of Middlebrook Pike, a major arterial road with 78 ft of pavement width including a center median inside a 100 ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Restaurant
Surrounding Land Use:
Proposed Use: Restaurant / Food Trucks **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** NC (Neighborhood Commercial) / O (Office)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The subject property is located on the south side of Middlebrook Pike in an area with a mix of residential and commercial uses.

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

Street: 9036 Middlebrook Pk.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: CN (Neighborhood Commercial) / OB (Office, Medical and Related Services)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: The property was rezoned from CA and OB to CN and OB (7-J-18-RZ)

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: Levan King Cranston

Staff Recomm. (Abbr.): APPROVE the request to allow up to three food trucks to be parked at 9036 Middlebrook Pike subject to 2 conditions.

Staff Recomm. (Full): 1. Meeting all appropriate requests of the Knox County Zoning Ordinance.
2. Food trucks will only be situated on the CN (Neighborhood Commercial) portion of the subject property.

With the conditions noted, this plan meets the requests for approval in the CN zone and the criteria for approval of a use on review.

Comments:

The applicant is requesting to allow up to three food trucks to be parked at 9036 Middlebrook Pike. The subject property is split into two zones. The north portion is zoned CN (Neighborhood Commercial), and the south portion is zoned OB (Office, Medical, and Related Services). The food trucks will be parked on the north section of the property zoned CN (Neighborhood Commercial). They will be situated along the loop of the eastern driveway that was once constructed for access to a previous residence. The specific location of the food trucks is indicated on the attached site plan.

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 – SECTION 2).

The Planning Commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

1) THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.

A. The Northwest County Sector Plan recommends NC (Neighborhood Commercial) uses for this site. This classification includes retail and service-oriented commercial uses intended to provide goods and services that serve the day-to-day needs of households within a walking or short driving distance. Neighborhood commercial uses may also be accommodated within neighborhood centers. The proposed food truck use is compatible with this description.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

A. The CN (Neighborhood Commercial) zone is intended to provide the opportunity to locate limited retail and service uses in a manner convenient to and yet not disruptive to established residential neighborhoods. It is intended to provide for the recurring shopping and personal service needs of nearby residential areas. Development performance standards are provided to maximize compatibility between commercial uses and adjacent residential uses. Food truck parks are considered a restaurant use, which is a permitted use on review in the CN (Neighborhood Commercial) zone.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. The proposal for up to three food trucks to be parked on the subject property is compatible with the surrounding uses along Middlebrook Pike and will not disrupt the overall character of the area. Food trucks will be located on the eastern portion of the property away from the neighboring residential uses to the west.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

There is no indication that the proposal for up to three food trucks will significantly injure the value of adjacent properties.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. The property has direct access to Middlebrook Pike. It is not anticipated that the use would generate

additional traffic that would affect residential areas.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed food truck park.

Action: Approved

Meeting Date: 6/10/2021

Details of Action:

Summary of Action: APPROVE the request to allow up to three food trucks to be parked at 9036 Middlebrook Pike subject to 2 conditions.

Date of Approval: 6/10/2021

Date of Denial:

Postponements:

Date of Withdrawal:

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Board of Zoning Appeals

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: