



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
USE ON REVIEW REPORT**

▶ **FILE #:** 1-D-07-UR

AGENDA ITEM #: 94

AGENDA DATE: 1/11/2007

▶ **APPLICANT:** **BAHMAN KASRAEI**
OWNER(S): FRANCES LOUGHRAN

TAX ID NUMBER: 107 K F 008
JURISDICTION: City Council District 2

▶ **LOCATION:** **Southeast side of Sutherland Ave., southwest of Lebanon St.**

▶ **APPX. SIZE OF TRACT:** **0.6 acres**

SECTOR PLAN: West City
GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via Sutherland Ave., a three lane, minor arterial street.

UTILITIES: Water Source: Knoxville Utilities Board
Sewer Source: Knoxville Utilities Board

▶ **ZONING:** **C-1 (Neighborhood Commercial)**

▶ **EXISTING LAND USE:** **Vacant**

▶ **PROPOSED USE:** **Dry goods store/art gallery and restaurant**

HISTORY OF ZONING: Denied plan amendment request in October of 2006 (10-C-06-PA).

SURROUNDING LAND USE AND ZONING:
North: Apartments / R-2 (General Residential) & R-3 (High Density Residential)
South: Residences / R-2 (General Residential)
East: Day Care Facility / C-1 (Neighborhood Commercial)
West: Convenience Store / C-1 (Neighborhood Commercial)

NEIGHBORHOOD CONTEXT: This property is located in an area with a mix of office, multi-family, and commercial uses developed under R-2, R-3, O-1, C-1 and C-3 zones.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a dry goods store/art gallery and a restaurant in the C-1 (Neighborhood Commercial) zoning district, subject to the following 6 conditions:**

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Engineering Department.
3. Connection to sanitary sewer and meeting all other requirements of the Knox County Health Department.
4. Installation of proposed landscaping within six months of the issuance of occupancy permits for each unit.
5. Establishment of a property owners association for the purpose of assessing fees for the maintenance of all commonly held assets.
6. Adhering to attached plans and stipulations, as submitted by the applicant for the purposes of this review.

With the conditions noted above, this request meets all criteria for a use on review in the C-1 zoning district.

COMMENTS:

The applicant is requesting approval of a dry goods store/art gallery and a restaurant to be located in a 5,000 square foot commercial building. The proposed dry goods store/art gallery will cover approximately 1,600 square feet of the commercial building and the restaurant will cover 1,200 square feet. There will be an additional 2,200 square feet of retail space. Restaurants and dry good stores are uses permitted on review in the C-1 zoning district. For the purpose of parking requirements for the dry goods store/art gallery, it was determined that this use is comparable to a furniture establishment. According to the Knoxville Zoning Ordinance, furniture establishments are required to provide 1 space per 500 square feet of retail floor area. The proposed plan has provided sufficient parking for the dry goods store, restaurant and retail space.

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

1. This request will have no impact on schools and minimal impact on adjacent properties.
2. Public utilities are available to serve the site.
3. Sutherland Ave., is a minor arterial and has sufficient capacity to handle the additional traffic which will be generated by this development.

