

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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File Number: 6-J-17-UR **Related File Number:**
Application Filed: 4/28/2017 **Date of Revision:**
Applicant: TEDS PROPERTIES 2, LLC

PROPERTY INFORMATION

General Location: Southwest and southeast side of Miller Place Way, northeast side of Kinzel Way.
Other Parcel Info.:
Tax ID Number: 59 E A 002 & 003 **Jurisdiction:** City
Size of Tract: 1.35 acres
Accessibility: Access is via Miller Place Way, a private Joint Permanent Easement with 26' pavement width within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Zaxby's Restaurant **Density:**
Sector Plan: North City **Sector Plan Designation:** MU - RC
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: Property in the area is zoned SC-3 shopping center and C-3 and C-6 commercial. Development in the area consists of Knoxville Center Mall, Wal Mart / Sam's and other commercial uses.

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

Street: 2936 Miller Place Way
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: SC-3 (Regional Shopping Center)
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 drive-thru restaurant that is approximately 3,847 square feet, subject to the 7 conditions.

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Installation of landscaping as shown on the landscape plan within six months of the issuance of an occupancy permit for this project.
4. Meeting all applicable requirements of the Knoxville Urban Forester.
5. All signage is subject to compliance with the Knoxville Zoning Ordinance Sign Regulations and approval by the Knoxville Plans Review and Inspections Division and the Planning Commission Staff.
6. Obtaining approval and recording a final plat for the combination of Tax parcels 059EA002 and 059EA003 into a single lot.
7. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval of a use on review in the SC-3 District.

Comments:

The applicant is proposing to build a drive-thru restaurant in the Millertown Commerce Park subdivision with approximately 3,847 square feet of floor area. The 1.35 acre site is located on the southwest and southeast side of Miller Place Way and the northeast side of Kinzel Way. The development site includes two lots within the subdivision that will have to be replatted into a single lot.

Access to the site includes a driveway onto Miller Place Way and a driveway connection to the Aspen Dental and Visionworks development site located to the southeast. A total of 51 parking spaces are being provided for this site.

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

1. All public utilities are available to serve the site.
2. The proposed restaurant should have minimal impact on traffic in the area since it has access out to the traffic signal at the intersection of Millertown Pike and Kinzel Way.
3. The proposed development is compatible with the scale and intensity of the surrounding development.

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

1. With the recommended conditions, the proposed restaurant meets all requirements of the SC-3 zoning as well as the general criteria for approval of a use on review.
2. The proposed commercial development is consistent with the following general standards for uses permitted on review: The proposal 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 since the development is located off of a minor arterial street. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The proposal is consistent with the Knoxville One Year Plan and the North City Sector Plan which

propose regional commercial uses for this site.

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

Action: Approved **Meeting Date:** 6/8/2017

Details of Action:

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Installation of landscaping as shown on the landscape plan within six months of the issuance of an occupancy permit for this project.
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With the conditions noted, this plan meets the requirements for approval of a use on review in the SC-3 District.

Summary of Action: APPROVE the development plan for a drive-thru restaurant that is approximately 3,847 square feet, subject to the 7 conditions.

Date of Approval: 6/8/2017 **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:**