

# 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: 9-B-17-UR

Related File Number:

Application Filed: 7/26/2017

Date of Revision:

Applicant: BLUEMONT GROUP, LLC

## PROPERTY INFORMATION

General Location: Southwest side of Western Ave., west of Shoppers Ln.

Other Parcel Info.:

Tax ID Number: 93 F B 00607

Jurisdiction: City

Size of Tract: 3.46 acres

Accessibility: Access is via Western Ave., a major arterial street with a five lane section, which includes a center turn lane, within a right-of-way of over 100' and Shoppers Ln., a local street.

## GENERAL LAND USE INFORMATION

Existing Land Use: Shopping center

Surrounding Land Use:

Proposed Use: Dunkin Donuts restaurant

Density:

Sector Plan: Northwest City      Sector Plan Designation: GC

Growth Policy Plan: Urban Growth Area (Inside City Limits)

Neighborhood Context: The site is located in the commercial corridor along Western Ave., on the north side of a major industrial area.

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

Street: 4466 Western Ave

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: SC-1 (Neighborhood 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 small restaurant with approximately 1,686 square feet including two drive-up stations for the drive-through window, subject to 7 conditions.

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. All proposed sidewalks and driveway crossings are subject to approval by the Knoxville Department of Engineering and shall meet all applicable Americans with Disabilities Act (ADA) requirements.
3. Meeting all applicable requirements of the Knoxville Department of Engineering.
4. Installation of landscaping as shown on the landscape plan within six months of the issuance of occupancy permit for this project.
5. Provide landscaping in accordance with the City of Knoxville Tree Protection Ordinance and meeting all applicable requirements of the Knoxville Urban Forester.
6. Proposed signage for the development is subject to approval by the Planning Commission staff and the City of Knoxville Plans Review & Inspections Division.
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-1 zoning district.

Comments:

The applicant is proposing to construct a Dunkin Donuts restaurant in front of this existing shopping center located on the south side of Western Ave., just west of Shoppers Ln. The proposed restaurant will have a building area of approximately 1,686 square feet and will include two drive-up stations for the drive-through window. The site is on the east side of the main entrance off of Western Ave. for the shopping center. The proposed restaurant will use the existing access driveways for the shopping center out to Western Ave. and Shoppers Ln.

The existing ATM that is located on this site will be relocated in the same general area with the new design. There will be a net loss of 26 parking spaces with the proposed design. The applicant submitted a parking analysis for the shopping center and it was determined that the existing parking will still exceed the required parking for the entire center.

The Kroger supermarket that was in this shopping center was recently closed, which included the removal of the gas fueling station that was in front of the store.

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

1. The proposed restaurant will have minimal impact on local services since all utilities are available to serve this site.
2. The proposed restaurant is compatible with the scale and intensity of the surrounding development and zoning pattern.

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

1. The proposed restaurant with the recommended conditions meets the standards for development within the SC-1 zoning district and all other requirements of the Zoning Ordinance.
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 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 Northwest City Sector Plan and the One Year Plan propose general commercial uses for this site. The proposed restaurant is consistent with both the Sector and One Year plans.
- 2. The site is located within the Urban Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

**Action:** Approved **Meeting Date:** 9/14/2017

- Details of Action:**
- 1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
  - 2. All proposed sidewalks and driveway crossings are subject to approval by the Knoxville Department of Engineering and shall meet all applicable Americans with Disabilities Act (ADA) requirements.
  - 3. Meeting all applicable requirements of the Knoxville Department of Engineering.
  - 4. Installation of landscaping as shown on the landscape plan within six months of the issuance of occupancy permit for this project.
  - 5. Provide landscaping in accordance with the City of Knoxville Tree Protection Ordinance and meeting all applicable requirements of the Knoxville Urban Forester.
  - 6. Proposed signage for the development is subject to approval by the Planning Commission staff and the City of Knoxville Plans Review & Inspections Division.
  - 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-1 zoning district.

**Summary of Action:** APPROVE the development plan for a small restaurant with approximately 1,686 square feet including two drive-up stations for the drive-through window, subject to 7 conditions.

**Date of Approval:** 9/14/2017 **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:**