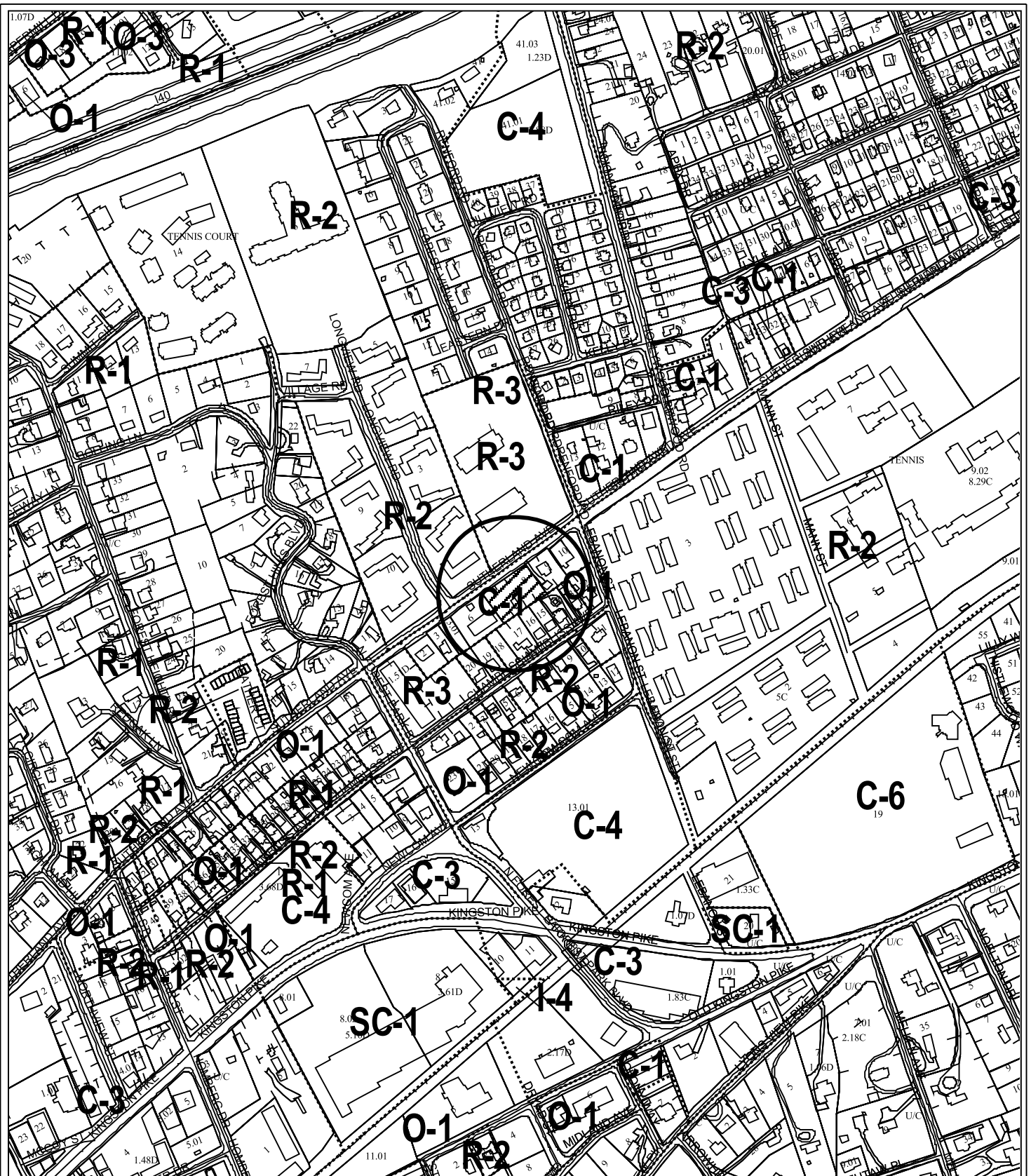
CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. The proposed uses are 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 of the Zoning Ordinance. The use should not significantly injure the value of adjacent property. The use will not draw substantial additional traffic through residential areas. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.
2. The request with the noted conditions conforms to the requirements of the C-1 zoning district, as well as other criteria for approval of a use on review.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The West City One Year Plan identifies this property for neighborhood commercial.
2. The current C-1 zoning of the property permits consideration of dry goods stores and restaurants as uses considered on review.

