



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

▶ **FILE #:** 5-A-09-UR

AGENDA ITEM #: 58

AGENDA DATE: 5/14/2009

▶ **APPLICANT:** DEAD END BBQ

OWNER(S): GEORGE EWART

TAX ID NUMBER: 107 F F 001

JURISDICTION: City Council District 6

▶ **LOCATION:** North side of Sutherland Av., east of Hollywood Rd.

▶ **APPX. SIZE OF TRACT:** 0.8 acres

SECTOR PLAN: West City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Sutherland Av., a three lane minor arterial street at this location with a pavement width of 36' within a 70' wide right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

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

▶ **EXISTING LAND USE:** Convenience store with gasoline pumps

▶ **PROPOSED USE:** Restaurant

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Detached dwellings / R-2 residential

South: Apartments (UT housing) / R-2 residential

East: Produce market / C-3 commercial

West: Pizza restaurant / C-1 commercial

NEIGHBORHOOD CONTEXT: The site is located in the midst of a number of commercial uses that cater to the residents of the surrounding neighborhood. Other uses found in the area include University of Tennessee married student housing, the National Guard Armory and West High School. Zoning in the area is C-1 and C-3 commercial and R-2 residential.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a restaurant at this location as shown on the development plan subject to 4 conditions**

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 City of Knoxville Arborist
4. Meeting all applicable requirements of the Knox County Health Dept.

With the conditions noted, this plan meets the requirements for approval in the C-1 district and the other

criteria for approval of a use on review.

COMMENTS:

The applicant is requesting approval of a development plan for a restaurant to be located in a C-1 (Neighborhood Commercial) district. The existing building on the site will be remodeled to accommodate the use. Additionally, the existing pole sign will be renovated and used for this business.

The site is located on the north side of Sutherland Av. across from the existing University of Tennessee married student housing (Golf Range and Sutherland Avenue Apartments). Other commercial uses are found in the area that have catered to the needs of the apartments as well as the larger surrounding residential area. The adjoining pizza restaurant was approved by MPC through the use on review process in 1996. Other restaurants have been located in this area in the past. The redevelopment of this site for a restaurant will have minimal impact on the surrounding residences and will not have a significant impact on the existing traffic conditions found in the area.

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

1. The proposed restaurant will have minimal impact on local services since all utilities are in place to serve this site.
2. The restaurant is consistent in use with the zoning and the other uses found in the area that have been developed in the C-1 and C-3 commercial zones and the R-2 residential zone.

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

1. The proposed attached residential development meets the standards for development within a C-1 (Neighborhood Commercial) District and all other requirements of the Zoning Ordinance.
2. The proposed development 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. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas.

