

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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www.knoxmpc.org

File Number: 8-B-09-UR
Application Filed: 6/25/2009
Applicant: SUBSOUTH

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: South side of Middlebrook Pike, west side of Vanosdale Rd.
Other Parcel Info.:
Tax ID Number: 106 O B 013 **Jurisdiction:** City
Size of Tract: 0.82 acres
Accessibility: Access is via Middlebrook Pike a major arterial street with four lanes with additional turn lanes and median within a required 112' right-of-way, and Vanosdale Rd., a minor arterial street with five lanes (includes turn lanes) and median adjacent to the site within a require 88' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant convenience store and car wash
Surrounding Land Use:
Proposed Use: Restaurant (and existing car wash) **Density:**
Sector Plan: Northwest City **Sector Plan Designation:** NC
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: The site is located in an area along Middlebrook Pike that includes a mix of businesses, institutional and residential uses.

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

Street: 7300 Middlebrook Pike
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: Tom Brechko

Staff Recomm. (Abbr.): APPROVE the development plan for a proposed Subway restaurant, subject to the following 6 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 Knox County Health Department.
4. Obtaining an entrance permit from the Tennessee Department of Transportation for proposed access changes.
5. Installation of landscaping as shown on the development plan within six months of the issuance of occupancy permit for this project.
6. All lighting shall be directed away from the residential property to the south of the site.

With the conditions noted above, this requests meets the requirements for approval of a restaurant in the C-1 zone and other criteria for a use-on-review.

Comments: The applicant is proposing to convert an existing building (1436 square feet) into a Subway restaurant at this site located at the southwest corner of the intersection of Middlebrook Pike and Vanosdale Rd. The site was formerly a convenience store with gas pumps. The gas pumps and tanks have been removed from the site. There is an existing car wash facility on the site that will remain.

Access to the site will be provided from both Middlebrook Pike and Vanosdale Rd. As a part of the redevelopment, the three existing access drives onto Middlebrook Pike will be reduced to two. The two existing driveways that are closest to the intersection have been redesigned as a single access drive that will be located in front of the restaurant and further from the intersection. The applicant will be required to obtain an entrance permit from the Tennessee Department of Transportation with regards to the new access onto Middlebrook Pike.

The Knoxville Department of Engineering has identified that a Special Pollution Abatement Permit including water quality will be required. Redevelopment criteria may require that a down stream study be conducted for water quantity considerations.

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

1. The property is located at a signalized intersection of a major and minor arterial streets and will have minimal impact on traffic capacity in the area. The revisions to the access drives onto Middlebrook Pike will help to improve traffic flow at this intersection.
2. Public water and sewer utilities are available to serve the development.
3. The proposal will have no impact on schools.

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

1. The proposal meets all relevant requirements of the C-1 zoning district and a use on review.
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 neighborhood where it is proposed.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Northwest City Sector Plan and One Year Plan propose neighborhood commercial uses for this site.
2. The site is located within the Urban Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

Action: Approved **Meeting Date:** 8/13/2009

- Details of Action:**
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Summary of Action: APPROVE the development plan for a proposed Subway restaurant, subject to the following 6 conditions:

Date of Approval: 8/13/2009 **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:**