MPC's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



1-D-07-UR
 USE ON REVIEW



Dry goods store/art gallery and restaurant in the C-1 zoning district.
 in C-1 (Neighborhood Commercial)

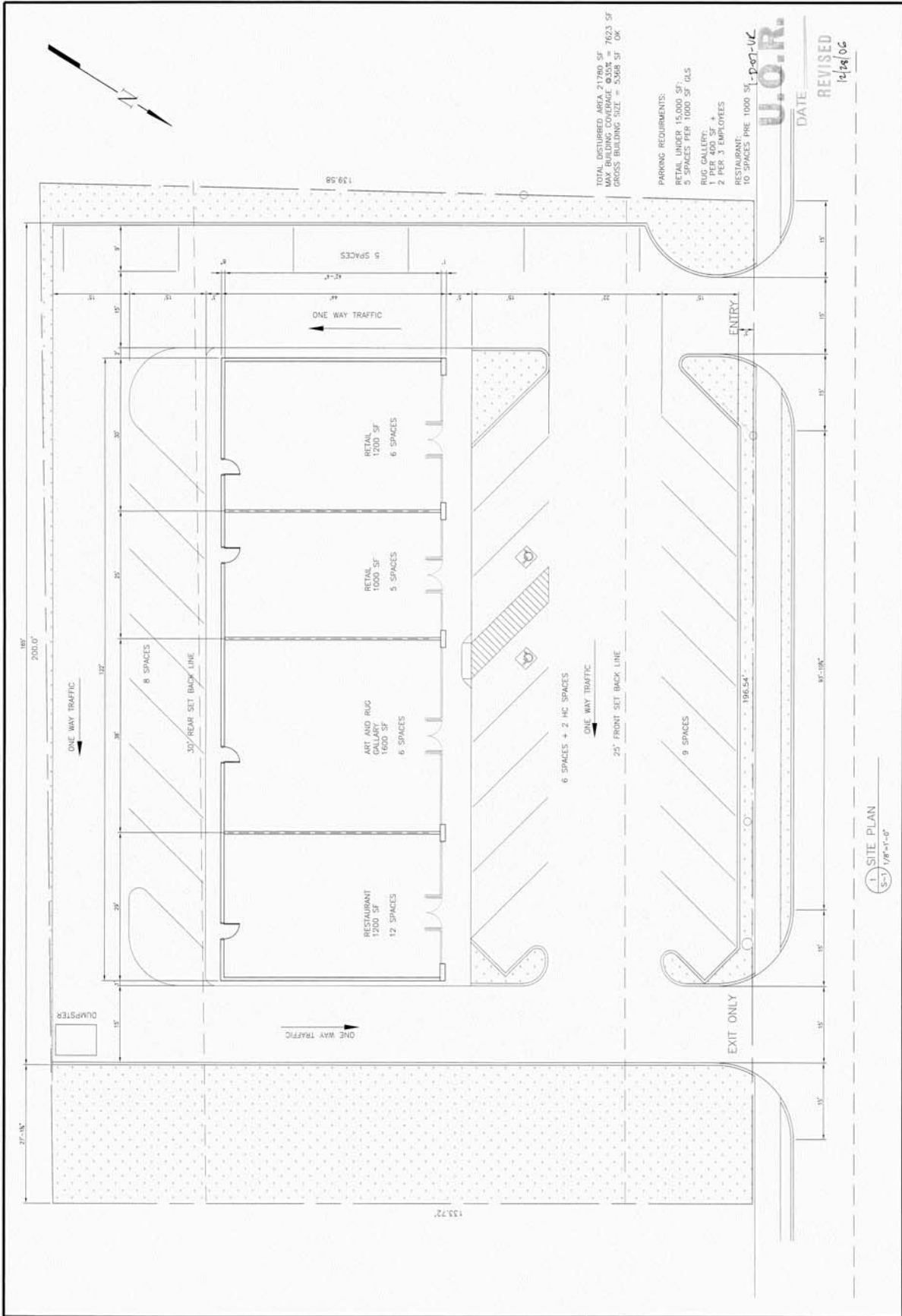
Original Print Date: 12/29/06 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Bahman Kasraei

Map No: 107

Jurisdiction: City





1 SITE PLAN
 S-1 1/8"=1'-0"