

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: 9-G-16-UR **Related File Number:**
Application Filed: 7/29/2016 **Date of Revision:**
Applicant: SMITH-LINDSEY DEVELOPMENT, LLC

PROPERTY INFORMATION

General Location: East side N Broadway, south side Gibbs Dr.
Other Parcel Info.:
Tax ID Number: 58 E H 021.01 **Jurisdiction:** City
Size of Tract: 1.62 acres
Accessibility: Access is N. Broadway, a major arterial street with 4 lanes and a center turn lane and 52' of pavement width within 90' of right-of-way. The site is also serviced by several transit routes and sidewalks.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: Restaurant **Density:**
Sector Plan: North City **Sector Plan Designation:** NC (Neighborhood Commercial) and O (Office)
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This site is at the southwest corner of Gibbs Dr. and N. Broadway intersection. All properties along Gibbs Dr. have remained zoned R-1 and developed with residential uses. Properties to the north, south and west, fronting on N. Broadway are developed with commercial uses under C-3, C-6 and PC-1.

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

Street: 5150 N Broadway
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-1 (Neighborhood Commercial) and O-1 (Office, Medical, and Related Services)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Property was rezoned C-1 and O-1 in 2015 (7-H-15-RZ)

PLAN INFORMATION (where applicable)

ORDINANCE

- 1. The proposed restaurant meets all of the requirements of the Knoxville Zoning Ordinance with the recommended conditions.
- 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 neighborhoods where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw traffic through residential areas since it is located on a minor and major collector street.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1. The Knoxville One Year Plan and the North City Sector Plan propose neighborhood commercial uses for this site. The proposed restaurant is consistent with the One Year Plan and Sector Plan.
- 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:** 9/8/2016

Details of Action: 1. Meeting all applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Meeting all applicable requirements of the Knoxville Zoning Ordinance, including but not limited to Article 5, Section 7 (Minimum off-street parking, access and driveway requirements) and Article 8 (Signs, Billboards, and Other Advertising Structures).
4. Meeting all the applicable requirements of the "Memorandum of Understanding and Agreement Between and Among Smith-Lindsey Development, LLC; The Historic Gibbs Drive Neighborhood Association; and Fountain City Town Hall", and the "Declaration of Restrictive Covenants by Smith-Lindsey Development, LLC" (see attached).

With the conditions noted, this plan meets the requirements for approval in the C-1 (Neighborhood Commercial) district and the other general criteria for approval of a Use on Review.

Summary of Action: APPROVE the request for a restaurant that is approximately 3,400 square feet in the commercial building currently under construction, subject to the following 4 conditions.

Date of Approval: 9/8/2016 **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:**