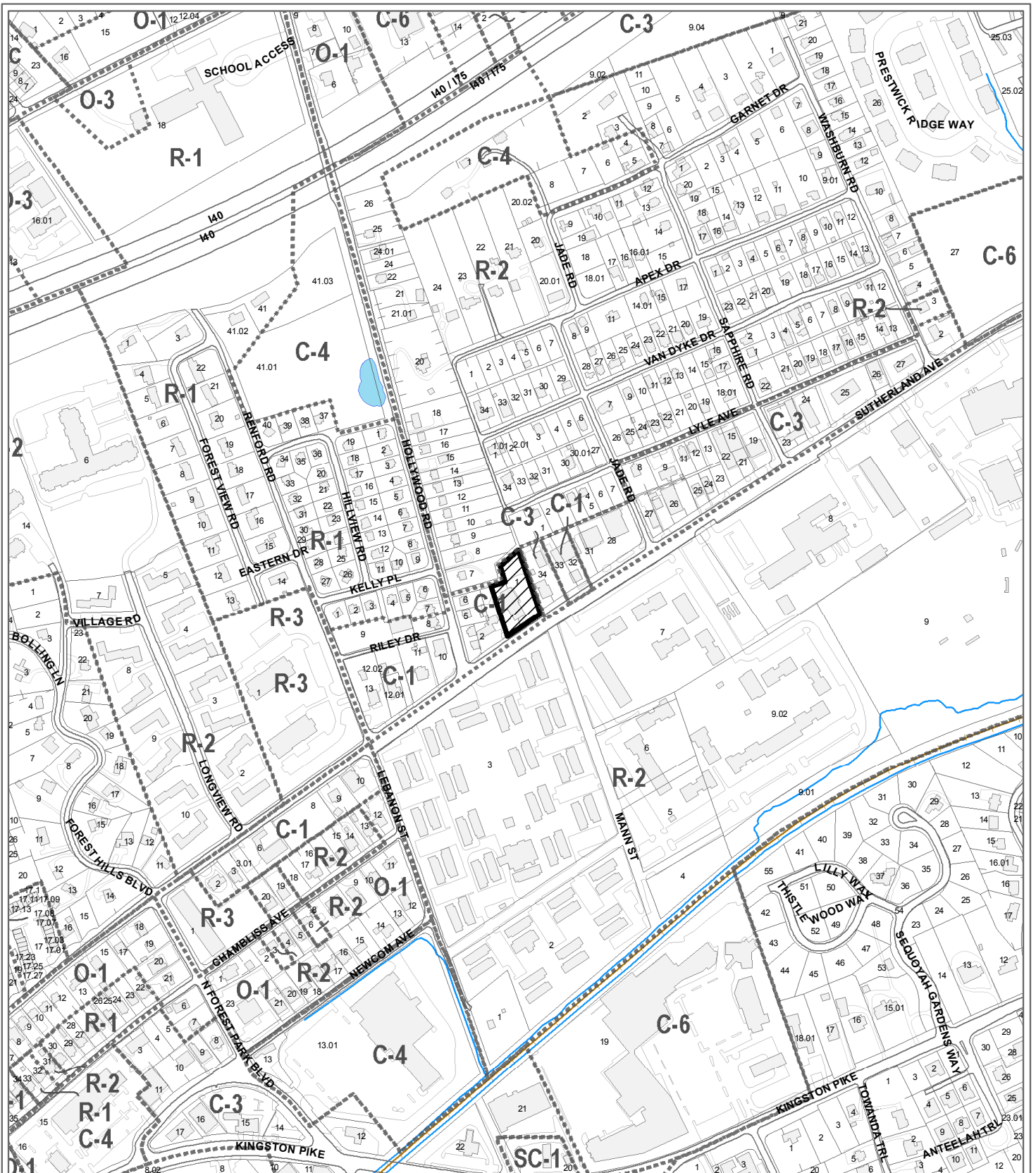
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The West City Sector Plan and Knoxville One Year Plan designates this property for mixed use development.
2. The site is located within the Urban Growth Area inside the City on the Knoxville-Knox County-Farragut Growth Policy Plan map.

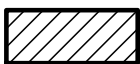
ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

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.



**5-A-09-UR
USE ON REVIEW**



Restaurant in C-1 (Neighborhood Commercial)

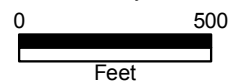
Original Print Date: 4/20/2009
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Dead End BBQ

Map No: 107

Jurisdiction: City





20 April 2009

Mr. Dan Kelly
Knoxville / Knox County MPC
Suite 403 City County Building
400 Main Street
Knoxville, TN 37902

RE: Dead End BBQ Restaurant
3621 Sutherland Avenue
MPC File #5-A-09-UR

Dear Dan:

Attached you will find a elevation of the building sign drawing with dimensions. According to the zoning ordinance, our lot has 166.78 feet of road frontage and we are allowed 1 ½ square feet of linear feet of road frontage. Therefore, we are allowed 166.78 multiplied by 1 ½ equals 250 square feet of area. Our building signage is 102 square feet.

There is an existing monument sign on the site which we are planning to reface within the existing sign dimensions. I spoke with Ms. Anita Cash in regards to the existing sign and she informed me that we could keep the sign as long as we did not exceed the existing dimensions.

Please contact me with any questions or comments you may have.

Respectfully,
George Armour Ewart, Architect

George A. Ewart, AIA

Attachment

GE/ed

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www.georgeewart.com

~~MPC May 14, 2009~~

Agenda Item # 58

